

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of April 6, 2021

SUBJECT: Amendments to Chapter 55 (Unified Development Code) to create a new zoning district, the TC1 (Transit Corridor) district

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the amendments to the Unified Development Code, Chapter 55, Sections 5.12, 5.15, 5.16.3, 5.17.4, and 5.20.4 to create a new zoning district, the TC1 (Transit Corridor) District.

STAFF RECOMMENDATION:

Staff recommends that the amendments to the Unified Development Code to create a new zoning district named TC1 (Transit Corridor) district be approved because creating a district, and the proposed permitted uses, use specific standards, and dimensional standards, are recommended by numerous goals and actions in the City Master Plan for increasing density along transit corridors.

SUMMARY:

Amendments to the Unified Development Code are proposed to create new zoning district named TC1 (Transit Corridor) district. The TC1 district is intended to require at least two-story buildings for sufficient density to support and sustain the existing transit system, encourage infill development, expand housing choices, and further the goals of the Master Plan. The scope of work includes an intent statement (Section 5.12), inserting a new column into the permitted use tables (Section 5.15), establishing use specific standards to address building forms and site layout (Section 5.16.3), inserting a new row into the mixed use district dimensional standards table (Section 5.17.4), and including TC districts in the conflicting land use buffer requirements (Section 5.20.4). A review of the City Master Plan is provided in this staff report as well as staff analysis and responses to frequently raised concerns.

BACKGROUND:

Increasing density along transit corridors is a top priority called out in several of the Master Plan elements. The [Sustainability Framework](#) is a set of 16 goals to help Ann Arbor become more sustainable, and increasing density along transit corridors would further most, if not all, goals in the *community* and *land use and access* theme areas.

The community vision for the City, as documented in the [Land Use Element](#), notes the desire for “interconnectedness of natural, transportation and land use systems,” and wanting “extensive opportunities for alternative modes of travel,” “extensive choices in housing (including low cost housing), shopping, employment and recreation activities.” Increasing density would help achieve that community vision, and further numerous Land Use Element goals, objectives and action statements.

Planning staff began this implementation project by analyzing the available options to achieve the kind of development recommended by the Master Plan. The Unified Development Code is our primary tool to address and affect land use in Ann Arbor. It was the most obvious starting point and the most effective agent to realize change to the built form of the City. While the downtown zoning districts have elementary form-based requirements (example, maximum front setback, minimum height, and offset standards), the mixed-use districts found along transit corridors have no minimum density requirements at all and only have one simple requirement to promote pedestrian orientation (a maximum front setback standard). A new zoning district, combining and building upon the best elements of the downtown and mixed-use districts, is desirable.

Over time, Planning staff worked with numerous stakeholders to draft a new district, including representatives from the Planning Commission and the Housing and Human Services Advisory Board. The proposed TC1 (Transit Corridor) district has been inspired by and replicates elements from several existing districts. The TC1 permitted uses match the D2 (Downtown Interface) and C3 (Fringe Commercial) districts. The TC1 variable height limits in proximity to residential zoning districts is conceptually the same as the O (Office) district. The use specific standards of the TC1 district are inspired by the form-based standards of the D1 (Downtown Core), D2, and nine Character overlay districts.

It is envisioned that the T1 district would be immediately appropriate along four transit corridors: 1) South State Street corridor, including extensions along East and West Eisenhower Boulevard, 2) Washtenaw Avenue corridor, 3) West Stadium Boulevard generally between South Maple Road and Pauline Boulevard, and 4) Plymouth Road between Traverwood and US-23. Other transit corridors having the same characteristics as these initial four could also be appropriate.

MASTER PLAN REVIEW:

A master plan is an official document adopted by a local government to establish long range, general policies for the physical development of the community. The Ann Arbor **City Master Plan** is a collection of eight documents, or elements, adopted by resolution, to guide our public and private decision-makers regarding development approvals and adopting plans, policies, and programs.

