

**Subject:** Final Suggestions for Comprehensive Plan

---

**From:** Will Leaf  
**Sent:** Sunday, June 15, 2025 11:24 AM  
**To:** Planning <Planning@a2gov.org>  
**Cc:** Jonathan Levine  
**Subject:** Final Suggestions for Comprehensive Plan

Dear members of the Planning Commission:

Thank you for your continued hard work and for the second draft of the plan, which we feel is a great improvement over the first. We are excited that the plan will soon be complete and suggest some final tweaks below.

<https://drive.google.com/file/d/1ii6RKIMyLoed1BHVCzfhKgSWNU3xt4A9/view?usp=sharing>

Will Leaf and Jonathan Levine

Dear members of the Planning Commission:

Thank you for your continued hard work and for the second draft of the plan, which we feel is a great improvement over the first. We are excited that the plan will soon be complete and suggest some final tweaks below.

## Summary

1. Plan to create a single Transition zoning district.
2. Remove the line saying existing historic district standards will be maintained.
3. Remove the "Prefer active first floor uses" lines from Transition and Hub.
4. Make it clear that only safe industrial uses will be permitted.
5. Remove the "student-oriented group housing" line in the Implementation Matrix

## Details

### 1. Plan to create a single Transition zoning district.

Page 115 states the following for Transition Zoning:

*New mixed-use district(s) that may self-regulate height when adjacent to established residential districts, may provide a variety of character areas to emphasize or limit distinct land uses.*

We suggest shortening this wording to:

*New mixed-use district that self-regulates height when adjacent to residential districts.*

We believe that a single Transition district will be preferable to multiple districts for several reasons:

#### 1. Consistency and Equity

The entire Transition district should follow the same simple principle: Benign uses that comply with the city's performance standards are allowed while noxious uses are forbidden. This consistency would implement City Council's directive to prioritize equity and "emphasize values over use restrictions whenever possible." It would also implement the APA Zoning Reform Toolkit's [suggestions for performance standards](#).

By contrast, a second transition district with different use requirements would risk either forbidding benign uses or allowing harmful ones.

## 2. Simplicity and Speed

Implementing a single Transition zoning district would be faster and simpler than creating multiple districts. The plan provides no guidance for where different Transition districts would go, or how their rules would differ. Implementing a single district would be less arbitrary and delay-prone.

## Counterarguments

A possible argument for multiple transition districts is that certain areas should receive stricter design standards, like ground floor transparency requirements or “active use” requirements. We disagree with this argument for two reasons:

1. The TC1 design requirements are strict even for the existing TC1 district and should not be applied elsewhere. The TC1 requirements are currently [suppressing housing development](#), including a proposed expansion of Woodbury Gardens, and they should not be applied in any Transition areas.
2. Even if the Commission was determined to apply strict design standards in certain areas of the city, those areas could be zoned TC1, so there is no need for multiple Transition districts.

Another possible argument is that character districts will allow the city to have variable buffering standards, so that similar land uses do not have to buffer from each other. For example, the city might zone its existing M districts as “Industrial-Transition” and not require conflicting land use buffers in these areas.

The problem with this concept is that, for many decades, M districts have allowed sensitive land uses like schools, day cares, nursing homes, libraries, and churches. Putting these land uses in a character district that does not require buffering or has looser performance standards than the rest of the city would be inequitable and potentially harmful.



*Central Academy, an Arabic language charter school, inside an M1 district on South Industrial.*

## **2. Remove the line saying existing historic district standards will be maintained.**

Page 60 states:

*Historic district boundaries will be maintained, and development will continue to adhere to the existing standards and design guidelines approved by the Historic District Commission.*

It would be excessively conservative to maintain the existing historical district standards indefinitely without changes.

Instead, the commission should suggest revising historical district standards to allow for energy efficiency improvements. Currently homeowners in historic districts are [not allowed](#) to replace their doors or windows even if they are single-paned and covered in lead paint.

The city should plan to change these rules. We suggest the following revision:

*Historic district standards and design guidelines should be reviewed in light of the city's Carbon Neutrality Plan and sustainability goals. Rules prohibiting double-paned windows and energy-efficient doors should be reconsidered.*

## **3. Remove "Prefer active first floor uses" from Transition and Hub.**

Page 115 contains the following three bullet points under "Preferred Building Form" and "Building Uses":

► *Prefer active first floor on arterials*

► *Prefer active first floor uses*

► *Prefer active first floor commercial, particularly at nodes*

It is unclear what “prefer” means, but the most straightforward interpretation of these bullets is that they call for ground-floor retail and transparency requirements. These requirements would forbid or restrict many critical uses in both Hub and Transition, like day cares, urgent cares, Planned Parenthoods, nursing homes, schools, and ground-floor residential in multifamily buildings. They would also make hundreds of single-family homes on arterial streets non-conforming uses.

We suggest removing the three bullets.



*An urgent care on Stadium that would become a nonconforming use in the Hub district.*



*Homes in a Transition District on an arterial (Packard) that would become non-conforming uses.*

#### **4. Make it clear that only safe industrial uses will be permitted.**

On page 114, industrial uses are listed as a permitted use in Transition and Hub.



<ul style="list-style-type: none"> <li>› Residential</li> <li>› Commercial</li> <li>› Office</li> <li>› Industrial</li> <li>› Prefer active first floor on arterials</li> </ul>	<ul style="list-style-type: none"> <li>› Residential</li> <li>› Commercial</li> <li>› Light Industrial</li> <li>› Office</li> <li>› Prefer active first floor commercial, particularly at nodes</li> </ul>
---	--

We support this inclusion, but we suggest replacing “Industrial” with “Safe industrial uses that meet the city’s performance standards.” This change would reassure residents and members of City Council, who might otherwise fear that the plan will allow polluting factories throughout the city.

We also suggest removing the line on page 79 that says, “nuisance regulations should be reviewed to minimize complaints while prioritizing flexibility.” The plan should prioritize the health and safety of Ann Arbor residents, not minimizing complaints.

## 5. Remove the “student-oriented group housing” line in the Implementation Matrix

Page 134 of the implementation Matrix lists the following item:

*Define some private multifamily development as a separate use class in campus-proximate locations to provide flexibility for student-oriented group housing flexibility*

This item implies that certain types of student housing will be allowed in areas near campus but forbidden elsewhere.

Restricting housing for students is both impractical and discriminatory. It is impractical, because students often live in the same types of dwellings as other people. For example, the city cannot forbid six-bedroom dwellings for students without also forbidding the construction of six-bedroom dwellings for families. It is also impractical to distinguish the construction of new bedrooms from new home-offices or spare rooms.

At the bottom of this [student housing memo](#), you can see that there are many 4-6 bedroom units in Ann Arbor that do not seem to be marketed to students.

To actually restrict student housing options, the city would have to resort to limitations on the number of unrelated people per dwelling unit. These rules would not be consistent with the city's equity and affordability goals. Boulder Colorado recently [repealed their occupancy limits](#), and Ann Arbor should do the same. Unsafe crowding would be prevented by Ann Arbor's [minimum space and facilities requirements](#) and the [overcrowding section](#) of Michigan's Housing Law.

We suggest removing the group housing action item and instead plan to regulate external building form rather than the types of people allowed to live in each building.

*Will Leaf has written about zoning for Real Estate Law Journal and can be reached at [willeaf@umich.edu](mailto:willeaf@umich.edu).*

*Jonathan Levine is a Professor of Urban and Regional Planning at the University of Michigan and can be reached at [jnthnlvn@umich.edu](mailto:jnthnlvn@umich.edu).*