



MEMORANDUM

TO: Ordinance Revisions Committee

FROM: Brett Lenart, Planning Manager

DATE: July 26, 2022

SUBJECT **UDC – Electrification Language**

The Michigan Planning Enabling Act establishes that communities shall adopt a plan to address land use and infrastructure issues. This Act specifically identifies that *“recommendations as to . . . the removal, relocation, widening, narrowing, vacating, abandonment, change of use, or extension of streets, grounds, open spaces, buildings, utilities, or other facilities,”* are reasonably considered as pertinent to the future development of the City.

Part of the City’s Comprehensive Plan is the City of Ann Arbor Sustainability Framework (2013), which identifies several sustainability goals, including:

- Sustainable Energy – Improve access to and increase use of renewable energy by all members of our community.
- Energy Conservation – Reduce energy consumption and eliminate net greenhouse gas emissions in our community.
- Sustainable Buildings – Reduce new and existing buildings’ energy use, carbon impact, and construction waste, while respecting community context.
- Safe Community – Minimize risk to public health and property from manmade and natural hazards.
- Clean Air and Water – Eliminate pollutants in our air and water systems.

The continued use of fossil-fuel based utilities in the City is contrary to these goals as they perpetuate an energy delivery model that is unable to evolve to meet the City’s adopted goals around renewable energy expansion, the elimination of net greenhouse gas emissions, and reduction in carbon impact.

Where planning efforts identify City policy and goals, it is ordinances, such as the Unified Development Code (UDC), that realize and implement these goals. The UDC is enabled by the Michigan Zoning Enabling Act, which is intended to regulate the development and use of land. This act prescribes how zoning may be utilized by the City:

The City may provide by zoning ordinance for the regulation of land development. . . which regulate the use of land and structures to meet the needs of the state’s citizens for food, fiber, energy, and other natural resources. . . to facilitate adequate and efficient

provision for transportation systems, sewage disposal, water, energy. . .and to promote the public health, safety, and welfare.

These references do not take into consideration the totality of the Michigan legislative framework around energy, but are intended to provide the basis for the consideration of energy and utility related goals in the City's plan, and regulations in the UDC.

The following options are presented for consideration/discussion by the ORC to advance community sustainability goals:

Option A – Require Electrification

Add new “Carbon Neutrality Development Standards” Section to UDC that identifies applicability and standards that defined new development must be developed without the connection of natural gas.

- What would applicability be?
 - All new construction?
 - Additions?
 - Development over a certain size (e.g. energy benchmarking ordinance targets buildings exceeding 20,000 square feet)?
 - Based on building use?
 - How does energy efficiency intersect in the future?
- What does electrification mean?
 - Specification or limitation on heating/appliance types?
 - Prohibition of natural gas connection?
 - Prohibition of propane or gas back-up generators?
- Non-conforming status?
 - Limitations on expansion or continuation of use when not meeting electrification requirements?

Option B - Incentivize Electrification

- Land Use/Density implications
 - Explore bonus densities for electrification across City (e.g. increased FAR when electrified, increased density when electrified).
- Process Implications
 - Explore process efficiencies when proposed development is fully electric (e.g. site plan for Planning Commission converts to Planning Manager approval; prioritization for review by City staff)
- Development Standard Flexibility

- Tradeoffs of development standards to reach other goals (e.g. natural features mitigation requirements reduced for fully electric developments,

Option C – Policy Standards

Consider recommendation on ordinances or policies to require electrification.

- Replace/Amend PUD requirements to require electrification as eligibility requirement for any PUD.
- Recommend amendment of Brownfield Policy and/or Tax Abatement consideration to require electrification.
- Recommend incorporation of strategies/prioritization in Capital Improvements Plan to eliminate natural gas infrastructure as part of project identification and scoping.

While the City Council has provided other direction toward energy use and policy (e.g. A2 Zero Living Carbon Neutrality Plan), these are not incorporated into the current City Comprehensive Plan.

If there is any additional information I can provide, please contact me at blenart@a2gov.org.