The elements include:

1. Sustainability Framework
2. Land Use Element, with State Street Corridor Plan
3. Downtown Plan
4. Transportation Plan Update
5. Non-motorized Transportation Plan and Update
6. Parks and Recreation Open Space Plan
7. Natural Features Master Plan
8. Treeline Allen Creek Urban Trail Master Plan

Sustainability Framework – The Sustainability Framework, adopted in 2013, is an organization of 20 years of planning into categorized theme areas. It aims to unify past and current planning efforts and helps better communicate the community’s vision for the future and foster a culture of sustainability. It was built on goals already developed through a variety of public processes, includes three key aspects of sustainability – environment, economy, and equity – and organizes goals into four theme areas. The theme areas and goals of each are:

Climate and Energy

- Sustainable Energy
- **Energy Conservation**
- Sustainable Buildings

Community

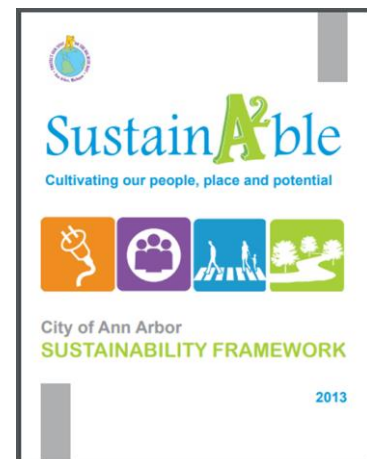
- Engaged Community
- **Diverse Housing**
- Safe Community
- Human Services
- **Active Living and Learning**
- Economic Vitality

Land Use and Access

- **Transportation Options**
- **Sustainable Systems**
- **Integrated Land Use**

Resource Management

- Clean Air and Water
- Healthy Ecosystems
- Responsible Resource Use
- Local Food



In addition to unifying past planning efforts, future planning efforts are intended to follow this framework. One planning document (described further below), the South State Street Corridor Plan, already does.

Land Use Element – The Land Use Element begins with a vision statement to articulate the reasons for the goals and objectives set forth in it (page 5).

IV. Vision Statement

The vision statement below provides a framework for the Plan's goals and objectives by describing a community vision for the future of the City of Ann Arbor.

"The City of Ann Arbor will be a dynamic community, providing a safe and healthy place to live, work and recreate. It will be a place where planning decisions are based, in part, on the interconnectedness of natural, transportation and land use systems. Natural systems, including air and water, natural features, native flora and wildlife habitats, will be improved and protected. It will be a place where the Huron River is a cherished part of the community and a focal point for recreation. Downtown will continue to be a vibrant part of the community that ties all parts of the city together. Transportation systems will include enhanced opportunities for public transit, extensive opportunities for alternative modes of travel and improved management techniques to reduce the impact of traffic on existing streets and neighborhoods. Land use systems will be compatible and complementary, and will include residential, recreational, commercial, office, educational, institutional and industrial uses, which will provide extensive choices in housing (including low cost housing), shopping, employment and recreational activities. Historically significant buildings and neighborhoods will be preserved. The quality of life in Ann Arbor will be characterized by its diversity, beauty, vibrancy and livability and ultimately will depend upon the positive interaction of these systems."

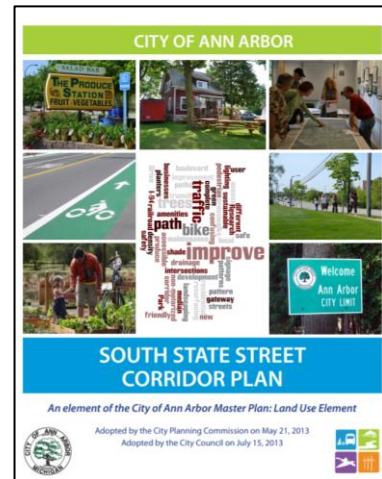
Land use is specifically addressed in Chapter 5, beginning on page 23. Affordable housing, achieving land use balance, mixed uses, and the land use and transportation relationship are identified as issues. A section is devoted to Community Oriented Design, beginning on page 26. The guides for community oriented design for both neighborhoods and retail centers recommends mixtures of housing types and multiple-story buildings. The retail center and the employment centers designs include notes about mixed land uses, parking, pedestrian, bicycle and transit connections and amenities, and setbacks along the street as well.

