ORDINANCE NO. ORD-24-29

First Reading: November 18, 2024 Approved: December 16, 2024 Public Hearing: December 16, 2024 Published: December 26, 2024

Effective: January 5, 2025

UNIFIED DEVELOPMENT CODE (Child Care Center and Private School Uses)

AN ORDINANCE TO AMEND SECTIONS 5.15 AND 5.16 OF CHAPTER 55 (UNIFIED DEVELOPMENT CODE) OF TITLE V OF THE CODE OF THE CITY OF ANN ARBOR – Child Care Center and Private School Uses

The City of Ann Arbor ordains:

<u>Section 1.</u> That Table 5.15-1 of Section 5.15.1 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor be amended as follows:

5.15.1 Primary Uses

Club Headquarters or Community Center

TABLE 5.15-1: PRIMARY USE TABLE Key: P = permitted | E = special exception | Blank = prohibited. See Table Notes (at bottom) for Important Information. NONRESIDENTIAL AND USE SPECIFIC USES RESIDENTIAL MIXED-USE DISTRICTS SPECIAL PURPOSE (BY CATEGORY AND TYPE) **DISTRICTS STANDARDS DISTRICTS** M1 (ALL) R1 (ALL) R4 (ALL) ORL R2A C2B TC1 R6D1 $\mathbf{D}_{\mathbf{2}}$ RE $\mathbf{M}_{\mathbf{2}}$ **R**5 PL RESIDENTIAL 5.16.1 HOUSEHOLD LIVING Adult Foster Care Ρ Р Р Р Р P Р Dwelling, Assisted Living Р Р Ρ Р Р 5.16.1B P Р Р Р P P Ρ Ρ Р Ε Dwelling, Multi-Family 5.16.1A; 5.16.1D Ρ Dwelling, Single-Family Ρ Ρ Р Р Р Ρ Ρ Ρ Р Ρ Р Р 5.16.1A; 5.16.1C Dwelling, Townhouse Р Р Р Р Р 5.16.1A Ρ Р Dwelling, Two-Family Р Р Р 5.16.1A House Trailer/Mobile Home Park Р 5.16.1A GROUP LIVING Emergency Shelter Ρ Ρ Ρ Р Р Ρ Fraternities, Sororities, P Е Е P Р Ρ Р Р E 5.16.1A; 5.16.1E and Student Cooperative Housing Group Housing Е Е Р P Р P 5.16.1A; 5.16.1F Ρ Р Ρ Р Guest House Р Р Р 5.16.1A; 5.16.1G PUBLIC/ INSTITUTIONAL 5.16.2 COMMUNITY AND CULTURAL Ρ Cemetery

Ε

Ε

Ε

5.16.2C

See Table Notes (at bottom) for Important Information.

See Table Notes (at bottom) for Imp			Key: P = permitted E = special exception Blank = prol												stank = pronibited.							
USES (BY CATEGORY AND TYPE)		F			NTIA CTS			M	IXE	D-U	SE I	DIST	ΓRIC	CTS	N		RESII ECIA DIS	L P	USE SPECIFIC STANDARDS			
	AG	R1 (ALL)	R2A	R2B	R3	R4 (ALL)	R6	0	C1 (ALL)	D1	D2	C2B	C3	TC1	R5	Ь	PL	RE	ORL	M1 (ALL)	M2	
Conference Center										Е									Е			
Correctional Facility																	P					
Museum, Art Gallery										P	P	P	P	P			P					
Funeral Services								P	P	P	P	P	P	P						P	P	
Government Offices and Courts								Р	P	Р	P	P	P	P			P			Р		
Library		P	P	P	Р	Р		Р	P	P	P	P	P	P			P			Р		
Parks, Recreation, and Open Space																	P					5.16.2G
Religious Assembly	Р	Е	Е	Е	Е	Е		P	P	P	P	P	P	P								
DAY CARE																						
Adult Day Care Center		Е	Е	Е	P	P		P	P	P	P	P	P	P					Е	P	P	5.16.2A
Child Care Center		<u>EP</u>	<u>EP</u>	<u>EP</u>	P	P		P	P	P	P	P	P	P				<u>P</u>	<u>ЕР</u>	Р	P	5.16.2B
EDUCATIONAL																						
Institution of Higher Learning, Private		Е	Е	Е	Е	Е		Р	Р	Р	P	Р	Р	P						Р	Р	5.16.2E
Institution of Higher Learning, Public	Р	P	P	P	P	P	P	P	P	P	P	P	P	P	Р	P	P	P	P	P	P	
School, Private		Е	Е	Е	Е	Е		Е	Р	Р	Р	Р	Р	P				<u>E</u>	<u>E</u>			
School, Public	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	Р	
School, Trade/Industrial									P	P	P	P	P	P			P		Р	Р	Р	
HEALTH CARE																						
Hospital						Е		Е	Е					Р			Р			Е		5.16.2D
Nursing Care Facility						Р		Р	Р	Р	Р	Р	Р	P	Р					Р	Р	5.16.2F

See Table Notes (at bottom) for Important Information.

