

Subject: Comments re: Comprehensive Land Use Plan draft
Attachments: Comp Plan Comments 5-13-25.docx

From: Noah Kazis
Sent: Tuesday, May 13, 2025 9:43 PM
To: Planning <Planning@a2gov.org>
Subject: Comments re: Comprehensive Land Use Plan draft

Hello,

Please find attached my comments on the Comprehensive Plan draft.

Thank you for your hard work on this.

Noah Kazis

May 13, 2025

To the members of the Planning Commission:

Thank you for your hard work on this complicated and controversial task.

I am an Ann Arbor resident and a professor at the University of Michigan Law School, where my research focuses on land use, housing, and local government. These comments are primarily based on that expertise.

I support the general direction of the comprehensive plan draft, and hope you will continue to move forward with it. Allowing more development in Ann Arbor—and critically, simplifying the development process—will support the city’s goals of promoting affordability, sustainability, and transportation safety, while strengthening our tax base and allowing improved public services. You understand this and I will not belabor the points. My comments below are meant to be consistent with the Planning Commission’s vision and approach to date, while identifying choices that might help to ensure that vision successfully becomes a reality.

In past testimony, delivered at the April 1 Planning Commission meeting, I urged you not to shortchange your own efforts to add density to our lower-density zones. I [provided evidence](#) that even in city’s with dramatically more aggressive single-family zoning—like Houston, where single-family homes can be built up to 75 feet tall and on lots as small as 1,400 square feet—redevelopment is gradual and partial. Given that, it seems safe to conclude that no version of rezoning considered for Ann Arbor’s low-density neighborhoods will create avulsive change, whereas making only incremental tweaks to the zoning will lead to no meaningful increase in our housing supply. Meanwhile, progress on some of our goals as a city—like [reducing residential segregation](#)—require allowing increased development in what are today single-family neighborhoods.

I urge the Planning Commission to work backwards from the kind of development we hope to see for our communities, and what *margin* of change from current development patterns to the new zoning envelope is necessary to spur that kind of redevelopment, as parcels turn over, over time. Based on the experience of other cities, this requires a significant difference between the existing built environment and the zoning envelope. I strongly suspect that the increments under consideration will not lead to the kind of changes that the Commission hopes to see.

While my past testimony focused on empirical evidence, I would like to add my personal perspective. I live on Wells Street between South Forest and Olivia, in the “North Burns Park” area that has become an epicenter of opposition to the comprehensive plan. There are apartments and duplexes around each corner from my house – and it’s *fine*. Our neighborhood is *great!* Indeed, mine is exactly the kind of neighborhood where there should be more growth. We’re walkable to downtown and the university, and blessed with a beloved park. We have some excellent neighborhood retail along Packard (everyone loves Argus!), and with more neighbors, could support more. Demand is sky-high. While the local neighborhood association has been organizing against

the comp plan, they do not speak for me (and they appear actively hostile to those of our North Burns Park neighbors who are students or renters). I would happily welcome a real rezoning around here, even if it means change.

Having already said my piece on the low-density aspects of the plan, I want now to focus on the higher-density areas.

First, with respect to the “Transition” areas, I suggest that they be extended further out beyond the arterial streets where they are concentrated on the draft map. While there are political benefits to placing density on the largest streets, it is not always good planning. Sometimes the aesthetics are complementary. But at the same time, large streets are noisier, have more exhaust from motor vehicles, and may be less safe for children. For the same reasons that many people in single-family homes prefer to live off our major corridors, so too for people in multi-family homes. The solution is to ensure that the “transition” districts extend sufficiently deeply off of the corridors to allow for this mid-rise development *both* on and off these routes. After all, housing one or two blocks off of a large road are just as “transit-oriented” as those along it but between transit stops—and they may be more walkable and bikeable. On some parts of the proposed map, the transition zones do extend out, but on others, they do not. They should be extended more deeply off the main arterials.

Second, I worry that the comprehensive plan is too prescriptive with respect to its higher-density uses. It is hard to micro-manage building design or building uses—and efforts to do so tend to backfire. They lead to designs that are more “cookie-cutter” as developers work within a complex and fixed set of constraints, and they lead to increased development prices due to mandates that don’t match ever-evolving market demand or architectural trends. Regulations about first-floor commercial have proven difficult in some sites in Ann Arbor—and might be much more so if deployed at large scale. Over-regulation of features like street wall and height could have similar results. This is a question of how each of the different elements fit together, and so it is impossible to say too much from a vision-oriented document like a comprehensive plan, but I hope that the Commission will make clear that flexibility is what leads to good design and vibrant neighborhoods. After all, our favorite neighborhoods—like downtown—were built either before zoning or when zoning was dramatically less prescriptive about details than it has become. “Keep it simple” is a critical feature of good zoning, yet there are many elements of the descriptions of the higher-density zones that seem inclined in the opposite direction.

