PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of April 16, 2013

SUBJECT: R4C/R2A Recommendations Report

PROPOSED CITY PLANNING COMMISSION MOTION
Whereas, In March 2009, City Council directed the Planning Commission to review the zoning of certain residential neighborhoods in the Central Area to provide City Council with a report and recommendations for potential ordinance changes to these districts; Whereas, In September 2009, City Council appointed members to the R4C/R2A Zoning District Study Advisory Committee (AC), which met 11 times to gather public input and discuss potential approaches to zoning changes in the R4C and R2A neighborhoods; Whereas, The AC provided its recommendation report to the Planning Commission on May 4, 2012; Whereas, The Planning Commission's Ordinance Revisions Committee (ORC) met 10 times since July 2012 to examine the tools recommended by the AC, research other tools and provide additional knowledge that complements the AC recommendations; and Whereas, The Planning Commission reviewed the recommendations provided by the ORC at its working session of April 9, 2013; RESOLVED, That the Planning Commission hereby forwards the R4C/R2A Recommendations Report dated April 11, 2013 to City Council, consistent with Resolution R-09-079; and RESOLVED, That the Planning Commission hereby recommends that the City Council support the changes identified in the report and authorize Planning Commission and Planning staff to draft ordinance amendments consistent with the report recommendations.

STAFF RECOMMENDATION

Staff recommends that the R4C/R2A Recommendations Report be **approved** because the amendments would help address citizen and staff concerns within the R4C Zoning District, implement the recommendations of the City's Master Plan and encourage appropriate development within the R4C and R2A zones.

STAFF REPORT

Attached is the final R4C/R2A Recommendations Report. The report is the result of a comprehensive multi-year study, directed by a City Council resolution and involving the R4C/R2A Advisory Committee, the Planning Commission's Ordinance Revisions Committee, citizen input, and Planning staff.

The Council resolution (attached) cited four "Priority Action Strategies" from the Central Area Plan (Chapter 7, Master Plan Land Use Element) to guide the study process. The Priority Action Strategies are:

> HN1 – Analyze zoning nonconformities related to area, height and placement regulations for the Central Area neighborhoods and determine if amendments are needed to make the regulations more consistent with established development patterns
>
> HN12 – Amend the zoning ordinance and map to clearly identify areas to be maintained or encouraged as housing
>
> HN14 – Reinforce student neighborhoods in the area south and west of Central Campus by developing new zoning definitions and standards that support organized group housing opportunities
>
> HP 17 – Develop site design standards that encourage creative design, while maintaining sensitivity for existing neighborhood character

The Council resolution directed the Planning Commission to provide City Council with a report and recommendations for potential ordinance changes to the R4C and R2A districts to implement the priority action strategies.

BACKGROUND

The R4C/R2A study process began in late 2009, when the City Council appointed a citizen advisory committee to identify potential zoning changes to address community concerns about redevelopment in the R4C and R2A zoning districts. The R4C/R2A Zoning District Study Advisory Committee (AC) met regularly for a year and a half to solicit feedback and identify potential solutions.

In May 2012, the AC completed a report containing its recommendations (attached). The report identified zoning tools that could be used to guide appropriate redevelopment, primarily in the R4C district. The report also highlighted the importance of character in existing neighborhoods and looked to de-incentivize demolition of existing structures to create new, larger structures.

In July 2012, the ORC began its work to examine and build upon the recommendations of the AC. The ORC and Planning staff have met 10 times since then. In addition to these meetings, the ORC and staff conducted a walking tour of several R4C neighborhoods.

The goals of the ORC have been to examine the tools recommended by the AC, research other tools and provide additional knowledge that complements the AC report. The work completed by

the AC helped emphasize the fact that some of the goals of the City master plan are not being served by existing zoning tools. The ORC expanded the scope of research into possible solutions beyond what the AC was able to consider.

The ORC's recommendations were reviewed by the Planning Commission at the April 9, 2013 working session. As a result of that discussion, recommendations regarding parking and third floor step backs were revised and narrative explaining the Phase 2 recommendations was added.

RECOMMENDATIONS

In summary, the Planning Commission has reviewed and confirmed the Advisory Committee's recommendations for non-conformities, rezoning, R4C minimum lot size/width and density. The Planning Commission recommends small changes to setback and parking requirements for the R4C district. Finally, four substantive changes to the AC recommendations are proposed and summarized below:

Lot Combinations – The majority option on the AC was to institute a maximum lot size of 6,535 sf, equal to an allowable density of three units. The ORC felt that, due to the wide variety of lot sizes in the R4C district, this requirement might unduly limit appropriate redevelopment. In addition, a maximum lot size could make existing larger lots non-conforming due to their size. As a result, the ORC recommends that lot combinations be required to receive Planning Commission approval as part of an associated site plan review. Review standards would be developed that the Commission would apply to determine if the combination and associated redevelopment is compatible with the surrounding area. Design and massing standards would also be developed. These review standards would give Planning Commission and/or City Council the discretion to approve projects that meet character and scale of the existing neighborhoods but require a larger parcel size. This discretion would be based on standards that will allow each project to be judged on its specific characteristics. This approach could allow creative projects, with small scale massing of buildings on a larger lot. Large lots also allow the opportunity for inclusion of storm water and landscape improvements.

Overlay District/Design and Massing Standards – The AC and the ORC grappled with ways in which to protect the residential development pattern, massing and streetscape of the R4C district. The AC ultimately recommended the creation of overlay districts on a neighborhood-by-neighborhood basis. The ORC felt this approach had merit, but given the wide variety of neighborhoods in the R4C zone, instead focused on an area identified in the Central Area Plan for "group housing opportunities," located generally south and west of Central Campus (see attached map). After implementation of the "Phase 1" recommendations for all R4C-zoned parcels, this "Phase 2" initiative would rezone this area to allow for flexibility through use of premiums and floor area ratio limitations, in exchange for community benefits such as adherence to pedestrian-friendly and architectural design standards.

Conflicting Land Use Buffer – A change to the Landscape Ordinance in 2011 expanded the conflicting land use buffer requirement in R4 districts to apply to the screening of buildings, in addition to vehicular use areas. This has change has resulted in an increase in variance requests for redevelopment in R4C districts, given the small size of the lots. This issue was not discussed by the AC. The ORC recommends that the conflicting land use buffer be returned to the pre-2011 requirement for screening of vehicular use areas only.