USES (BY CATEGORY AND TYPE)					TIA CTS			MIXED-USE DISTRICTS								ONR Spe	CIA		USE SPECIFIC STANDARDS			
	AG	R1 (ALL)	R2A	R2B	R3	R4 (ALL)	R6	0	C1 (ALL)	D1	D2	C2B	C3	TC1	R5	P	PL	RE	ORL	M1 (ALL)	M2	
COMMERCIAL																						5.16.3
HOSPITALITY																						
Banquet Hall								Р	Р	Р	Р	Р	Р	Р								
Designated Marijuana Consumption Facility									$E^{_1}$	Е	Е	Е	Е	Е								
Restaurant, Bar, Food Service								Р	Р	Р	P	P	Р	P								
Lodging																						
Bed and Breakfast, Principal										P	P	P	P		P							
Hotel								P	P	P	P	P	P		P							
Short-Term Rental – Non-Principal Residence								Р	Р	Р	Р	Р	Р									
RECREATION, ENTERTAINMENT, AND ARTS																						
Adult Entertainment Business																				P^2	Р	5.16.3A
Artist Studio								Р	Р	Р	P	P	Р	P						Р	Р	5.16.3B
General Entertainment									Р	Р	Е	P	Р	P								5.16.3D
Indoor Recreation								Р	P	P	P	P	P	P			P		Е	Е	Е	5.16.3F
Outdoor Recreation	P	E	E	Е	Е	Е						P	P				P		Е			5.16.3J

¹ Except C1. Designated Marijuana Consumption Facilities not permitted in C1 district. ² Except M1A. Adult Entertainment Business not permitted in M1A.

See Table Notes (at bottom) for Important Information.

see Table Notes (at bottom) for Impor						ney	• •	- PC	11111	teu		spe	Clui	11	biank – promoneu.							
USES (BY CATEGORY AND TYPE)		RESIDENTIAL DISTRICTS							MIXED-USE DISTRICTS								CIA	DEN L Pi STRI	USE SPECIFIC STANDARDS			
	9V	R1 (ALL)	R2A	R2B	R3	R4 (ALL)	R6	0	C1 (ALL)	D1	D2	C2B	C3	TC1	R5	Ь	PL	RE	ORL	M1 (ALL)	M_2	
SALES																						
Automobile, Motorcycle, Recreational Vehicle, Equipment Sales and Rental										Е	Е	Р	Р							Р		
Fueling Station										Е	Е	Е	Р								P	5.16.3E
Outdoor Sales, Permanent									Р	P	Р	P	Р	Р								5.16.3K
Marijuana Provisioning Center									Е	Е	Е	Е	Е	Е						Е	Е	5.16.3G
Mobile Food Vending Service								P	P	P	P	P	Р	P	Р	P	Р	P	P	P	P	5.16.3H
Retail Sales, General Merchandise									P	P	P	P	P	P								
Wholesale, Resale, Building Material and Supplies												P	Р							Р	P	
SERVICES AND REPAIR																						
Automobile, Truck, Construction Equipment Repair										Е	Е	Р	Р							Р	Р	5.16.3C
Contractors, General Construction, and Residential Building											Р	Р	Р							Р	Р	
Laundry, Cleaning, and Garment Services									P	P	P	P	P	Р						P	P	
Parking Lot, Parking Structure										Е	Е					P	Р					5.16.3L
Personal Services								P	P	P	P	P	P	P								
Vehicle Wash										E	Е	Е	P									
Kennel, Animal Boarding								Е	Е	P	P	P	P							P	P	5.16.3O

See Table Notes (at bottom) for Important Information.

see Table Notes (at bottom) for imp		Rey: 1 – permitted E – special exception												11 1	biank – promotted.							
USES (BY CATEGORY AND TYPE)		RESIDENTIAL DISTRICTS							MIXED-USE DISTRICTS								CIA	DEN L Pu	USE SPECIFIC STANDARDS			
	AG	R1 (ALL)	R2A	R2B	R3	R4 (ALL)	R6	0	C1 (ALL)	D1	D2	C2B	C3	TC1	R5	Р	PL	RE	ORL	M1 (ALL)	M2	
OFFICE AND RESEARCH																						5.16.4
OFFICE																						
Bank, Credit Union, Financial Services								Р	Р	Р	Р	Р	Р	Р						Р		
General								P	Р	P	P	P	P	P				Р	Р	P		5.16.4C
Medical/Dental								Р	Р	Р	Р	P	Р	Р						Р		5.16.4C
Veterinary								Р	Р	P	P	P	P	P								
Nonprofit Corporations		Е	Е	Е	Е	Е		Р	Р	P	Р	P	P	P				Р	P	Р		5.16.4B
RESEARCH AND DEVELOPMENT																						
Laboratory																		Р	P	P	P	5.16.4A
Marijuana Safety Compliance Facility																		P	P	Р		5.16.3G
Medical Laboratory										P	P	P	P					P	P	P	P	
Research/Development																		P	P	Р	P	
TRANSPORTATION																						
Marijuana Secure Transporter												Р	Р							Р		5.16.3G
Railroad and Public Transportation Rights-of-Way										Р	Р	Р	Р				P			Р	Р	
Transit Center, Station, or Depot										P	P	Р	P				Р			Р	Р	
Transportation Facilities																	Р					

See Table Notes (at bottom) for Important Information.