The goals, objectives and action statements of the Land Use Element "provide a framework to encourage viable, diverse, and well-designed land use patterns in the City of Ann Arbor."

Goals and objectives that will be furthered by the TC1 district include:

- Goal B – To promote land use designs that reduce reliance on the automobile.

- Objective 1 – Locate higher residential densities near mass transit routes and in proximity to commercial, employment and activity centers.
- Objective 2 – Improve the safety, accessibility and desirability of walking, biking or using mass transit.
- Goal C – To provide a full range of housing choices (size, price, design, accessibility, etc.) that meets the existing and anticipated needs of all City residents.
 - Objective 2 – Encourage a variety of housing types within new and mixed-use development projects.
- Goal E – To encourage commercial and employment centers that promote pedestrian activity, de-emphasize the use of the automobile, and provide a sense of balance with surrounding land uses.
 - Objective 1 – Support mixed-use, “village” centers in existing commercial areas that are designed to provide new residential opportunities, increase pedestrian activity and reduce the total number of vehicular trips.
 - Objective 2 – Encourage developers to design commercial and office centers where the parking lot is not the dominant feature from the road.



The Stadium Boulevard Commercial Corridor has its own chapter in the Land Use Element, Chapter 9, beginning on page 83. Its image, economic viability, traffic and access, and redevelopment are identified as issues facing this particular corridor. Because of its size, three sub-areas are addressed separately – the Pauline/Stadium neighborhood shopping district, the Liberty/Stadium general commercial district, and the Westgate and Maple Village shopping center district.



Many physical improvements are recommended for each of the three sub-areas. All aim to increase pedestrian orientation, ensure sufficient density to remain a commercial destination for surrounding neighborhoods as well as the townships west of Ann Arbor, and diversity the land use mix.

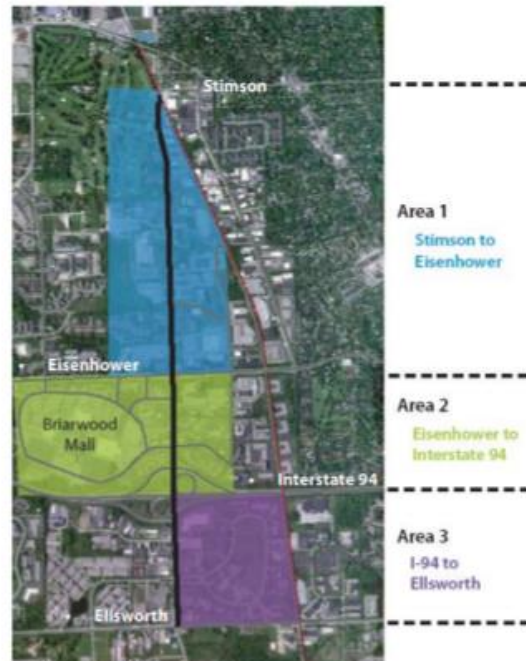
South State Street Corridor Plan – The South State Street Corridor Plan (SSSCP) is itself an element of the Land Use Element, and has been adopted by resolution as a component of the City Master Plan. The SSSCP explains “because of South State Street’s concentration of high activity uses, proximity to downtown and the highway, and lack of conflicting land uses, the corridor offers a unique opportunity to address

community priorities such as transportation infrastructure, land use patterns, sustainability, and economic development.” The vision is that South State Street Corridor will be interconnected, diverse, sustainable, attractive, and invigorated. The key recommendations in the SSSCP are organized by the Sustainability Framework goals.

