



Legislation Text

File #: 21-0876, **Version:** 1

An Ordinance to Amend Sections 5.18.3, 5.18.4, 5.17.3, 5.37.2.A and 5.37.2.S, to Add Sections 5.19.6 and 5.33.6, and to Repeal Sections 5.30.1 and 5.30.4.B of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (Planned Project Site Plan Modifications) (ORD-21-20)

Amendments are proposed to the Unified Development Code to eliminate the Planned Project Site Plan Modifications provisions and offer additional flexibility in setbacks and height. These amendments are intended to replicate the majority of benefits offered and realized by the current Planned Project Site Plan Modifications in a less complicated, more straightforward, predictable and intuitive manner.

- Section 5.30.1, Planned Project Site Plan Modifications, is provision to provide “an added degree of flexibility in the placement, design, and interrelationship of the buildings within a site planned development” by allowing “modifications” to the dimensional standards (setbacks and height limits) when the development will result in at least one of nine specified features. Neither the degree of modification nor the quantity or quality of features is established, meaning that any amount of increased height or decreased setbacks can be approved for any degree of additional open space, increased setbacks, preservation of natural features, number of affordable housing dwelling units.
- During the course of its work, Planning Commission found that the most useful and most used modifications - changes to height and setbacks - should be retained, and sustainability and affordable housing were the two features that concretely further City Master Plan goals. Any proposed amendments should enable setback and height flexibility for those types of developments, only, and should do it in a defined, discrete and clear method.
- Instead of the open-ended Planned Project Modifications, setback flexibility has been reworked and expanded, the exceptions to height limits has expanded, and an exemption to off-street parking requirements has been established. All elements of discretion are removed, and limitations for each flexibility option are included.
 - The current provision that allows alternative shapes for side and rear yards for buildings over 50 feet in length or width, and over 30 feet in height, in the R3 and R4 districts is moved from Footnote A(2) in Table 5.17-3 to a new paragraph in Section 5.18.3 Additional Area, Height, and Placement Standards for consistency. The language is clarified and the option for rear yard alternatives is eliminated. This alternative continues to apply to any type of multiple-family development and remains untied to sustainability or affordability.
 - Mixed-use and nonresidential and special purpose zoning districts are newly offered an option to decrease a minimum setback if another setback is correspondingly increased.

This alternative applies to any type of development.

- Two new terms and definitions are introduced: Affordable Housing Component and Sustainability Component. They are summarized as developments with 15% affordable housing dwelling units, or solar collectors cover 60% of the roof surface, respectively.
- Height limits may be increased by 30% for developments with Affordable Housing Components or Sustainability Components as provided in new paragraph in Section 5.18.4. This additional exception to height limits has an upper limit and applies only to these two specific types of developments.
- Developments with Affordable Housing Components or Sustainability Components are exempt from off-street vehicle parking requirements as provided in new Section 5.19.6. This is a newly acceptable feature compared to the currently acceptable Planned Project Site Plan Modifications features, but is in keeping with the spirit of added degrees of flexibility when developments achieve desirable features. It is only available to these two specific types of developments, with restrictions to still provide bicycle parking as well as address person and package logistics to minimize any negative impacts in the vicinity.

Following public hearings on October 6, 2020 and January 21, 2021, the Planning Commission recommended approval of the proposed amendments.

Attachments: Ordinance to Amend Chapter 55 (Planned Project Site Plan Modifications) Draft
April 22, 2021 First Reading
January 21, 2021 Planning Staff Report
October 6, 2020 Planning Staff Report
January 21, 2021 Planning Commission Minutes
October 6, 2020 Planning Commission Minutes

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(See Attached Ordinance)