R2A Changes – The AC chose not to recommend zoning changes for the R2A zoning district because the current redevelopment issues are minimal. The ORC recommends further study to determine if the R2A lot size should be reduced to 6,000 square feet to allow opportunities for duplex conversions. This number is based on the lot size requirement prior to being raised to 8,500 sf in 1984.

A chart comparing the existing code, the AC recommendations and the Planning Commission recommendations is attached as part of the R4C/R2A Recommendations Report

NEXT STEPS

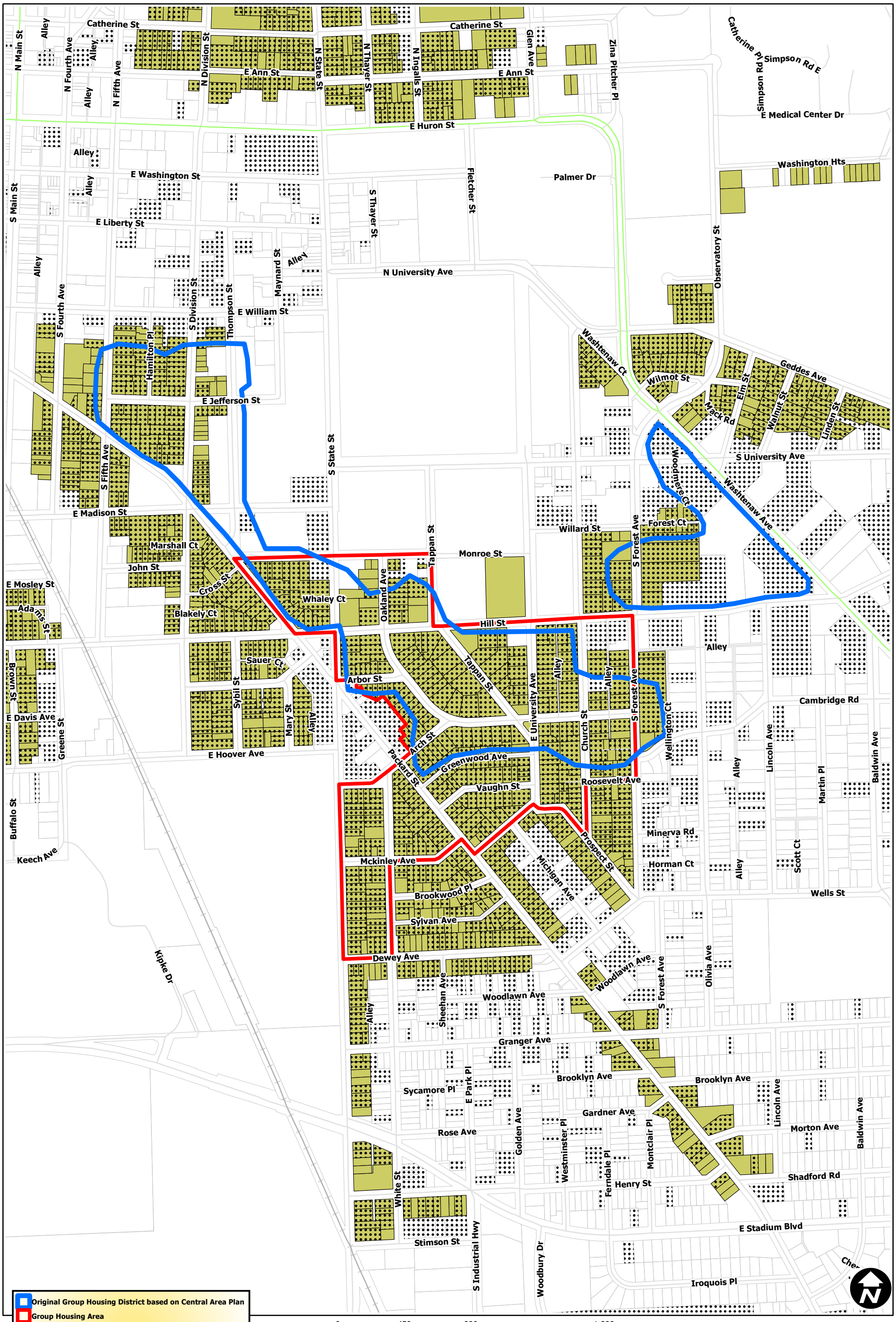
If approved by Planning Commission, the report and resolution will be forwarded to City Council in May as a communication item. The draft Planning Commission resolution requests that City Council support the recommendations and authorize the Commission to begin work on ordinance amendments. After action by City Council, staff will proceed with drafting appropriate ordinance language in coordination with the ORC. All proposed ordinance changes will require public hearings at Planning Commission and City Council and will need City Council approval for adoption.

Prepared by Matthew Kowalski
Reviewed by Wendy Rampson

Attachment: April 11, 2013 R4C/R2A Recommendations Report
May 4, 2012 R4C/R2A Zoning District Study Advisory Committee Report
March 2, 2009 City Council Resolution R-09-079

c: City Attorney

Proposed Zoning District



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Map Created: 4/4/2013

R4C/R2A Recommendations report

Existing City Code , Advisory Committee and Planning Commission Ordinance Revisions Committee Recommendations Comparison Chart