The SSSCP explicitly states that “zoning overlay districts can be used to encourage transit-supportive land uses” and “a mixed-use zoning district unique to the Corridor is another tool to consider.” Regulations may “include the exclusion of certain land uses (e.g. drive-through banks and drive-through restaurants, storage facilities, car rental), reduced front setbacks, reduced parking requirements, density bonuses for structured parking, incentives for mixed use retail, and minimum densities.” See page 33.

The South State Street corridor is divided in the plan into three areas. Overall recommendations and area-specific recommendation are provided. Recommendations for the overall corridor which the proposed TC1 district fulfills include:

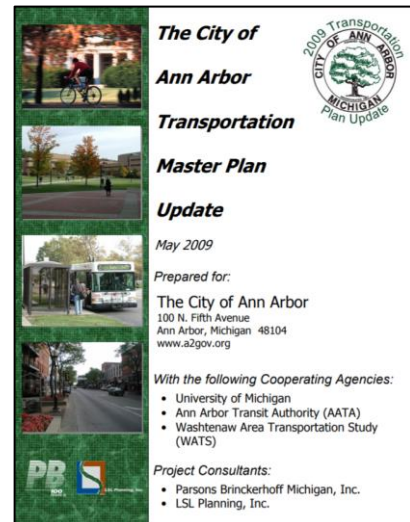
- Community/Diverse Housing/CM-3: As housing is integrated into the corridor, encourage the expansion of affordable housing options
- Community/Economic Vitality/CM-11: Preserve economic development potential by creating opportunities for high quality, attractive development and redevelopment
- Land Use and Access/Transportation Planning/LU-2: Prioritize transit improvement to support increased economic activity in the corridor
- Land Use and Access/Sustainable Systems/LU-6: Evaluate innovative parking solutions to utilize land more efficiently
- Land Use and Access/Integrated Land Use/LU-9: Encourage better utilization of land through infill and reuse
- Land Use and Access/Integrated Land Use/LU-11: Promote mixed land uses (residential and office or residential and ancillary retail) along the corridor



Transportation Master Plan Update – In the executive summary of the Transportation Master Plan, the city’s vision relative to transportation is “to become more transit-oriented, bike-friendly, and pedestrian-friendly, and less reliant on fuel consumptive forms of motorized travel.” And, “long ago the City realized that the land use in Ann

Arbor precludes widening the streets. Ann Arbor does not desire to tie up scarce and valuable land resources in streets and surface parking in key activity areas. The City reinforces, encourages, and supports the full gamut of travel options. There are real environmental benefits which accrue to communities with multiple travel options, compared to those that rely on an automobile dominated system. The automobile is not the most preferred option to accommodate future demand. The City embraces policy and programs to broaden the options as well as increases the reliance on “Green Transportation”.

The Transportation Master Plan Update promotes a transportation system supportive of and integrated with land use decisions. It’s philosophy is to improve safety, reduce emissions, and reduce congestion not by widening streets, but through a series of transportation improvements and policy changes. Land use recommendations are recognized as a key factor. Two land use recommendations especially relevant are to create transit-oriented development overlay districts for signature corridors, to incorporate tools such as density bonuses, design guidelines and building form regulations to guide redevelopment, and incorporate into the zoning ordinance form-based regulations that support transit and active transportation, such as parking lot placement and build-to lines (see page 1-6).



- LAND USE**
- Update the land use recommendations of the Master Plan to support increased density and mixed land uses in signature transit corridors
 - Create transit-oriented development overlay districts for signature corridors, to incorporate tools such as density bonuses, design guidelines and building form regulations to guide redevelopment
 - Amend the Traffic Impact Analysis requirements of the Land Development Regulations to allow trip reduction factors for site design that incorporates plan recommendations
 - Evaluate the potential for designating signature transit corridors as receiving zones for a transfer of development rights program
 - Incorporate into the zoning ordinance form-based regulations that support transit and active transportation, such as parking lot placement and build-to lines
 - Coordinate land use planning with adjoining jurisdictions and County agencies to extend opportunities for transit-oriented development on key transit corridors outside of the city


But rather than contentment with those improvements to transit already under development, this Plan proposes a more varied transit system, possibly with new types of transit service along "signature corridors" to link key destinations in the city. A separate transit feasibility study is recommended to evaluate options for additional transit such as more frequent bus service, street cars or bus rapid transit for those corridors. Among the factors that will be considered are potential ridership, benefits to economic and environmental sustainability and financial feasibility.

