

M E M O R A N D U M

TO: Mayor and City Council

FROM: Brett Lenart, Planning Manager

DATE: January 22, 2021

SUBJECT: **Ann Arbor Planning Commission Update to City Council Resolution R-20-260 – Site Plan Review Thresholds**

BACKGROUND:

City Council Resolution R-20-260 asked the Planning Commission to evaluate and make recommendations to the Unified Development Code to facilitate small and modest sized projects, and to improve the communication of UDC standards. An update is provided in this report for each of the directives contained in R-20-260.

The Planning Commission is initiating the applicable work below immediately and anticipates presentation to the City Council by October 2021. These updates were approved by the Planning Commission at their December 15, 2020 regular meeting.

RESOLUTION R-20-260 DIRECTIVES AND UPDATES:

RESOLVED, That the City Council directs the Community Services Administrator to assemble advisory workgroup to provide input and feedback on the amendments developed in response to this Resolution

Update: An advisory workgroup was assembled by Community Services Administrator Derek Delacourt to provide input and feedback as directed by City Council. The workgroup comprised of the following individuals:

- Theresa Angelini, Angelini & Associates Architects
- Tom Covert, Midwestern Consulting
- Damian Farrell, Damian Farrell Design Group
- Kathy Keinath, Macon Engineering
- Darren McKinnon, First Martin Corporation
- Brad Moore, J. Bradley Moore & Associates Architects
- Dan Williams, Maven Development

The workgroup included agents, engineers, architects, and property owners/developers with a combined experience of over 150 years and more than 300 projects completed in the City. Each member was interviewed individually, and the group was invited to participate in one Planning Commission Ordinance Revisions Committee meeting. The input from this group was utilized to form the basis of the recommendations put forth.

RESOLVED, That such amendments will be based in comparisons to other communities, analysis of past site plan projects in the City, and an approach that maintains a higher authority and process burden for larger projects involving policy decisions compared to smaller, more modest development proposals

Update: Staff conducted comparisons to other communities, however, due to the varying structures of ordinances, it can be difficult at times to draw direct correlations between the City of Ann Arbor requirements and those of other communities. Nonetheless, below are a few other aspects of other communities' ordinances that were reviewed that differ from Ann Arbor's provisions.

City of Detroit

- No site plan required for development or additions up to 20,000 square feet (up to 50,000 square feet for industrial uses).
- Any multiple family of 12 or fewer units exempt from site plan review.
- Administrative approval is required for any site plans within many of the City's zoning districts, so long as the site is less than 3 acres in size.

West Bloomfield

- Planning Commission review and approval of site plans, unless associated with a City Council action.
- Provides for "Sketch Plan Review" for some projects, requiring less content and detail for some smaller development reviews.
- Easy to follow table included in zoning ordinance that links type of construction/development to the required plan review, and what authority makes the decision (i.e. Site Plan, Sketch Plan, or Administrative review).

Pittsfield Township

- Provides for Preliminary and Final Site Plan Approval steps, where preliminary approval requires less detail for submission and review.

Grand Rapids

- Public Hearings are optional for some development review.

For perspective, over the past 10 years, 390 site plans have been submitted and reviewed in the City of Ann Arbor. Of these 390 applications, 42% required administrative approval, 13% required Planning Commission approval, and 45% required City Council approval.

RESOLVED, That proposed amendments consider and recommend changes to Section 5.29.6 Site Plans that amend thresholds for development proposals and/or site alterations by amending approval authorities for such projects to reduce the time and level of authorization to facilitate such projects

Update: Based upon the feedback from the Advisory workgroup and City staff, the Planning Commission recommends that the following changes be considered and pursued, to meet the goals of facilitating small to modest site projects in the City:

- Explore the expansion of development activity that is exempt from site plan review, including:

- Outdoor patios/plazas
- Evaluate a size of floor area expansion limitation that could be considered without site plan review.
- Evaluate the expansion of one and two-family dwelling exemption for up to six dwelling units.
- Explore amendments of site plan review requirements for small to modest projects, including:
 - Consider removal of Planning Commission approval of Administrative-level changes, when no site plan is on file.
 - Consider a process to allow modification/amendment to an existing approved or under construction site plan without full site plan submission.
 - Consider a sketch plan, or other mechanism to enable smaller projects to submit for consideration with less project detail.
 - Consider the creation of an expedited site plan review process, akin to the Building Department's expedited permit process.
- Explore amendments of development standards to facilitate small to modest projects:
 - Consider scalable approach of Landscape and Screening Standards (e.g. apply standards to area of disturbance or impact rather than entire site).
 - Consider amendment to conflicting land use buffer requirements to remove requirement from like uses.

Additionally, two other recommendations are presented by the Planning Commission that while not directly attributable to small and modest projects, do have impacts on both small/modest, and larger projects in the City, and warrant evaluation:

1. Consideration of Planning Commission approval of "by-right" site plans. Site plan review is an administrative function, and by delineating the approval of site plans to the Planning Commission, this would provide some additional capacity for the City Council to consider those legislative actions that amend the City's ordinances to ensure administrative procedures lead to the desired outcomes.
2. The Advisory Workgroup was unequivocal in the impact of City infrastructure requirements on private development. From appropriate policy direction and evaluation of the past, the City's expectations on private development are considered far and above more burdensome than many other area communities. The impacts of required improvements to streets, sidewalks, streetlights, and water/sewer utilities can have the result of making large projects tenuous, and small/modest projects unviable. For projects that do move forward, the impact can make projects less affordable, and compromise the viability of adding sustainability or quality design measures. *[NOTE: This would require wide dialogue and exploration with a variety of City departments and other stakeholders, and likely not Planning Commission-led.]*

RESOLVED, That proposed amendments additionally consider and recommend changes to Section 5.29.6 Site Plans that improve usability and more effectively communicate types of projects and the corresponding process and/or authority requirements

Update: The Planning Commission agrees that regardless of changes enacted, there is an opportunity to improve the communication and structure of site plan review requirements in the UDC. The Planning Commission recommends a table be drafted to provide a more intuitive structure for property owners to understand the scale of proposed development and the associated review requirements and procedures.