Proposed changes would affect all parcels within the R4C Zoning district

	Existing	Advisory Committee	Planning Commission
Minimum lot size	8,500 square feet	4,350 square feet	4,350 square feet
Minimum lot width	60 feet	None for original platted lots, otherwise 40 feet	None for original platted lots, otherwise 40 feet
Required setbacks	Front -25 feet Rear - 30 feet Side - 12 feet for multi-family structures For single and two family structures side setback is 5 feet. (Using R1C and R2A required setback)	Front -25 feet Rear - 30 feet Side - 12 feet for multi-family structures For single and two family structures side setback is 5 feet. (Using R1C and R2A required setback)	Parcels **less than 8,500** sf: Front -25 feet Rear - 30 feet Side - 5 feet Parcels **greater than 8,500** sf: Front -25 feet Rear - 30 feet Side - 12 feet For single and two family structures side setback is 5 feet. (Using R1C and R2A required setback)
Lot Area per Dwelling Unit	2,175 sf (0 – 6 bedrooms)	2,175 sf (0-4 bedrooms) 3,000 sf (5-6 bedrooms)	2,175 sf (0-4 bedrooms) 3,000 sf (5-6 bedrooms)
Conflicting Land Use Buffer	Required for all multiple-family uses and vehicular use areas adjacent to residential uses.	Not reviewed	Required for all vehicular use areas adjacent to residential uses.
Parking	1.5 spaces per unit	Graduated Scale: AC Majority supported 1.5 spaces per unit (0-4 bedrooms) 2 spaces per unit (5-6 bedrooms)	Graduated Scale: 1 spaces per unit (0-4 bedrooms) 1.5 spaces per unit (5-6 bedrooms)
Lot Combinations	No restrictions	Restrict lot combinations, possibly through MAXIMUM lot size.	Restrict lot combinations through use of Planning Commission approval using site plan and standards for approval.

Prepared by: City of Ann Arbor Planning and Development Services

	Existing	Advisory Committee	Planning Commission
Minimum % Open Space	40	40	40
Massing, character and scale standards	None existing	Proposed Overlay districts, neighborhood by neighborhood basis developed for each neighborhood based on existing conditions	Controlled for larger projects through lot combination standards, new zoning district will have design requirements based on type of development proposed.

R4C/R2A Recommendations Report

April 11, 2013 Planning Commission Proposal

The following document contains proposed ordinance revisions based upon the recommendations of the R4C/R2A Advisory Committee and further study and analysis by the Ordinance Revisions Committee of the Planning Commission.

R4C District Changes (Phase 1)

Non-conformance: Changes as proposed by Advisory Committee (AC):

- Allow the ability to re-construct a structure if damaged due to fire, flood, or other calamity. Reconstruction should not be allowed in the case of voluntary destruction or demolition by neglect.
- Establish time limit (18 months) on how long after destruction the reconstruction of a non-conforming structure is permitted.
- Establish time limit (18 months) on building completion, once construction has started.
- Require that replacement structures must be of similar size, placement, massing dimensions of the original structure and character as the building before destruction.
- This section would apply to non-conforming structures only, and does not include non-conforming uses.

Rezoning

- Rezone Hoover/Davis area to R2A
- Rezone large outliers from R4C to more appropriate zoning (research appropriate district to avoid spot zoning).

Minimum Parcel Size/Parcel Width

- Parcel size -Reduce to 4,350 sf for the entire R4C district
- Lot width - None, if original plat lot, otherwise 40 feet.

Required Setbacks: Since many of the structures that create the 'character' which the AC sought to protect have setbacks similar to single-family districts(or less), and in order to maintain consistent scale and character of neighborhoods, reduced setbacks for smaller parcels should be examined.

- Parcels less than 8,500 sf - Existing R1C setback standards

- Parcels 8,500 sf and greater - Existing R4C setbacks for multiple-family structures.

Density Changes: Graduated scale based directly on the AC proposal (FAR in Phase 2 group housing overlay only).

- 2,175 square feet of lot area per unit for 0-4 bedroom units
- 3,000 square feet of lot area for 5-6 bedroom units
- Maintain existing maximum overall density of 20 units/acre.

Parcel Combinations

- Restrict parcel combinations using tool similar to Special Exception Use as a method for controlling parcel combinations.
- Site plan required for parcel combination (waiver may be permitted by ZBA). Exemption for combination of one non-conforming with one conforming parcel or two non-conforming parcels (assume 4,350 minimum parcel size)
- Parcel combination condition upon site plan, combination completed with issuance of Building permits.
- Develop standards for use in approval, with the intent that any lot combinations maintain character and scale of street block.

Parking Standards

- Graduated scale based directly on the AC proposal.
  - 1.5 space per unit – 4 bedrooms or less
  - 2 spaces per unit – 5 bedrooms or more
- If total required spaces less than 6, then allow tandem parking, reduced drive and aisle width. Recommend study parking in lieu similar to downtown. Contributions used for off-site lots or shared-car participation.
- Recommend parking study for comprehensive analysis of parking alternatives and solutions for all of R4C zones. Provide alternatives for satisfying parking requirements. Ex: Car-sharing, tandem parking, on-street permit parking. Increased bicycle parking, contributions to parking fund, Taxi fund.

Conflicting Land Use Buffer Requirement

- Revise code to match previous requirements (pre-2011 code change) to require a conflicting land use buffer for vehicular use areas only.

R2A District Recommendations

- Further study to determine if lot size should be reduced to 6,000 square feet, based on lot requirement in 1963, before raised to 8,500 sf in 1984.
- Lot width, original plat or 60 feet.

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New Zoning District (Phase 2)

In accordance with the Central Area Recommendations (Chapter 7, Master Plan Land Use Element), and specifically Action F, the Planning Commission has identified an area for a new zoning district for "group housing opportunities," located generally south and west of Central Campus (see attached map). This area is based conceptually on the area designated as 'student neighborhoods,' "should be reviewed for new zoning ordinance definitions and standards that support group housing opportunities" according to Central Area recommendations.

After implementation of the "Phase 1" recommendations for all R4C-zoned parcels, this "Phase 2" initiative would rezone this area to allow for flexibility through use of premiums and floor area ratio limitations, in exchange for community benefits such as adherence to pedestrian-friendly and architectural design standards. By permitting maximum flexibility within this new zone, which is primarily student rental housing, property owners will be able to focus their efforts on providing housing that can adapt to changing requirements of the rental marketplace. This would relieve some pressures on the areas of the R4C district that will be affected by the ordinance changes for Phase I.

Action F (formerly Action Strategy HN14 Central Area Plan) –
Reinforce student neighborhoods in the area south and west of Central Campus by developing new zoning definitions and standards that support organized group housing opportunities

'Group Housing' designation based on Central Area Plan map:

- Floor Area Ratio (FAR) used for Density and parking standards
- Existing site plan requirements still apply

- Basement area counts toward FAR if habitable space.
- Remove SEU requirement for group housing in this area.
- 40% Open space remains, height remains same
- Base FAR, premiums for under structure parking, design, increased open space
- Additions of floor area require site plan for approval, graduated scale for level (staff, PC, CC) of approval needed.

