

**PLANNING AND DEVELOPMENT SERVICES STAFF REPORT**

**For Planning Commission Meeting of October 1, 2024**

**SUBJECT: Amendments to Chapter 55 (Unified Development Code) related to Public and Private or Franchise Utilities (Section 5.37)**

**PROPOSED CITY PLANNING COMMISSION MOTION**

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the amendments to Chapter 55 Unified Development Code as proposed in the attached draft ordinance and generally described as revising the definition of public utility and adding a definition for private or franchise utility as provided in Section 5.37.2.

**STAFF RECOMMENDATION:**

Staff recommends that the amendments to the Unified Development Code be **approved**.

**SUMMARY:**

Three separate amendments to the Unified Development Code are proposed. This staff report describes a proposed amendment to revise the definition of public utility and add a definition for private or franchise utility.

Separately, amendments are proposed to revise the standards for fences in residential and nonresidential districts and to revise the reimbursement formula for developments that provide affordable housing dwelling units.

**REPORT:**

One of three amendments to the Unified Development Code are proposed in this staff report, all of which implements tasks outlined in a consolidated work plan prepared for the Ordinance Revisions Committee that combined and prioritized revision concepts identified in the 2024-2025 CPC Work Program and a running list maintained by staff. These amendments are bundled together into a draft ordinance informally referred to as the “foxtrot group” as they are the sixth batch of amendments initiated by staff since the adoption of the Unified Development Code in 2019.

**Analysis of Amendments to Section 5.37.2 Specific Terms**

Section 5.37.2 is proposed to be amended to revise the definition of *public utility* and add a definition for *private or franchise utility*. The current definition of public utility appears to conflate public utilities with private utilities. No definition is provided for private or franchise utilities. The proposed amendment seeks to correctly match public utilities and private or franchise utilities

Amendments to Unified Development Code (Public/Private Utilities)

October 1, 2024

Page 2

with their ownership entities and consistently use these terms across the City's codes, ordinance and standards.

The Unified Development Code is proposed to define public utilities and private or franchise utilities as provided in the Public Services Standards Specifications.

Prepared by Alexis DiLeo, Principal Planner  
Reviewed by Brett Lenart, Planning Manager

Attachments:      Ordinance to Amend the Unified Development Code (Fences,  
                                 Reimbursements, Public and Private Utilities)  
                                 August 27, 2024 Staff Memo (Public and Private Utilities)