See Table Notes (at bottom) for Impo			Key: P = permitted E = special exception Blank = j											Blank = prohibited.								
USES (BY CATEGORY AND TYPE)		RESIDENTIAL DISTRICTS							MIXED-USE DISTRICTS								CIA	DEN L Pu	USE SPECIFIC STANDARDS			
	AG	R1 (ALL)	R2A	R2B	R3	R4 (ALL)	R6	0	C1 (ALL)	D1	$\mathbf{D}\mathbf{z}$	C2B	C3	TC1	R5	Ь	Td	RE	ORL	M1 (ALL)	7M	
Industrial																						5.16.5
AGRICULTURAL																						
Agriculture/Greenhouse	Р																					
Barns	P																					
Borrow Pit	Е																					
Marijuana Microbusiness													Е					Е	Е	Е	Е	5.16.3G
Marijuana Grower																		Е	Е	P	P	5.16.3G
MANUFACTURING, PROCESSING, ASSEMBLY, AND FABRICATION																						
Asphalt and Concrete Mixing Plant, Sand and Gravel Pit																					Е	
Coal and Coke Dealer																					P	
Food and Beverages																				P	P	
Heavy Manufacturing																					P	5.16.5A
Laundry and Dry Cleaning Plant																				P	P	
Light Manufacturing																			P	P		5.16.5B
Marijuana Processor																		Е	Е	P		5.16.3G
Marijuana-Infused Product Processor												Е	Е									5.16.3G
Oil and Gas Wells																						5.16.5C
Pilot Manufacturing																		Р	P	Р	P	
Scrap and Waste Material																					Е	

See Table Notes (at bottom) for Important Information.

Key: P = permitted | E = special exception | Blank = prohibited.

USES (BY CATEGORY AND TYPE)		RESIDENTIAL DISTRICTS								D-U	SE I	DIST	RIC	TS		SPE	CIA	DEN L Pu TRI	USE SPECIFIC STANDARDS			
	AG	R1 (ALL)	R2A	R2B	R3	R4 (ALL)	R6	0	C1 (ALL)	D1	D2	C2B	C3	TC1	R5	Р	PL	RE	ORL	M1 (ALL)	M2	
Slaughterhouse																					Е	
UTILITIES AND COMMUNICATIONS																						
Broadcasting Facility										P	Р	P	Р							P	P	
Data Processing and Computer Centers								P	P	P	P	Р	P					P	P	P	P	
Electric, Gas, and Sanitary Services																				P	P	
Power and Fuel Rights-of-Way																					Р	
Wireless Communication Facilities	Р							Р	P ³	Е	Е	P	Р		Е		P	P	Р	P	Р	5.16.5D
WAREHOUSING AND STORAGE																						
Medium Term Car Storage																Е						5.16.3I
Short-Term Car Storage																P						5.16.3N
Outdoor Storage																				Р	Р	
Warehousing and Indoor Storage													Р							P	Р	

Table Notes:

See Section 5.15 for full table key.

All properties are subject to the additional standards indicated for that use in the right column (Use Specific Standards).

All properties in overlay districts are subject to the additional use regulations in Section 5.14

Specific uses in the C1A/R, RE, and ORL districts are subject to the additional standards found in Sections 5.12.5B, 5.13.4B, and 5.13.5B respectively.

All uses in the TC1 district are subject to the additional standards found in Section 5.17.7

 $^{^{\}rm s}$ Except C1 and C1A. Wireless Communication Facilities not permitted in C1 and C1A districts.

<u>Section 2.</u> That Section 5.16.2.B of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor be amended as follows:

B. Child Care Center

1. All Single-Family and Two-Family Residential Zoning Districts

In addition to the *special exception use* standards in Section 5.29.5, the following standards apply:

- a. The parcel must have a minimum of 7,500 square feet of lot area.
- b. Occupancy may not be increased without amending a previously approved special exception use permit Child Care Center uses must be licensed by the State of Michigan.

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

CERTIFICATION

I hereby certify that the foregoing ordina Ann Arbor, Michigan, at its regular sess	ance was adopted by the Council of the City of sion of December 16, 2024.
(Date)	
	Jacqueline Beaudry, Ann Arbor City Clerk
Christopher Taylor, Mayor of the City of	f Ann Arbor
I hereby certify that the foregoing ordina Washtenaw County Legal News on Dec	<u> </u>
	Jacqueline Beaudry, Ann Arbor City Clerk