Density Calculations

- Base FAR for entire district based upon analysis of existing conditions.
- Premiums for parcels larger than 8,500 sf. Premium for understructure parking, access off alley. Maximum 100%. Includes any below grade area fit for occupancy. Maintain existing maximum overall density of 20 units/acre.

Group Housing (Fraternities, Sororities, Co-ops)

- Remove requirement for Special Exception use in 'Group Housing' area.
- Maintain lot area/occupancy requirements.
    - 8,500 square feet minimum lot size, 350 s.f. lot area per occupant
    - Parking requirement = 1 space/ 5 beds (existing)

Rooming House

- 8,500 square feet minimum lot size
- 700 s.f. lot area per occupant (new requirement)
- Parking requirement = 1 space/3 beds (existing)

Parking Standards

- Parking based on FAR independent of number of units to encourage flexibility.
- One space per 1,000 square feet floor area. If total required spaces 6 or less, then allow tandem parking, reduced drive and aisle width.
- Recommend study parking in lieu similar to downtown. Contributions used for off-site lots or Zip-car participation.
- Calculation based on existing parking numbers for recently site planned projects, while using different basis (1.5/unit).

City of Ann Arbor

R4C/R2A Zoning District Study Advisory Committee

Recommendation Report

May 4, 2012

Wendy Carman

Chuck Carver

Michelle Derr

Nancy Leff

Carl Luckenbach

David Merchant

Ethel Potts

Ellen Rambo

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Jean Carlberg, Planning Commission

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The R4C (Multiple-Family Dwelling) and R2A (Two-Family Dwelling) zoning districts were established in 1963. Recently, the City has experienced some redevelopment in these zones and concerns were raised as to how this development fits within the current goals and policies of the City.

In September of 2009, the Ann Arbor City Council appointed members to the R4C/R2A Advisory Committee. The goals of the Advisory Committee were to host a series of meetings to discuss and document issues and identify what, if any, changes to zoning regulations are needed (see attached City Council resolution). The committee worked closely with staff throughout the course of the study to advise the outreach strategy, review assumptions and recommendations, and provide feedback at important project milestones. The committee provided staff with citizen direction throughout the community outreach effort.

In December 2009, the Advisory Committee held its first meeting. The Advisory Committee has met eleven times and gathered a large amount of public input through various methods designed to engage the citizens and stimulate discussions. In addition to the public commentary period at each meeting, the Advisory Committee held a series of stakeholder meetings for each of the following groups: rental property owners, neighborhood associations, City Boards and Commissions, City of Ann Arbor rental housing inspectors, and other interested citizens (including students). The Advisory Committee also gathered student input through an electronic survey that was distributed via email to all University of Michigan students and received over 240 responses. The committee toured designated neighborhoods with a list of questions as a 'homework' assignment designed to identify key features (positive and negative) and opportunities within the R4C and R2A zoned neighborhoods. The homework results and all public comments were summarized and reviewed by the Advisory Committee.

Using this public input, the Advisory Committee developed a series of recommendations for zoning and off-street parking code changes to address the issues identified over the course of the study. A community meeting was held in March 2011 to present the recommendations to the public and collect additional feedback. The Advisory Committee met 3 times after the community meeting to refine the recommendations and finalize this report.

Throughout the course of this process, some issues were identified by staff as being outside of the scope of this study, but do have a direct effect on R2A and R4C neighborhoods. These issues include: over occupancy, parking enforcement and nuisances/blight, and it is noted that a significant number of negative comments from the community pertaining to the R4C and R2A Districts stem from these issues. While the recommendations of the Advisory Committee do not directly address these issues, they have been summarized and documented for future study (see Appendix A).

Due to the complexity and extent of the issues identified, the goal of the study was not to reach consensus on all issues, but rather to identify possible solutions based on majority opinion of the Advisory Committee. The draft recommendations below are the best effort at addressing the concerns of the Advisory Committee and the general public, and represent the majority opinion of the Advisory Committee.

R4C and R2A District Recommendations

Non - Conformance

Recommendation: Chapter 55, Section 5:87(Structure Non-Conformance) should be revised to allow reconstruction of non-conforming structures in R2A and R4C districts when construction meets all of the following standards:

- Allow the ability to re-construct a structure if damaged due to fire, flood, or other calamity. Reconstruction should not be allowed in the case of voluntary destruction or demolition by neglect.
- Establish time limit (18 months) on how long after destruction the reconstruction of a non-conforming structure is permitted.
- Establish time limit (18 months) on building completion, once construction has started.
- Require that replacement structures must be of similar size, placement,, massing dimensions of the original structure and character as the building before destruction.
- This section would apply to non-conforming structures only, and does not include non-conforming uses.

Analysis: Overwhelming public feedback indicated a strong desire to keep the existing streetscape and development pattern of R2A and R4C neighborhoods, including size and massing of existing structures. However, many of the structures that define the preferred streetscape were constructed before current zoning standards, and as a result are non-conforming for lot size and/or setbacks. If these structures are destroyed, they would need to be constructed to conform to zoning standards in effect at the time of reconstruction.

The Advisory Committee is supportive of the recommendations noted above only if the new buildings are constructed to the similar size and massing dimensions of the original structure before destruction.

R2A District Recommendations

R2A districts issues were examined and discussed during the course of the study. Through the course of Advisory Committee meetings and public feedback, it was generally acknowledged

that the R2A redevelopment issues are minimal. Only limited changes are proposed to the regulations of this district (see Non-Conformance section above). No changes to lot area, lot width, density, setbacks or parking are proposed within the R2A District. However, the Advisory Committee concludes that several areas currently zoned R4C would be more appropriately zoned R2A (see R4C Districts: Rezoning).

R4C District Recommendations

Rezoning

Recommendation: Select areas should be rezoned from R4C to R2A and additional study be given to other areas that could warrant rezoning based on current conditions. Large R4C parcels outside of the Central Area should be rezoned to a more appropriate zoning district.