One approach to support viable transit, especially along those signature corridors, is for more transit-friendly land uses and design, sometimes called Transit-Oriented Development or Transit-Oriented Design (TOD). Ann Arbor already has many transit-oriented areas – downtown, U of M campuses, some compact neighborhoods. But there are opportunities to gradually make those signature corridors more transit friendly through the following actions:


- Use zoning to restrict additional development of auto-related design such as gas stations, office buildings, or large shopping centers with large amounts of parking in the front. Instead, zoning should encourage more compact development, with buildings closer to the street to increase traveler choices by making it more convenient for walkers, bicyclists and transit riders.

City of Ann Arbor 2009 Transportation Plan Update

- Provide an inviting environment for walking with pedestrian-oriented design. That would include buildings closer to the street, streetscape amenities, and convenient pedestrian connections between uses and transit stops.
- Promote residential and employment densities that support transit for development and redevelopment. This does not mean minimum heights rather than maximum heights, and mixed use rather than single-use developments (example, a multi-story building with commercial on the first floor and offices or residential above instead of single-story commercial).
- Decrease required parking needs as transit availability increases at each location. Parking could be located in the rear, sides or even in parking structures to make development more compact. Employers could offer incentives to encourage employees to use transit rather than park on site. Use zoning revisions through a corridor overlay district or a more "form based" rather than "use based" approach to support transit, along with walking and bicycling. A model overlay TOD zoning district is included in Appendix A.
- Use density bonus incentive in City code for developments within ¼ mile of transit routes.
- Promote transit corridors as an attraction for employers looking to locate in the city, as a way to accommodate new employees and visitors without increasing congestion, emissions and other environmental consequences of single occupant auto travel.



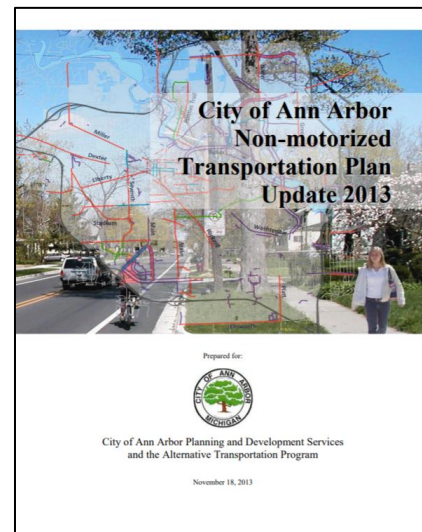
This Washtenaw/US-23 interchange area simulation illustrates one land use-transportation intensification concept with development designed to support increased walking, biking, and transit use with multi-story mixed-use buildings, structured parking, and integral transit facilities.



A mid-block pedestrian crossing, shown above, is one example of a street design element that provides a supportive environment for pedestrians and promotes transit as a viable, safe option for travelers.

Non-Motorized Transportation Plan Update – This element of the City Master Plan introduces itself as a document “intended to help Ann Arbor once again become a national leader in high quality non-motorized transportation and contribute to keeping Ann Arbor one of the best places to live and work in the country.”

The benefits of mixed uses, and well-designed commercial and office developments, are repeated from the viewpoint of patrons and employees arriving by other means of travel than motorized vehicles. It points out that “buildings with frontages along the street create a streetscape that is comfortable and accommodating to pedestrians, and help keep traffic moving at slower speeds. Parking to the side or the rear of the building keeps the streetscape intact, allows easy access for pedestrians from adjacent sidewalks and minimizes automobile and pedestrian conflicts.”

