

It's great to see city staff define the term "transit corridor" and consider more than one corridor at time. It seems the commission is now faced with a few questions:

1. What is the target area of the TC1 district?
2. Will the target area be rezoned, or will there just be an opt-in floating zone?
3. What will the rules of the TC1 district be?

Below are my suggestions for how to answer these questions.

The Target Area

1. Remove section B.3, which limits the zone to a few specific areas.

Staff defines "transit corridor" in [sections B.1 and B.2](#), but then strangely limits the Transit Corridor zoning district to a few specific areas in section B3. This limitation would exclude many transit corridors from being zoned "Transit Corridor" for no stated reason. For example, it would exclude the [2nd busiest](#) transit route in the city, AAATA route #6, which [goes between](#) Ypsi and Ann Arbor along South Industrial and Ellsworth.

This problem can be easily fixed by just removing section B.3, so that the TC1 target area is defined by:

- a. Current zoning.
- b. Proximity to a road with fixed transit service. To be less arbitrary, I recommend saying "within a 1/4 mile" rather than "reasonable walking distance."

This target area would match staff's definition of a transit corridor and would be easy to explain to city council and the public. In contrast, if the boundaries are not based on any principle, but are just lines drawn using some unknown process, then the whole proposal seems less sensible and credible.

2. Include the M1A (Limited Light Industrial), P (Parking), R5 (Hotel) districts in the definition of transit corridor in [section B.1](#).

These districts [ban housing](#) and require free parking. To exclude them from the TC1 target area would be contrary to the city's housing and climate plan goals.

The city's various C1 districts are less restrictive, so rezoning them is less important, but I don't see why they should be excluded either.

Rezoning vs Floating Zone

1. Rezone proactively, rather than just create a floating zone.

The city has now defined its transit corridors and identified problems with the zoning districts that cover them. The logical next step is to fix those problems by rezoning the transit corridors to TC1.

The alternative is to keep our current zoning districts in place and then possibly rezoning individual properties upon request. This process will not be as effective, fair, or efficient as rezoning comprehensively. The rezoning process is lengthy and expensive, and putting property owners, neighbors, and future commissioners through that process over and over again would be needlessly slow and wasteful. It would also be backward to allow by-right projects with our old suburban districts, but give special scrutiny to TC1 projects that are more consistent with the city's housing and climate plan goals.

A good example of proactive rezoning is the 2016 Pittsburgh [riverfront rezonings](#). The RIV-IMU district (Riverfront Industrial-Mixed Use) [allows](#) housing, commercial, and industrial uses, and could be a good model for TC1.

The potential downside of the proactive rezoning approach is that it could disrupt existing businesses with overly intolerant rules. However, the city can avoid that problem by making sure the TC1 district only removes barriers and doesn't add new ones.

The Rules for TC1

1. Make the TC1 district remove barriers, not create new ones.
 - a. Allow all uses allowed in C3 (Fringe Commercial) and M1 (Limited Industrial) districts.
 - b. Remove the 2 story height minimum, which would needless restrict grocery stores, movie theaters, bowling alleys, greenhouses, and other uses that are usually one-story.
 - c. Remove the transparency requirements.
 - d. Remove the parking maximums, at least for housing.

With these changes, the planning commission will be able to present city council with a simple proposal that allows more housing and mixed-use development in transit corridors where it is currently forbidden, without creating unintended restrictions for existing businesses.

Thank you for your work,

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From: Jonathan Levine <jnthnlvn@gmail.com>
Sent: Monday, March 08, 2021 4:17 PM
To: Planning <Planning@a2gov.org>
Subject: T1 Zone

To: Ann Arbor Planning Commission
From: Jonathan Levine, 456 Hilldale
Re: T1 Zone
Date: March 8, 2021

This note is in response to the memo, dated March 9, 2021, entitled “New Zoning District for Transit Corridors.” I applaud the move to expand the territory under consideration for the T1 zone and in this memo, argue for a conventional rezoning of the corridors rather than the designation of a floating zone to be applied in response to petitions regarding specific parcels.

The zoning classification’s ambitious General Purpose Statement will take years, if not decades, to achieve. I find that to be entirely appropriate, since change in urban form is always a long-run proposition, but given the length of time that it will take to achieve the zone’s purpose, I do not think that the City can accept new development that actively impedes the achievement of the urban environment that is sought. I believe that this is what would happen if the T1 zone is only applied on request: a developer who chooses not to apply for the rezoning would be guided by the existing zoning, which enforces an auto-centric urban form that degrades the quality of the environment for pedestrians, cyclists, and transit users. In this way, new development that does not request the rezoning would represent a step backward on the long road to improving the City’s urban environment. I fear that the floating-zone concept would also lead to a kind of crazy-quilt patchwork of mutually inconsistent principles guiding adjacent development along our transit corridors.

I assume that the idea of rezoning based on developer application rests in part on valid concerns about plunging multiple existing structures into non-conforming status. Non-conformity is surely an impediment to commerce, particularly as it ordinarily precludes building expansion. However, a rezoning to T1 would present a feature that many rezonings do not offer non-conforming uses: a path to conformity. While many structures would be non-conforming, their uses would not. Building expansions should be permitted under a rezoning to T1 on the condition that the expansion brings the structure closer to the zone’s specifications. For example, a building expansion would be permitted if the expansion creates a street front that is set back no more than ten feet from the property line. In this way, upgrading or expansion would not be impeded by nonconformity; instead they would be the route to achieving conforming status.

I encourage the development of a T1 zone that would be consistent with both a broad rezoning of the City’s transit corridors and with paths to conformity as described above.