Analysis:

From Chapter 55, Section 5:10.8: Multiple-family Dwelling Districts

> Intent. The multiple-family dwelling districts are intended to permit dwelling units to be arranged one above the other or side by side.
>
> (b) The R4C multiple-family dwelling district is intended to be located in the central area of the City, in close proximity to the Central Business District and The University of Michigan

To help maintain the existing single-two family development pattern, the Advisory Committee recommends pursuing priority rezoning of this area, as identified in the Central Area recommendations of the Master Plan Land Use Element, Page 74 (see attached map):

> Hoover/Davis Area – Map Area 3

Rezoning of this area was originally recommended in the City's Central Area Plan (approved December 1992, now incorporated in the City of Ann Arbor Master Plan, Land Use Element). Based on the data provided and public feedback, the Advisory Committee concluded this area still warrants rezoning to an R2A district.

R4C zoning, located outside the Central Area, especially large parcels, does not meet the intent section of the R4C zone. Since the changes to the ordinance that are recommended will affect all R4C parcels throughout the City, even those outside the Central Area, and because motivations for the proposed changes do not apply to parcels outside the Central Area, it should also be a priority to rezone those large parcels to more appropriate zoning districts.

The Advisory Committee acknowledges that other areas may warrant consideration for rezoning, but more research is needed in order to determine where additional rezonings are appropriate based on a more detailed analysis of existing land uses.

Minimum Lot Size/Lot Width/Required Setbacks

Recommendations: Reduce the minimum lot size to 4,350 square feet for all parcels in R4C zoning districts. Require the minimum lot width requirement for existing original platted lots and reduce the minimum lot width to 40 feet if not an original platted lot. No changes to existing setbacks are proposed.

Analysis: Consistent with the Council resolution directing this study, the Advisory Committee examined the large number of non-conforming parcels in the R4C zoning districts. At the time of this study, 1,633 of the 1,970 parcels (83%) zoned R4C are non-conforming for the required minimum lot area. Based on aerial maps and study of the data available, the majority of these parcels are also non-conforming for lot width. The committee concluded that it was of primary importance to bring the current zoning standards closer to the established development patterns of the original subdivision plats in the R4C neighborhoods.

Lot width regulations typically are needed to guide subdivision of land. Since the R4C District is largely developed with lot widths of less than 60 feet, it was concluded that a required 60 foot minimum lot width was not necessary in the R4C District and in most cases served only to create a large number of non-conforming lots and structures. However, the majority of the Advisory Committee is not comfortable with eliminating minimum lot width due to a concern regarding possible land divisions of existing parcels. Therefore, the committee recommends that original platted lots be considered as conforming for lot width; however any new lots or non-platted lots must maintain a minimum lot width of 40 feet. Maintaining required side setbacks of 12 feet (total required side setbacks of 24 feet) and taking into account the minimum dimension for a building width provides support for a minimum lot width of approximately 40 feet. Reducing minimum lot width may also help minimize the need for property owners to combine parcels in order to obtain the required width for some additions to existing buildings.

Through the course of the study and analysis, the Advisory Committee recognized that in order to help accomplish the goals of this study, the minimum lot size should be reduced from the existing requirement of 8,500 square feet. The current average R4C lot size is 6,052 square feet (exclusive of large church and University parcels). Examining the database of existing lot sizes, and recognizing that the original minimum lot size was 4,000 square feet in 1963 when the R4C district was formed, and that the minimum lot size was increased several times since 1963, the committee felt that the minimum lot size in the R4C district should be reduced. The majority of the committee supported a minimum lot size of 4,350 square feet. The minimum required lot area per unit in the R4C District to maintain a maximum permitted density of 20 dwelling uniots

per acre, and preserve the density hierarchy in multiple-family dwelling districts is 2,175 square feet. Reducing the minimum lot area to 4,350 square feet would allow the construction of a minimum 2 units on a parcel that meets the minimum lot size. The majority of the committee supported a minimum lot size of 4,350. A minimum lot size of 4,350 square feet will create 875 additional conforming lots (resulting in a total of 1,211 conforming lots) of the 1,969 total lots (excluding University of Michigan and two large church owned parcels) in the R4C zoning district. The remaining 758 parcels with less than 4,350 will remain non-conforming for lot size. Under the current ordinance, these properties will be treated as existing non-conformities and allowed to continue their current use provided there is no increase in density. Depending on the existing density and site layout, alterations may be permitted with or without ZBA approval as determined by the Zoning code.

The Advisory Committee recommends that no changes be made to the setbacks or required open space for the R4C district. Maintaining existing setback requirements will help reduce the scale of new construction and additions by maintaining open space and preventing larger additions closer to the property line on some existing non-conforming structures. This will keep many existing structures non-conforming for adherence to required setbacks, however, it will also help encourage future building additions to be located no closer to the lot lines than the existing structure. This may help preserve the scale and massing of existing streetscapes.

Key Features:

- Will bring 875 parcels (out of 1,633 non-conforming R4C lots) into conformance with required minimum lot area. After proposed revisions, 1,211 parcels (62% of all R4C lots) will conform to the minimum lot area requirement and 758 parcels (38%) will remain non-conforming due to lot area.
- Used in conjunction with a revised density standard (bedroom/lot area, see below), could allow for more flexibility in the configuration of new buildings and re-model of existing buildings.
- Could result in increased density on certain parcels if all applicable development codes are met.

Overlay District

Recommendation: Zoning overlay districts should be explored as a tool for protecting massing, setbacks and streetscape of unique neighborhoods experiencing redevelopment pressure within the R4C zone. Overlay districts should be implemented on a neighborhood by neighborhood basis.

Analysis: Protecting the existing development pattern and streetscape was a major theme in input gathered from the public. Due to the wide range of existing development patterns (including lot size, building massing, density and setbacks) in the R4C district neighborhoods,

the committee has concluded that without an overlay zone, it would not be possible to make overall changes to the R4C district regulations that could encourage development patterns consistent with each unique neighborhood. A unique neighborhood could be defined by a certain existing development pattern, such as large front setbacks or very small parcel sizes.

