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10/15/2007	1	City Council	Approved	
10/15/2007	1	City Council	Amended	Pass
10/15/2007	1	City Council	Approved as Amended	Pass
10/8/2007	1	City Council	Referred	

Resolution to Approve Ann Arbor Discovering Downtown (A2D2) Zoning Recommendations

Attached for your review and approval is a resolution to approve recommendations for zoning changes, developed by the A2D2 Steering Committee, the Downtown Zoning Advisory Committee, staff and the Design Guidelines Advisory Committee to implement the Downtown Development Strategies Final Report. The original recommendations were postponed by City Council on July 16, 2007 and August 20, 2007 to allow for coordination with the A2D2 Urban Design Guidelines Project.

Background

On March 20, 2006, City Council approved the Implementation Plan for the Downtown Development Strategies Final Report and directed staff to begin work on priority elements of the plan.

On July 17, 2006, City Council approved the work plans for the following initiatives:

- Create special overlay zoning for the downtown that identifies areas of similar character
- Streamline the development proposal process (process mapping and technology improvements)
- Incorporate a set of essential design standards
- Pursue a comprehensive parking strategy for the downtown
- Work with the Historic District Commission to clarify criteria for development

In the development of the work plans, City Council requested that each project be completed by June 2007. The Council appointed advisory committees for each project in October 2006 to assist staff and the Steering Committee in developing these recommendations.

Advisory Committee Review Process

The Downtown Zoning Advisory Committee has worked since November 2006 to accomplish the following objectives:

- Simplify the underlying zoning to make the regulations more understandable for both property owners and public and support City goals for the downtown;
- Reach agreement on height and density recommendations, reviewing recommendations from both the 1988/1992 Downtown Plan and the 2006 Vision & Policy Framework;
- Revise floor area premiums to provide incentives for desired public amenities not currently provided by the marketplace;
- Coordinate with the Urban Design Guidelines Advisory Committee to develop a framework upon which design objectives can be overlaid.

The committee met 12 times over eleven months to review data collected by staff and the urban design consultant team to develop zoning scenarios for consideration. The committee sponsored two public workshops on potential zoning changes in May 2007. All of the committee's working documents and background materials have been made available on the A2D2 website, and members of the public regularly attended the advisory committee meetings.

After the original recommendations to Council were tabled on June 18, 2007, the Committee met in July 2007 to discuss Council concerns about height and setback requirements. The Committee recommended changes to establish a Core height limit and revised setback requirements, which were forwarded to Council on July 16, 2007. These changes have been incorporated into the attached recommendations.

On August 20, 2007, City Council postponed action on the zoning recommendations to allow for additional coordination of the zoning recommendations with those being developed for the Urban Design Guidelines project. In response to public input gathered at a series of three community workshops, the design guidelines consultant team and advisory committee has developed a design framework that includes standards for building massing and frontage, in addition to design guidelines (see separate report).

Three of the seven members of the Committee met on September 20, 2007 to review the massing and frontage overlay requirements proposed as part of the design guidelines recommendations and provided the following comments:

- Members felt that the proposed design standards (dated September 7, 2007) for frontage and character areas were reasonable additions to the committee's original zoning recommendations.
- Members expressed concern that the proposed massing districts were unduly complex and resulted in too many small districts.
- Members requested that the consultant team re-examine the proposal with an eye to ensuring the combined design standard and design guideline process is simple and easy to understand.
- Members indicated that they would support moving the proposed design standards forward to City Council, with the understanding that further refinement is needed as the implementing zoning amendments are considered by Planning Commission.

Unless otherwise noted, the recommendations represent a consensus of the committee members.

Zoning and Planning Context

Local governments use zoning regulations to protect the public health, safety and welfare of the community. These regulations govern the use of land, in addition to the size and placement of development on that land. In Ann Arbor, these regulations are found in Chapter 55 (Zoning), in addition to Chapter 59 (Off-Street Parking) and Chapter 62 (Landscaping and Screening).