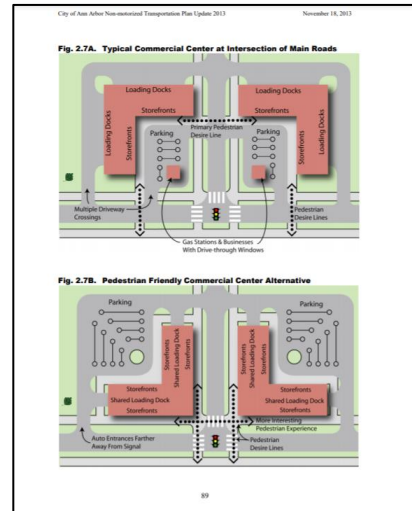


The Non-Motorized Transportation Plan Update encourages mixed uses, noting that a better practice than tying commercial developments to surrounding residential areas is eliminating the segregation of commercial and housing areas. It says “incorporating higher density housing into commercial developments can dramatically alter the character of commercial development making the project more similar in feel to a small

downtown rather than a strip development.” Like the Transportation Plan Update, the Non-Motorized Transportation Plan Update contains some direct and specific recommendation for design, land use and zoning regulations of any City Master Plan element. Land use planning considerations include density, diversity, and design, see page 95.

PROPOSED ORDINANCE:

The proposed ordinance creating the new zoning district, named TC1 (Transit Corridor), is attached. Necessary components and highlights of the district are described below.



Chapter 55, Section 5.2, a general intent statement provides the intentions and goals of the district. A specific purpose statement provides guidance to the Planning Commission and City Council when considering a rezoning application. Four areas appropriate for the TC1 are described as well as criteria for additional corridors not described.

Chapter 55, Section 5.15, a column is inserted into the use tables among the mixed use districts to establish the primary, accessory, and temporary uses permitted in the TC1 district. The permitted uses closely match, but are not identical, to the D2 and C3 districts. Notable differences are single-family and two-family dwellings are not permitted, nor are auto-oriented uses such as vehicle washes, fueling stations, wholesale, warehousing and indoor storage, motorized vehicle sales, motorized vehicle repair, or drive-through facilities.

Chapter 55, Section 5.16.3, use specific standards are provided to ensure the typology of development in the district meets the general intent and specific purpose of the district. Two types of buildings are regulated, mixed use buildings and townhouse/apartments. Standards are provided for lots less than 250 feet wide and more than 250 feet wide. This threshold corresponds to the distance of a downtown block. Standards address buildings (e.g. minimum stories, minimum first floor height, minimum first floor transparency, entrances), building frontages, site, access and circulation, off-street parking, and parking lot.

Chapter 55, Section 5.17.4, inserts a row into the dimensional standards table for mixed use zoning districts. Standards for setbacks and height are established. The setback standards closely match other C districts and the height limits are inspired by the O district. No FAR is established because of the unprecedented form-based standards provided in Section 5.16.3 use specific standards and the height limits in this section.

Chapter 55, Section 5.20.4 is amended to include the new district in the existing requirements for conflicting land use buffers.

STAFF COMMENTS:

The proposed TC1 district represents a meaningful, achievable, and realistic way to implement the goals expressed in the Master Plan. It has been crafted to be attractive to property owners and developers while ensuring that new development meets the expectations of the community for density, design, and location.

Floating Zone, City-initiated Rezonings – City Council has charged the Planning Commission with forwarding an transit-supported zoning district and preliminary recommendations for geographic areas to consider for such designated by Resolution R-20-439. The proposed ordinance amendment fulfills Council’s direction by the deadline given. City-initiated rezonings may occur at any time once directed by City Council and/or the Planning Commission, whether that be immediately upon adoption of the new zoning district or at some time in the future at the priority and discretion of those bodies. Nothing about the work done to-date will preclude city-initiated rezonings.

