



## MEMORANDUM

**To: City of Ann Arbor Planning Commission**  
**From: Megan A. Masson-Minock, AICP, Principal**  
**Subject: Downtown Premium Zoning Ordinance Amendments**  
**Date: December 4, 2015**

---

Please find attached revised zoning ordinance amendments based on input from the Planning Commission, the Housing and Human Services Advisory Board (HHSAB) and the Environmental Commission as well as a technical review. Revisions from the previous draft are listed below with page numbers of the amendment document noted in parentheses:

- The 900% FAR with affordable housing is deleted from the Schedule of Area, Open Space and Coverage Requirements: D1 and D2 Downtown Districts (page 2);
- The intent language for premiums has been updated to remove references to pedestrian amenities, historic preservation and parking (pages 4-5);
- For the residential floor area, the term has been changed to “residential usable floor area”, which defined in the Zoning Ordinance as “the measurement of usable floor area for residential uses shall be the sum of the area of the first floor, as measured to the exterior face of the exterior walls, plus that area, similarly measured, of all other stories having more than 90 inches of headroom that are accessible by a fixed stairway and which may be made usable for human habitation; but excluding the floor area of garages, accessory buildings, attics, breezeways and unenclosed porches.” We selected a definition within the code for the sake of clarity (page 7);
- The average median income requirement (AMI) has been changed to 30 to 60 percent, based on input from the Planning Commission and the HHSAB. The HHSAB members had a wide ranging view of what the AMI should be with some advocating for the previously proposed 20 to 80 percent AMI, some very strongly in favor of the traditionally accepted measure for workforce housing (30-60% AMI), and another in favor of eliminating premiums overall and increasing the FAR throughout downtown (page 7);
- The minimum unit size has been increased to 400 square feet. Members of both the Planning Commission and the HHSAB felt the previously proposed 300 square feet was too small (page 7);
- The divisor used to find the number of units for in-lieu payments has been changed from the average size of the units in the building to the minimum unit size of 400 square feet of residential usable floor area. The change was made in response to Planning Commission concerns that the average unit size might change during the review process (page 7);

- The points table for Green Building Premiums has been replaced with text sections assigning FAR premiums levels for on-site carbon neutrality and energy efficiency improvements (pages 8-9);
- A premium for a green or rain-harvesting roof of 0.5 square foot of floor area for each square foot of green roof has been added in response to Planning Commission concerns for incentivizing rain harvesting structures (page 9); and
- Section 5:169. Special parking districts has been added with the deletion of the requirement parking for floor area premiums. Staff has received feedback from the Downtown Development Authority that they are not in favor elimination of required parking for floor area premiums completely but a scaled system (pages 13-14).

At the Environmental Commission meeting on December 3, the commission was generally supportive. Some concerns with switching from LEED as a measure were expressed, specifically whether sourcing of materials would still be included as it is in LEED and what attributes LEED provides points for that these other measures do not. In terms of communicating to the public, the Commission advised to clearly define terms, use visual and written explanations, and stress the premiums are an incentive of extra building space.

We will give a short presentation on the changes listed above at your meeting on December 10, to be followed by discussion and then a page by page walk through of the amendments, time allowing. During discussion, we hope to get feedback on the following topics:

- Should the parking amendments proceed as drafted, tweaked or eliminated?
- Is the definition of residential usable floor area satisfactory?
- Are the green building premiums clear? Are any changes needed?
- What are the next steps in the process of amendment drafting and approval?