Zoning regulations should be consistent with the City Master Plan. Currently, the 1988 Downtown Plan (amended in 1992) and the 1992 Central Area Plan govern. Additional guidance has been provided by the 2006 Recommended Vision and Policy Framework for Downtown Ann Arbor, prepared by Calthorpe Associates.

In the downtown Ann Arbor study area, which represents the non-residentially zoned land within and adjacent the Downtown Development Authority District, there are currently 10 distinct zoning districts. Two districts, the PL (Public Land) and P (Parking District) are used for publicly owned property; the remaining districts are O (Office), M1 (Limited Industrial), PUD (Planned Unit Development) and the C2A, C2A/R, C2B, C2B/R and C3 commercial districts. This zoning provides a patchwork of regulations that were identified as a source of confusion in the 2006 Vision and Policy Framework.

Recommendations

The Downtown Zoning Advisory Committee reviewed the existing zoning regulations and an analysis of all downtown development projects approved since 2000 and determined that implementation of the recommendation to “create special overlay zoning for the downtown” needed to start first with a fresh slate for the underlying zoning, based on recommendations from the Downtown Plan and the Vision and Policy Framework. Changes are recommended to:

- Underlying zoning districts
- Permitted uses
- Maximum floor area in percentage of lot area (FAR)
- Floor area premiums
- Height
- Setback and lot coverage
- Off-street parking
- Parking lot design

These recommendations are summarized in the attached report. The Downtown Zoning Advisory Committee and staff acknowledge that the concepts identified in the recommendations need additional detail to be fully implemented, but the concepts are sound and worth pursuing.

Next Steps

The recommendations outline a framework for regulatory changes to be made to the zoning and off-street parking ordinances. As a first step in moving forward with these changes, the master plan should be amended to reflect the concepts contained in this report. The Planning Commission would oversee this process, and amendments could be drafted in a relatively short time period after action on the recommendations by City Council. After initial approval by City Council for distribution, the master plan amendments would need to be sent to adjoining jurisdictions for mandated review. After this review, which takes approximately 4 months, Planning Commission and City Council may adopt the amendments.

The drafting of ordinance language to implement the recommendations may occur concurrent with the review of the master plan amendments. Because of the complexity of the changes, particularly the drafting of two new zoning districts, this process could take from 6 to 9 months. These zoning and off-street parking amendments would be reviewed by the Planning Commission and approved by City Council. Once new districts have been adopted for the downtown, the process of rezoning existing parcels will begin.

As the amendments are being prepared, it will be important to develop and implement an evaluation tool that can be used to determine if the changes produce the desired results.

Wendy Rampson, Systems Planner

Jayne Miller, Community Services Administrator

Roger W. Fraser, City Administrator

Whereas, On March 20, 2006, City Council adopted Resolution R-94-3-06 to approve the Implementation Plan for the Downtown Development Strategies Final Report;

Whereas, On July 17, 2006 City Council adopted Resolution R-332-7-06 to approve the work plans for high priority projects related to downtown zoning, urban design guidelines, historic preservation criteria; parking and development processes;

Whereas, On October 3, 2006, City Council adopted Resolution R-448-10-06, appointing five Ann Arbor Discovering Downtown (A2D2) advisory committees to work with staff on the A2D2 work plans;

Whereas, The Downtown Zoning Advisory Committee has met since November 2006 to review changes to the Downtown Plan and Chapter 55 to support downtown development goals; and

Whereas, The proposed recommendations were presented at two public meeting in May 2007, and comments from the public were received and reviewed by the Advisory Committee throughout the process;

RESOLVED, That City Council approve the attached zoning recommendations dated October 15, 2007;

RESOLVED, That City Council requests City Planning Commission initiate supporting amendments to the Downtown Plan and Central Area Plan and amendments to the Zoning and Off-Street Parking Ordinances to implement the recommendations of the above report;

RESOLVED, That City Council requests the City Planning Commission reconcile any differences between the Design Guidelines Advisory Committee recommendations and those of the Downtown Zoning Advisory Committee as part of the master plan and code amendment process; and

RESOLVED, That City Council direct staff to provide a proposed evaluation process when code amendments are submitted to City Council for action.