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Subject: Concerns About Transitioning to the UDC

Dear Members of the Planning Commission,

The emergence of the Universal Development Code (UDC) caught us (The Old Fourth Ward Association-OFWA) by surprise and look forward to the hearing on Tuesday. We are concerned the UDC will include changes to zoning that will be difficult to notice in such a large document, 283 pages. For example, we know of at least one change that concerns us and that is the change to the definition of a parking lot on p. 262.

Concern 1: UDC 5.19 Parking Standards

New Definition

Parking Lot or Structure Principal Use

A Structure specifically constructed for storage of Personal vehicles, including private and community garages, or an area 1200 or more square feet **and** designed to accommodate more than four parked vehicles, in accordance with the requirements of Sec. 5.19 and allowed as the only or primary use of the lot.

Old Definition in Chapter 59, 5:161

Parking lot. A total surface area on 1 parcel of 1,200 or more square feet **or** 5 parking spaces used for parking and maneuvering of motor vehicles and which shall also include unenclosed parking structures.

Comments

It's unclear whether the substitution of or for and was a typo or intentional in the UDC's definition of a parking lot. But, the change has ramifications to us in the Old Fourth Ward. The old definition of a parking lot meant that any parking space with 5 or more parking spaces is considered a parking lot and subject to Building Department approval. In the new definition, a landlord could potentially squeeze a lot of cars into a parking space without approval as long as the square footage is less than 1200 sq. ft. If the change was intentional, we think this is a disruptive definition change.

We also think that any parking space, for the safety of residents, whether it be part of a 1200 sq. ft. parking lot or smaller areas, should be subject to minimum size stall requirements. Therefore, we should propose adding a Parking Area designation, defined as any space dedicated to parking that is less than 1200 sq. ft.

Concern 2: 5.19.8 Design of Vehicle Parking Facilities

Re: maneuvering area language in this section, when landlords attempt to pack Parking Spaces into Parking Lots or Parking Areas, this often makes it difficult for residents not only to back out of a driveway but also to turn around and exit driving forward. On some streets in the Old Fourth Ward, entering the street driving forward is a safety necessity for two reasons. First, cars are often parking illegally on the street close to the driveway impairing visibility. If trees are present in the extension or front yard, oncoming traffic visibility is further impaired. Secondly, bicyclists sometimes ride on sidewalks to avoid traffic in our area. Backing out makes it very difficult to see bicyclists on sidewalks, particularly at night.

Therefore, we suggest the following wording for 5.19.8 D:

"Parking Lots **and** Parking Areas shall have adequate maneuvering area to allow cars in all Parking Spaces to safely exit a driveway either driving forward or backwards without moving other vehicles. All Parking Spaces, whether in Parking Lots or Parking Areas, shall be clearly marked and Parking Lots and Parking Areas shall conform to the minimal staff and aisle requirements in Table 5:19-2."

Concern 3: Coordination with the parking restrictions in the Historic District Commission Guidelines

UDC readers of Section 5.19 should be made aware of the additional parking restrictions dictated on Page 3-19 of the Historic District Ordinance. Greater visibility of the HDC parking restrictions should reduce violations and save enforcement staff time.

Concern 4: Lack of Enforcement Personnel

The OFWA believes that Ann Arbor lacks the personnel to enforce current ordinances. Recently, we talked to one landlord, who, when asked about the Off Street Parking Ordinance, said that most landlords routinely ignore it because it is not enforced. The fact is that many of our reports of parking and sign violations in the OFW have not been resolved. There has been little communication from enforcement staff to us about the status of our complaints. And, it's difficult to know exactly who we should contact.

There should be a way for citizens to access the status of zoning enforcement complaints. This does occur to some degree with A2Fixit. The problem is that when A2Fixit complaints get referred to the Building Department, the transparency ends. Reporters of infractions have no idea to whom the complaint gets referred in the Building Department.

Therefore, in the enforcement area of the UDC, it should be specified which staff are responsible for enforcing the various sections of the ordinance. There should also be a communication protocol for responding to complaints. Unless the transition to a UDC includes the hiring of additional enforcement staff, then all of the time and expense of creating a UDC seems pointless to us. Clarion Associates, LLC, who prepared the UDC draft, should also be charged with recommending how many enforcement staff will be needed to sufficiently enforce the UDC.

Thanks for your consideration,

Jeff Crockett
Old Fourth Ward Association
Communications Officer