The Advisory Committee identified zoning overlay districts as a potential tool that might be used to protect and enhance the diversity of the existing streetscape while allowing additional development that would be compatible with the specified features of the surrounding neighborhood. Below are some of the issues the committee felt could be addressed by an overlay district:

- Out-of scale development – A maximum building foot print could be instituted based on the historic development patterns of the neighborhood.
- Design not compatible with neighborhoods – Guidelines can be developed on a neighborhood by neighborhood basis to control general massing and front setbacks.
- Increased/decreased flexibility of site design – For example, an overlay district could be created that modifies the Area, Height and Placement standard based on existing development pattern for a selected neighborhood.

Density Calculations

Recommendation: Adopt a graduated scale of calculating density based on the total number of bedrooms provided in each unit. As detailed below, the majority of the committee recommends requiring 2,175 square feet of lot area per unit for 0-4 bedroom units and 3,000 square feet of lot area for 5-6 bedroom units

Analysis: The current method of calculating density in the R4C zoning district encourages the construction of six bedroom units, by requiring the same minimum lot area whether constructing a one or six bedroom unit. Thus, the majority of units constructed recently in R4C areas have been six bedroom units. Throughout the course of the study, one of the issues identified with six bedroom units is the limited appeal to any renters other than students.

The Advisory Committee and public feedback indicated a strong desire to encourage a mixture of units with more variety in the number of bedrooms (from 1 to 6 bedrooms) per unit in order to provide a wider array of housing options. The majority of the committee supports code modifications encouraging the creation of units with four or less bedrooms and discouraging creation of the larger five- to six-bedroom units. Public feedback also indicated a concern regarding the provision of allowing six-bedroom units within the R4C zone. However, the existing zoning code does not regulate the number of bedrooms in the R4C, only the number of occupants.

In combination with the proposal to reduce lot area/width, the recommendation to revise the allowable density requirement to a graduated scale based on lot area per bedroom count will permit the addition of smaller units, while also giving property owners the option to convert existing large units to smaller units that have fewer bedrooms. The proposed density revisions would keep the existing lot area/unit requirement for units with four or less bedrooms. However, the increase in minimum lot area (and required parking, detailed below) required for units with five or six bedrooms will likely result in a decrease of units of this size being proposed. This change could result in a decrease in non-conformities for buildings with four or fewer units due to the fact that there will be less area required for units of that size. In addition, given the limited size of the majority of R4C zoned lots, it is unlikely that existing lot areas will support many additional units. All other development codes will still apply. The addition of units to multiple-family structures requires site plan approval and adherence to all applicable development standards, including landscaping, storm water controls and provision of required parking. These changes coupled with an appropriate graduated parking scale for calculating required parking should interact to address many of the concerns raised during this study process. Parking standards (see below) should also be revised to encourage creation of a mixture of unit sizes.

The example below provides a graduated scale of allowable density. While specific details of the proposed density calculations need further analysis, this graduated scale formula is unanimously supported by the Advisory Committee.

EXAMPLE:

Key Features:

- Provides incentive for creation of units with fewer bedrooms
- Addition of floor area still requires site planning on multiple-family structures

Existing regulations: 2,175 square feet required per unit or 20 units/acre

Proposed regulations using two different unit types:

Type A: 0- 4bedrooms: 2,175 square feet lot area required per unit

- EXISTING: 8,500 sf lot will permit 3 units, 20 units per acre MAX (up to a maximum of 18 occupants at 6 per unit and up to 18 bedrooms). Maximum occupancy is base on bedroom size under the housing code, but capped at 6 unrelated occupants per unit)
- PROPOSED new density standard: 8,500 sf lot would permit 3 units, **20 units per acre MAX** (up to a maximum of 18 occupants at 6 per unit and up to 12 bedrooms). Maximum occupancy is base on bedroom size under the housing code, but capped at 6 unrelated occupants per unit)

- NEW MINIMUM LOT SIZE: 4,350 sf lot will permit maximum of 2 units (Max 4 bedrooms each and up to a maximum of 12 occupants, total of 8 bedrooms max). Maximum occupancy is based on bedroom size under the housing Code, but capped at 6 unrelated occupants per unit).

Type B: 5-6 bedrooms: 3,000 square feet lot area required per unit

- EXISTING: 8,500 sf lot will permit 3 units, 20 units per acre MAX (up to a maximum of 18 occupants at 6 per unit and up to 18 bedrooms). Maximum occupancy is base on bedroom size under the housing code, but capped at 6 unrelated occupants per unit)

- PROPOSED new density standard: 8,500 sf lot would permit 2 units, **14 units per acre MAX** (up to a maximum of 12 occupants and up to 12 bedrooms). Maximum occupancy is base on bedroom size (in sq ft) under the housing code, but capped at 6 unrelated occupants per unit)

- NEW MINIMUM LOT SIZE: 4,350 sf lot will permit a maximum of 1 unit MAX 6 bedrooms and a maximum of 6 occupants). Maximum occupancy is base on bedroom size (in sq ft) under the housing code, but capped at 6 unrelated occupants per unit)

Rooming Houses

No changes are proposed; maintain existing 8,500 square foot lot area requirement, Existing parking requirement remains unchanged.

Group Housing (Fraternities, Sororities, Co-ops)

No changes proposed; Maintain existing 8,500 square foot lot area requirement and requirement for approval as Special Exception Use by the Planning Commission. Existing parking requirement remains unchanged.

Parking Standard

Recommendation: Adopt a graduated scale of calculating required parking based on unit type (above), increasing parking requirements as number of bedrooms in units increase. The Advisory Committee also recommends investigating an off-site parking storage concept and other alternative parking methods.

Analysis: Similar to the analysis and conclusions on density, it was determined that the current method of calculating parking in the R4C zoning district encourages the construction of six-bedroom units by requiring the same number of parking spaces (1.5 spaces/unit) regardless of the number of bedrooms per unit. The committee and public feedback gathered indicated a strong desire to encourage a mixture of bedroom units that could be rented to a wider range of people. One method of encouraging a variety of units is to allow for a graduated scale of parking spaces required based on the number of bedrooms provided in each unit.

The recommendation to revise the parking requirement to a graduated scale based on bedroom count could help encourage limited infill of smaller units, while also giving property owners the option to provide more units on a parcel if the units have fewer bedrooms.