Notably, these two concerns go together. The draft plan seems to suggest that the zoning would differ when adjacent to lower-rise neighborhoods or not, when adjacent to transit or not, and when on major corridors or not. This increases complexity—increasing housing costs and reducing housing opportunities. But also, it creates a geometric pile-up. If the city intends to have transitions within the transition district, where it abuts low-density areas, linear strips are not especially compatible with that kind of planning—there simply isn’t room for a transition within a one-block depth. While I am concerned about the many gradations proposed within the “transition” area, pursuing them seems to require mapping the transition area across deeper geographies.

Third, I encourage the Planning Commission to fully embrace high-rise student living. Based on experience both in Ann Arbor and in other cities hosting major universities, this is the most advantageous way of housing this important part of our community. Both [journalistic accounts](#) and [academic research](#) suggest that this is what students currently prefer. In and of itself, this is a good reason to make it legal. But it also has shown considerable benefits to the rest of the city. For example, a similar [building boom around the University of Illinois](#) reduced the share of taxes paid by Champaign homeowners from 59 percent to 51 percent. Austin Texas [rezoned its student neighborhood](#) to allow over 10,000 new beds. That neighborhood saw its rent *decrease*, when adjusted for inflation—even as rents grew citywide. (The neighborhood also has a pedestrian injury rate half that of the larger city).

Ann Arbor does not control the number of students (and should not wish to have fewer, given that the university is the foundation of our local economy). Students have to live somewhere, and the choices are essentially only: downtown, in the surrounding neighborhoods, or in ever-more cramped conditions. When seen in that light, the choice is clear. Downtown offers students what they want most, protects non-student neighborhoods from encroachment, provides large tax benefits, and if fully pursued, may even bring down rents. It's the clear choice.

But pursuing this choice requires allowing true high-rises in locations favorable to this kind of growth. The proposed map instead designates much of the campus-adjacent area as a transition district. These should be increased to the highest-density “hub” designation to facilitate student housing. I would reiterate that students have to go somewhere: allowing more student housing where the students *want* to live can give upset homeowners what *they* want (less development pressure near them).

Finally, I wish to respond to a [series of claims](#) made by the “Pause the Plan” coalition, which are inconsistent with proper understandings of housing markets. Many of these errors should be obvious to the Commission. For example, they total up the purported fiscal costs of new development without acknowledging that this development also increases city revenues—that's simply dishonest math, and the Commission should make all appropriate inferences about that dishonesty.

Other issues deserve more attention. Throughout their letter, the coalition quibbles with the City's projections of population and job growth. Here, I would say that most academics consider such projections to be misguided—and sometimes to be little more than pseudo-science. Projecting population growth, and then seeking housing to meet that growth, misunderstands and inverts the relationship between these quantities. Famously, California [once assigned Beverly Hills](#) a projected housing need of *three* units—extrapolating from its historic lack of housing growth, the state erroneously inferred that there was no demand or need for growth there. But where regulations limit the amount of housing that is legal (as in Beverly Hills or Ann Arbor), population growth is substantially a function of housing growth: allowing more housing will facilitate both population and employment growth. How we loosen the zoning will determine our population trends, and not the

other way around. (Besides, if we loosen the zoning but there is no demand, there will simply be no construction, and no conceivable harm).

Finally, the coalition letter claims that a recent [NBER working paper](#) vindicates their position that housing markets are not governed by the laws of supply and demand, and that increasing the amount of housing in Ann Arbor will not promote affordability. However, this working paper has not yet completed peer review, and has earned [multiple rebukes](#) of its methodology. I am not an economist and cannot arbitrate the technical aspects of this debate, but I can say that the [academic consensus](#) that increased housing supply promotes affordability is robust across decades of research and multiple methodological approaches. Choosing to highlight a single, hotly contested, unfinished, contrarian finding is not an effort to seek understanding through social science but to opportunistically use research for some other ends.

Once again, I thank you for the effort this planning process has taken. I believe that the Commission has put Ann Arbor on the right track. These comments are meant to ensure that the city ultimately *achieves* the type of development that the Commission is aiming for, both in the lower- and higher-density neighborhoods. Tweaking and strengthening your efforts, in some places, appears to be required for an efficacious rezoning. I therefore hope the Commission, after this extensive undertaking, will strive to make sure that it does what is needed to fully actualize its vision.

Thank you again,

Noah Kazis