



## Legislation Details (With Text)

**File #:** 18-1124      **Version:** 1      **Name:** 7/16/18 - SEUs as Type I Citizen Participation Project  
**Type:** Ordinance      **Status:** Passed  
**File created:** 7/16/2018      **In control:** City Council  
**On agenda:** 8/23/2018      **Final action:** 8/23/2018  
**Enactment date:**      **Enactment #:** ORD-18-20  
**Title:** An Ordinance to Amend Section 5.29.4 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Special Exception Use as a Type I Citizen Participation Application) (Ordinance No. ORD-18-20)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 18-20 Unified Development Code Briefed and Approved.pdf, 2. ORD18-20 As Amended.pdf, 3. 18-20 Unified Development Code - Special Exception Use Ordinance Briefed.pdf, 4. v2 7-16 Proposed SUBSTITUTE UDC Ordinance - SEUs Type I Citizen Participation.pdf, 5. Proposed UDC Ordinance - SEUs Type I Citizen Participation.pdf, 6. October Effective Date Recommendation.pdf, 7. ORD-18-20 Summary Publication.pdf

Date	Ver.	Action By	Action	Result
8/23/2018	1	City Council	Held and Closed	
8/23/2018	1	City Council		
8/23/2018	1	City Council	Adopted as Amended on Second Reading	Pass
8/23/2018	1	City Council	Amended	
7/16/2018	1	City Council	Approved on First Reading	Pass

An Ordinance to Amend Section 5.29.4 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Special Exception Use as a Type I Citizen Participation Application) (Ordinance No. ORD-18-20)

The proposed amendment would add Special Exception Use petitions as a Type I Application (formerly "major" petition) under the Citizen Participation Requirements. Under current ordinance, the majority of special exception use petitions are a Type 2 (i.e. minor) petition which require applicants to notify all property owners and residents within 500 feet of the proposed site that a petition has been submitted and that recipients will be provided an opportunity to discuss the petition with the applicant.

With this proposed amendment, special exception use permit applicants would be required to notify all property owner and residents within 1,000 feet, and to hold a citizen participation meeting to present the proposed project to any interested citizens. A record of this meeting would then need to accompany any submitted application.

Citizen Participation requirements were adopted by the City in 2008, and became effective in 2009. The intent of these requirements are to encourage applicants to pursue early and effective citizen participation, to gather citizen comments regarding proposals so that they may respond to and/or

mitigate any real or perceived impacts on the community , and to facilitate ongoing communications to potentially affected citizens throughout the application review process.

Special Exception Uses, by ordinance, are uses that may be denied, approved, or approved with conditions by the Planning Commission. The standards set forth for consideration of Special Exception uses include: consistency with the general objectives of the City Master Plan; compatibility with general vicinity and character of neighborhood; will not be detrimental to neighborhood area; and that the location, size, and intensity of use will not be hazardous or inconvenient to the neighborhood.

Examples of Special Exception Uses under City Ordinance include: Fraternities, sororities and student cooperative housing; Group housing; Club headquarters or community centers; Conference centers; Religious Assembly; Adult day care centers; child care centers; Private institutions of higher learning; private schools; Hospitals; Outdoor recreation facilities; Fueling stations; Medical marijuana provisioning centers, growers, and processors; Automobile, truck, construction equipment repair; Parking lot or structures; Veterinary, kennel and animal boarding; Non-profit offices; Scrap and metal yards; Slaughterhouses; and Wireless communication facilities. The City has received 81 applications for Special Exception Use permit since 2008.

On June 19<sup>th</sup>, the Planning Commission recommended approval of the proposed amendment, with one modification. The Planning Commission recommended adding a waiver requirement, that authorizes the Planning Manager to waive citizen participation requirements for any temporary use.

Attachment: Proposed Ordinance

Prepared by: Brett Lenart, Planning Manager

Approved by: Derek Delacourt, Community Services Area Administrator

Approved by: Howard S. Lazarus, City Administrator

[\(See Attached Ordinance\)](#)