

PLANNING SERVICES STAFF REPORT

For Planning Commission Meeting of February 19, 2025

SUBJECT: Amendments to Unified Development Code (Chapter 55 of the Code of the City of Ann Arbor) related to Design Review and Design Review Board

PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve amendments to Chapter 55, Unified Development Code, Section 5.17.6, 5.27.5 and 5.28.5 to eliminate the Design Review Board, modify the design review process to an administrative function, and revise the downtown building material regulations as proposed in the attached ordinance.

STAFF RECOMMENDATIONS:

Staff recommends **approval** of proposed amendments to Sections 5.17, 5.27 and 5.28 of the Unified Development Code to revise building material regulations, eliminate the Design Review Board, and correspondingly modify the design review process as directed by Resolution R-24-109 of the City Council.

SUMMARY:

Amendments to eliminate the Design Review Board and correspondingly modify the design review process, as well as revise the downtown building material regulations, are proposed as directed by City Council Resolution R-24-109, passed April 1, 2024. This resolution directed that “hearings before the Design Review Board shall no longer be required by ordinance, and a review of the Design Review Standards for each project will become a city planning staff function.”

In response to this direction, the following sections of the Unified Development Code are proposed for modification:

Section 5.27.5 Design Review Board, providing the membership, terms, powers and duties of the DRB is proposed to be eliminated.

Section 5.28.5 Design Review, providing the intent, applicability, submittal requirements, timing, number of reviews, required notice, meeting and reports, is proposed to be modified so review is performed by the Planning and Development Services Unit (PDSU) and requirements related to the Design Review Board meetings are eliminated.

Section 5.17.6.C Building Design Requirements on Primary and Secondary Streets is proposed to be revised by clarifying wood is a permitted material and changing exterior insulation finishing systems from a prohibited to a permitted material. References to the Design Review Board are modified to the applicable approving body.

BACKGROUND:

On December 18, 2023, the Administrator's Office provided to the Council a report titled *A New Approach to Economic Development*, wherein a series of reforms to the city's economic development and land development processes were recommended to the Council. The report was the result of more than a year of work directed by the Economic Development Corporation of Ann Arbor with support from members of Council to examine how the city could become more effective and efficient at pursuing economic development initiatives.

The report can be found at the following link:

<https://a2gov.legistar.com/LegislationDetail.aspx?ID=6455353&GUID=9953264D-8091-454D-8178-7E569BF0A22C>

Council endorsed the findings of *A New Approach to Economic Development* and directed the City Administrator to implement certain recommendations provided in the report through four resolutions adopted on April 1, 2024.

- R-24-108 Resolution Directing Economic Development Priorities – Focused on creating an economic development office.
- **R-24-109 Resolution to Direct City Administrator to Implement New Processes and Programs for Housing Development at all Income Levels to Support Housing Affordability – Focused on improving efficiency and alleviating burdens in the land development process.**
- R-24-110 Resolution to Direct the City Administrator to Implement New Processes and Programs to Support Sustainability in the Built Environment – Focused on strategies for supporting sustainability in the built environment.
- R-24-111 Resolution to Direct the City Administrator to Implement New Processes and Programs to Support Placemaking and Tax Base Improvements – Focused on supporting place-making and tax base improvements.

R-24-109 included 13 measures intended to alleviate any undue burden on the land development that may be caused by city inefficiency, one of which specifically identified the design review process.

The City Planning Commission considered the proposed improvements to the design review process as directed in R-24-109 at the September 10, 2024 working session.

REPORT:

Resolution R-24-109 included 13 measures to implement new processes and programs supporting housing affordability. One measure specifically called for “hearings before the Design Review Board [to be] no longer be required by ordinance and a review of the Design Review Standards for each project will become a city planning staff function.”

The proposed amendment brings forth the requested ordinance to achieve the specific directive. It includes three components which are more fully described below.

1. Section 5.27.5 Design Review Board

Current Standard – Section 5.27.5 Design Review Board provides the membership, terms, powers and duties.

Proposed Amendment – This section is proposed to be eliminated in its entirety.

2. Section 5.28.5 Design Review

Current Standard – Section 5.28.5 Design Review, provides the intent, applicability, submittal requirements, timing, number of reviews, required notice, meeting and reports requirements of the design review process.

Proposed Amendment – This section is proposed to be modified so review is performed by the Planning and Development Services Unit (PDSU) and requirements related to the Design Review Board meetings are eliminated. In particular:

- A. Intent – The intent of the design review process remains largely unchanged, to foster excellence in the design of the city’s built environment by reviewing for consistency and conformance to the Downtown Design Guidelines.
- B. Applicability – The location-based criteria for the design review process is clarified while remaining as currently applied. References to types of site plans are removed.
- C. Submittal Requirements – The format of information required for design review is revised to be to be supplemental (instead of a separate application) to the required information for site plans. The content of information required for design review is clarified and largely unchanged from that currently required.
- D. Timing/Review Results – This Timing paragraph regulates the timing of applications to the Design Review Board relative to other procedures. It is proposed to be removed and replaced with a paragraph on Review Results providing the procedure for design review by staff.
- E. Number of Reviews – This paragraph addresses the number of required reviews by the Design Review Board. It is proposed to be removed.
- F. Required Notice – This paragraph regulates public notices for Design Review Board meetings and is proposed to be removed.
- G. Design Review Board Meeting and Report – This paragraph addresses procedures of Design Review Board meetings. It is proposed to be removed.

3. Section 5.17.6.C Building Design Requirements on Primary and Secondary Streets

Current Standard – Paragraph 1 provides the permitted, and prohibited, materials for buildings on primary or secondary street frontages in the D1 and D2 districts. Paragraph 2 provides the design requirements for the first floor of buildings on primary street

frontages in the D1 district. Paragraph 3 provides an exemption for buildings in historic districts.

Proposed Amendment – The permitted and prohibited materials are proposed to be amended and references to the Design Review Board in Paragraphs 1 and 2 are proposed to be modified to staff.

- Wood is proposed to be clarified as a permitted material. This common material is currently not regulated.
- Exterior insulation finishing systems (EIFS) are proposed to be changed from a prohibited to a permitted material. It was previously felt that EIFS would not contribute to excellence in design and was not durable enough for street-level applications. However, this material has significant insulating value and can be a critical material to meeting higher building code and energy efficiency standards.
- Fiber cement board is proposed to be changed from an accent material to unregulated.

Prepared by: Alexis DiLeo, Principal Planner
Reviewed by: Hank Kelley, Deputy Planning Manager
Brett Lenart, Planning Manager

Attachment: Draft Ordinance (Design Review)
A New Approach to Economic Development Report to City Council
Resolution R-24-109