

UNIFIED DEVELOPMENT CODE  
(Exceptions to Height Limits)

AN ORDINANCE TO AMEND SECTIONS 5.18 AND 5.37 OF CHAPTER 55 (UNIFIED DEVELOPMENT CODE) OF TITLE V OF THE CODE OF THE CITY OF ANN ARBOR

The City of Ann Arbor ordains:

Section 1. That Section 5.18.4.B of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor be repealed and replaced with the following:

- B. Sustainable and Affordable Housing Developments
  - 1. The height limits of this chapter may be increased by 30% for a development that meets either of the following conditions:
    - a. At least 15% of all dwelling units (when in a zoning district regulated by density) or 15% of all floor area (when in a zoning district regulated by FAR) are affordable housing dwelling units or a fee-in-lieu has been contributed to the City's affordable housing fund in the rate or amount established by City Council; or
    - b. The development meets the following sustainability conditions:
      - i. All buildings in the development are all-electric, meaning powered by electricity as the only source of energy for all on-site space conditioning (including heating and cooling), water heating, cooking appliances, and clothes drying appliances, except for backup power sources to power life safety systems in compliance with applicable building codes and other laws; and

- ii. the development includes solar collector surface area equal to at least 60% of the footprint area of all buildings. Provided that the development includes on-site solar collectors with a total surface area equal to at least 20% of the footprint area of all buildings, the remainder of the required solar collector surface area may be achieved by a fee-in-lieu contributed to a designated City fund for creating equivalent solar collector surface area within the City in the rate or amount established by City Council. All on-site solar collectors must be designed to provide power to the development.
2. If height limits are increased under this subsection 5.18.4.B, then one foot of additional side and rear setback must be provided for every foot of building height above the normal height limit for the portion of the building above the height limit in a residential zoning district or within 300 feet of a residential zoning district. This requirement is intended mitigate additional height in and near residential districts while offering flexibility in design. Buildings can comply by providing a step back or series of step backs above the normal height limit or by increasing setbacks .

Section 2. That the definitions of Affordable Housing Component and Sustainability Component in Section 5.37.2 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor are repealed.

Section 3. This ordinance shall take effect and be in force on and after ten days from legal publication.