While the committee did express concerns about ensuring adequate parking on site, the majority of committee members felt that the parking requirement should neither control site design, nor should open space be converted to accommodate required parking. In addition, some members expressed concern over how the parking requirements would interact with the proposed methods of calculating density, particularly on larger sites. Due to these stated concerns, it is recommended that parking requirements be studied further in conjunction with all proposed modifications to the R4C District. The recommendation represents a balanced approach that will avoid creating excess parking on sites, but will still provide adequate parking on site for residents. Methods of encouraging more creative options for providing required parking, including off-site car storage, are recommended.

The majority of the Advisory Committee agreed that the amount of required parking for multiple unit buildings should be calculated using a graduated parking scale based on the number of bedrooms in each unit. This method should include higher requirements for units with greater than 4 bedrooms and lower requirements for units with 4 or less. The example supported by a majority of the Advisory Committee would keep the existing standard of 1.5 spaces per dwelling unit for 0-4 bedroom units and 2 spaces per dwelling unit for 5-6 bedroom units.

Key Features:

- Permits a graduated scale based on number of bedrooms in unit
- Provides incentive for creation of units with fewer bedrooms
- Preserves open space and helps limit conversion of side and/or backyards into parking lots.

Lot Combinations

Recommendation: The Advisory Committee recommends a limit on lot combinations within the R4C District.

Analysis: Through the course of the public and Advisory Committee discussion, the issue of lot combinations in the R4C district arose as a concern that should be addressed. While no consensus was reached on the issue, the majority of the Advisory Committee does support a limitation or prohibition on lot combinations in the R4C zone in order to help prevent the construction of large buildings that could disrupt the existing scale of the streetscape.

A majority of members who supported the limitation preferred limiting the maximum size of a combined lot to 6,525 square feet, which is the exact area needed to permit 3 units at the current density and 3 0-4 bedroom units at the proposed density. This number was also chosen based on the average R4C lot size, which is approximately 6,000 square feet.

Summary

The recommendations above are the product of two years of comprehensive research, discussion and analysis by the Advisory Committee and staff. The issues identified throughout the course of this study are very complex. As a result, it is important to keep in mind that while the majority of the Advisory Committee members supported the general recommendations, it was acknowledged that the details of many recommendations still need to be finalized.

In conclusion, this report contains general recommendations based on the existing issues and a preliminary review and analysis of possible solutions.

Prepared by Matthew Kowalski, Planning & Development Services

Attachments

City Council Resolution
Central Area Map
Appendix A: Issues Outside of Study Scope
Appendix B: Density Comparison Chart

RESOLUTION TO DIRECT
CITY PLANNING COMMISSION AND PLANNING STAFF
TO REVIEW THE ZONING OF CERTAIN RESIDENTIAL NEIGHBORHOODS
IN THE CENTRAL AREA

Whereas, the Central Area Plan, dated December 21, 1992, recommends four Implementation Program " Priority Action Strategies" as follows:

> HN1 – Analyze zoning nonconformities related to area, height and placement regulations for the Central Area neighborhoods and determine if amendments are needed to make the regulations more consistent with established development patterns;
>
> HN12 – Amend the zoning ordinance and map to clearly identify areas to be maintained or encouraged as housing;
>
> HN14 – Reinforce student neighborhoods in the area south and west of Central Campus by developing new zoning definitions and standards that support organized group housing opportunities;
>
> HP 17 – Develop site design standards that encourage creative design while maintaining sensitivity for existing neighborhood character;

Whereas, The Non-Motorized Plan, dated December 6, 2006, provides guidance for land use and zoning to support walking, bicycling and transit;

Whereas, The Downtown Plan, amended December 1992, recommends in Section III to protect the livability of residentially-zoned areas adjacent to downtown;

Whereas, A majority of the lots in the residential districts in the Central Area are non-conforming due to lot size and lot width, and a significant number require variances from the Zoning Board of Appeals to make modifications or additions to the existing non-conforming structures;

Whereas, The resolution of October 15, 2007 directing the City Planning Commission to review rezoning in the Lower Burns Park neighborhood revealed (through the staff report, public hearing, written public comments and Planning Commission discussion) the need to review the R2A and R4C zoning districts more comprehensively within the Central Area rather than one isolated neighborhood at a time;

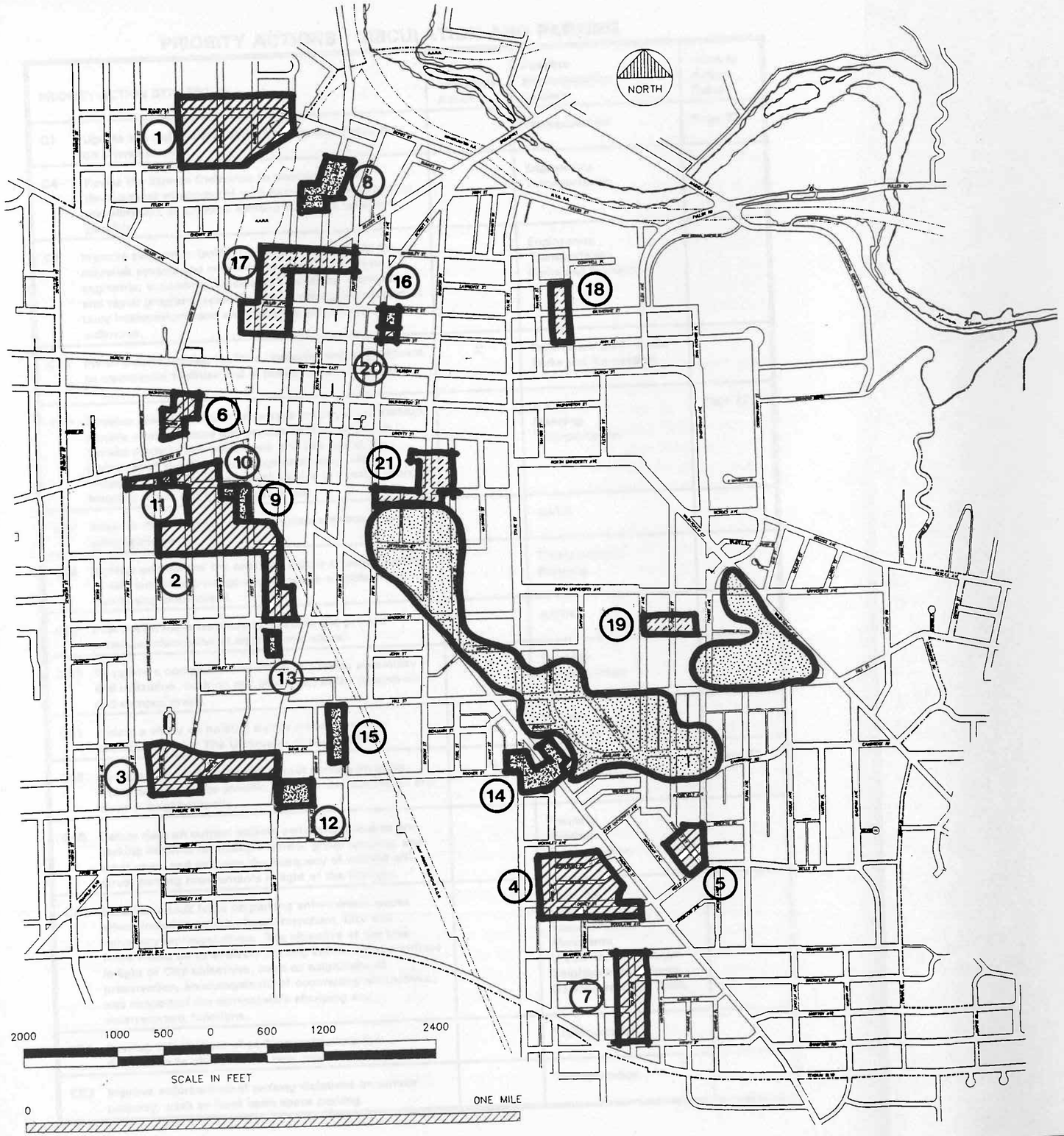
Whereas, The City Planning Commission believes that modifications to the zoning and ordinance requirements for residential districts in the Central Area could enhance the livability of these neighborhoods for owner-occupants and renters through a comprehensive review and appropriate changes to the