City-wide Application – There are several concerns related to expanding application of the TC1 district beyond the four target areas described in the specific purpose statement. Foremost is the concern about harming, rather than helping, the transit system. The Ride operates on a hub model, and the most effective support that zoning can offer is to boost ridership on existing routes (rather than ask new routes to be served). Second, Ann Arbor’s mixed use, commercial, and office areas are more discrete, and deserve a more nuanced approach than a single, one-size-fits-all district. The proposed district is intended to deliver higher density development directly adjacent to transit corridors. There are only a handful of such areas existing in the city. Other corridors have different needs, have different characteristics, and have different recommendations in the City Master Plan. In fact, some of the other corridors suggested for the TC1 district are not really corridors. They are and should be treated as nodes and neighborhoods. Further planning initiatives centered around nodes and neighborhoods would be welcomed.

Comparison – The proposed TC1 district allows – requires – more development than currently allowed in the district it will replace, but limits that development when in proximity to residential districts more than what is currently required.

The chart below compares the existing districts the TC1 district is intended to replace with the proposed standards of the TC1 district. Note standards have been summarized.

Comparison Chart (Summarized Standards)							
Standards	Existing Districts						Proposed District
	O	RE	ORL	C2B	C3	M1	TC1
FAR	75%	75%	75%	200%	200%	75%	No max
Front Setback	Min 10' Max 40'	Min 25' Max 50'	Min 25' Max 50'	Min 10' Max 25'	Min 10' Max 25'	Min 15'	Min 0' Max 10'
Side and Rear Setback	0', or 30' when abutting R	0', or 100' + 1' per foot over 30' height	0', or 100' + 1' per foot over 30' height	0', or 30' when abutting R	0', or 30' when abutting R	0', or 30' when abutting R	0', or 30' when abutting R
Maximum Height	Unlimited, or 55' within 300' of R	Unlimited, or 55' when abutting R	Unlimited, or 55' when abutting R	55'	55'	35'	120', or 75' between 80-300' of R, or 55' within 80' of R
Minimum Height	None	None	None	None	None	None	2 or 3 stories
1 st Story	Non	None	None	None	None	None	Min 15'
Transparency	None	None	None	None	None	None	Min 60%
Diagonal	None	None	None	None	None	None	Max 360' on large lots
Entrances	None	None	None	None	None	None	Functional entrance, facing street
Frontage	None	None	None	None	None	None	Equal to lot width less 30' on small lots, 70-75% of lot width on large lots
Site	None	None	None	None	None	None	Sidewalks abut all building sides, large sites designed in blocks
Access and circulation	None	None	None	None	None	None	Max 1 curb cut on small lots, max 2 curb cuts on large lots
Parking	Min and max spaces by land use as required by Section 5.19. (Generally, max spaces for office, retail, and shopping center land uses. No max spaces for residential land uses.)						No minimum, max as required by Section 5.19
Parking lots	Not permitted in front yard, exception for corner lots. No size limitations other than max spaces for certain land uses.						Not permitted in front yard. Footprint equal to building footprint on small lots, equal to 125% of building footprint on large lots.

Graphics – Creating and inserting illustrations of the proposed use specific standards and dimensional standards is part of a larger need for the Unified Development Code

and will be addressed in the near term. Further, inserting illustrations into the proposed ordinance cannot be efficiently or economically done until the ordinance is approved and the standards to be illustrated are set.

Height – The height limit for the area zoned TC1 closest to residential zoning has been changed in the proposed ordinance since the Ordinance Revisions Committee’s meeting of March 23, 2021. It is proposed to be limited to 55 feet within 80 feet of residential zoning districts, not 40 feet within 80 feet. This change was made to be consistent with that is currently allowed in the C2B, C3 and O districts for that proximity range.

Prepared by Alexis DiLeo
Reviewed by Brett Lenart
4/2/21

Attachment: Ordinance to Amend Chapter 55 Unified Development Code (TC1 Transit Corridor) – Draft 3/25/21

c: City Attorney’s Office