

UNIFIED DEVELOPMENT CODE
(Fences, Reimbursements, Public and Private Utilities)

AN ORDINANCE TO AMEND SECTIONS 5.26, 5.28 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 5.26.2 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor be amended as follows:

5.26.2 Standards

A. Residential Zoning Districts

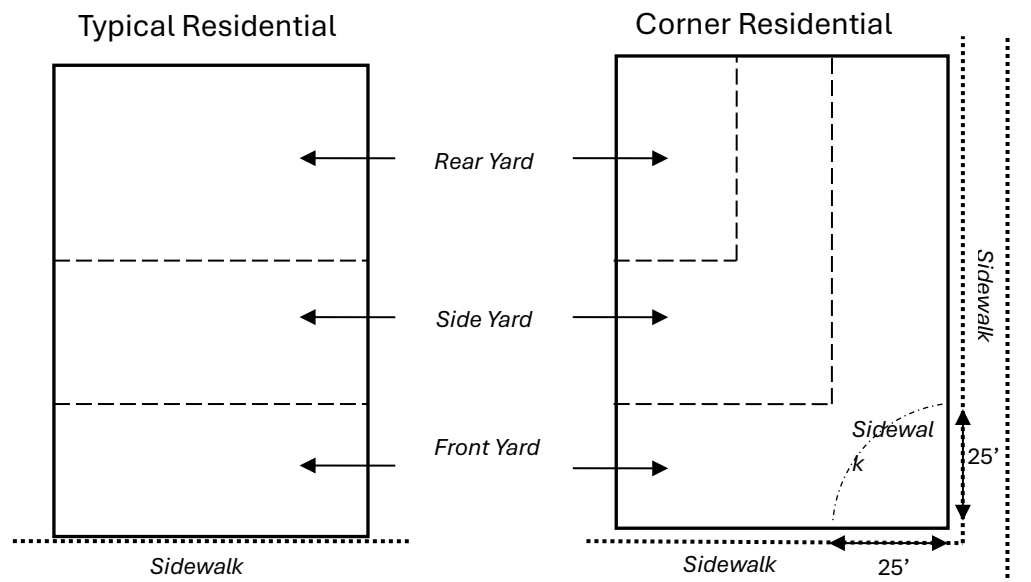
Fences located in Residential Zoning Districts (See also figure below):

Shall not exceed four feet in height and 50% opacity in the front yard:

Shall not exceed six feet in height and 80% opacity in the side yard:

Shall not exceed eight feet in height in the rear yard:

Figure 26-1: Residential Zoning Districts – Height and Opacity Standard



B. Nonresidential Zoning Districts

Fences located in Nonresidential Zoning Districts:

Shall not exceed 12 feet in the front required setback area, or exceed the maximum height limit for the zoning district in which the fence is located outside of the front required setback area:

Shall have no restriction as to solid matter or closed construction:

Shall not be charged or connected to an electrical current:

Shall not contain spikes, nails, barbs (including barb wire), or other pointed instruments, or any cleaved selvages or any sharp points on wire fences that have not been removed or bent to eliminate any sharp extrusions:

C. All fences located within 25 feet of the intersection of two or more Street lot lines where the minimum front required setback of the zoning district in which the lot is located is greater than none shall not be higher than 30 inches above the Sidewalk grade:

D. ~~In determining the maximum height of a fence that separates two adjoining lots and runs within two feet of the lot line, the maximum height at any point shall be determined from the highest grade within two feet on either side of the lot line.~~

A. General

1. ~~Fences may be located anywhere on a lot including abutting a lot line.~~
2. ~~Fences shall not contain any sharp, pointed or protruding elements such as barbs and barbed wire, spikes, or nails, or be electrified, for the purpose of preventing Persons or animals from trespassing except when specifically required by another code.~~
3. ~~In determining the maximum height of a fence that separates two adjoining lots and runs within two feet of the lot line, the maximum height at any point shall be determined from the highest grade within two feet on either side of the lot line.~~

B. Height and Opacity

<u>Table 5.26-1: Height and Opacity Standards for Fences</u>					
	<u>Residential Districts</u>				<u>Mixed-Use, Nonresidential and Special Purpose Districts</u>
	<u>Street Corner Triangle</u>	<u>Front Yard</u>	<u>Side Yard</u>	<u>Rear Yard</u>	
<u>Maximum Height</u>	<u>30 inches</u>	<u>4 feet</u>	<u>6 feet</u>	<u>8 feet</u>	<u>12 feet</u>
<u>Maximum Opacity</u>	<u>50%</u>	<u>50%</u>	<u>100%</u>	<u>100%</u>	<u>100%</u>
<u>Street corner triangle is the area on a lot within 25 feet of the intersection of two or more Street lot lines.</u>					

Section 2. That Section 5.28.1.E of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor be amended as follows:

E. Reimbursements and Reductions

1. Reimbursements of fees for withdrawn applications and permits partially processed shall be offered as established by resolution of the City Council upon recommendation of the City Administrator.
2. ~~Up to f~~**Up to fifty percent of application fees shall be reimbursed when the proposed development provides affordable housing dwelling units in accordance with the following formula: Total Fees Paid x (Percentage of**

Floor Area Dedicated to Affordable Housing Dwelling Units/2).

Section 3. That Section 5.37.2 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor be amended as follows:

Public Utility

~~Private enterprise with a franchise for providing a public service.~~As provided in the Public Services Standard Specifications: City-owned, operated, and maintained utilities and their appurtenances including, but not limited to, systems for sanitary sewer, water, stormwater, communication conduit and cable, streetlights, and traffic control.

Private, or Franchise, Utility

As provided in the Public Services Standard Specifications: Utilities not owned by the City, including but not limited to, privately-owned natural gas and electric distribution systems, and telephone, communication, cable, and conduit systems and all appurtenances thereto.

Section 4. This ordinance shall take effect and be in force on and after ten days from legal publication.