minimum lot size, minimum lot width, setback, density, building height, open space, parking, landscaping and possibly other site related issues; and

Whereas, The City Council has requested that the Planning Commission and City staff find ways to reduce the need for developers to utilize Planned Project development applications as a way to accomplish the City's goal to ensure that development proposals are more sustainable and that all efforts involving changes to City Zoning regulations involve extensive public involvement;

RESOLVED, That the City Planning Commission and Planning staff are hereby directed to work with the public to provide the City Council with a report and recommendations for potential ordinance changes to the residential districts within the Central Area in accordance with the attached process outline and schedule.

Sponsored by: Council Member Derezinski



Map 7

HOUSING AND NEIGHBORHOODS

Area-Specific Recommendations

Areas zoned for multiple-family where zoning should be changed to protect existing lower-density development

1. Belize Park/Summit Street
2. Portion of the Old West Side
3. Hoover/Davis
4. Dewey/Packard/Brookwood
5. Prospect/Wells
6. Krause/Third
7. Golden

Areas zoned for office or commercial use where zoning should be changed to retain existing residential use.

8. Felch/North Main
9. Southwest corner of William and First St.
10. Southeast corner of William and Second St.
11. Northeast corner of William and Fourth St.
12. Southeast corner of Main and Hoover
13. West side of Ashley between Mosley and Madison, not including the corner lots
14. State/Packard/Arch
15. West side of Green between Hill and Davis
16. Southeast corner of Fifth Avenue and Catherine

Areas zoned for office or commercial use where zoning should be changed to new Residential-Office designation to preserve remaining residential use.

17. Area bounded by Ann/Ashley/Kingsley/First and on the south side of Kingsley from Ashley to Fourth
18. West side of Ingalls between Ann and Lawrence
19. Willard/Church
20. Northeast corner of Fifth Avenue and Ann
21. Division and the west side of Thompson between Liberty and William, and William between Fifth Avenue and Thompson

Student neighborhoods to be reviewed for new zoning ordinance definitions and standards that support group housing opportunities.

City of Ann Arbor, Michigan
CENTRAL AREA PLAN

CITY OF ANN ARBOR
PLANNING DEPARTMENT
CITY HALL
100 N. FIFTH AVE. P.O. BOX 8647
ANN ARBOR, MI. 48107-8647
(313) 994-2800

REVISIONS:

Appendix A

Central Area Plan and R4C/R2A Zoning Districts

Issues Outside of Study Scope

The list below represents a list of issues noted through Advisory Committee discussions and public meetings that are outside the scope of the R4C/R2A Zoning District study. While not directly addressed through recommendations of the committee, these issues are noted as contributing to the livability of R4C/R2A neighborhoods and recommended for follow-up in the future.

- Parking enforcement
    - Illegal street parking
    - Illegal onsite parking
    - Expansion of established parking areas
- Over occupancy of rental units
- Maintenance of existing rental housing
- Trash
- Student behavior/parties

Appendix B

R4C/R2A Zoning District Study - Density Comparison Chart (REVISED May 2012)

Density options(assuming vacant site)

		4,350 square foot lot			8,500 square foot lot (existing standard)			15,000 square foot lot		
		Units (MAX)	Occupants (MAX)	Parking req (MIN)	Units (MAX)	Occupants (MAX)	Parking req (MIN)	Units (MAX)	Occupants (MAX)	Parking req (MIN)
EXISTING (8,500 sq ft lot MIN)										
0-6 Bedrooms	2,175 sq ft/unit	**1**	**6**	**1.5**	**3**	**18**	**5 (4.5)**	**6**	**36**	**9**
PROPOSED (4,350 sq ft lot MIN)			**Bedrooms (MAX)**			**Bedrooms (MAX)**			**Bedrooms (MAX)**	
0-4 Bedrooms	2,175 sq ft/unit	**2**	**8**	**3**	**3**	**12**	**5 (4.5)**	**6**	**24**	**9**
5-6 Bedrooms	3,000 sq ft/unit	**1**	**6**	**2**	**2**	**12**	**4**	**5**	**30**	**10**

Parking

PROPOSED requirement

0-4 Bedrooms 1.5 parking spaces required per unit
5-6 Bedrooms 2 spaces per unit

EXISTING requirement

1.5 parking spaces required per unit

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