

**PLANNING AND DEVELOPMENT SERVICES STAFF REPORT**

**For Planning Commission Meeting of October 1, 2024**

**SUBJECT: Amendments to Chapter 55 (Unified Development Code) related to Reimbursements and Reductions (Section 5.28)**

**PROPOSED CITY PLANNING COMMISSION MOTION**

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the amendments to Chapter 55 Unified Development Code as proposed in the attached draft ordinance and generally described as revising the reimbursement formula for developments that provide affordable housing provided in Section 5.28.1.E.

**STAFF RECOMMENDATION:**

Staff recommends that the amendments to the Unified Development Code be **approved**.

**SUMMARY:**

Three separate amendments to the Unified Development Code are proposed. This staff report describes a proposed amendment to revise the reimbursement formula for developments that provide affordable housing dwelling units.

Separately, amendments are proposed to revise the standards for fences in residential and nonresidential districts and to revise the definition of public utility and add a definition for private or franchise utility.

**REPORT:**

One of three amendments to the Unified Development Code are proposed in this staff report, all of which implements tasks outlined in a consolidated work plan prepared for the Ordinance Revisions Committee that combined and prioritized revision concepts identified in the 2024-2025 CPC Work Program and a running list maintained by staff. These amendments are bundled together into a draft ordinance informally referred to as the “foxtrot group” as they are the sixth batch of amendments initiated by staff since the adoption of the Unified Development Code in 2019.

**Analysis of Amendments to Section 5.28.1.E Reimbursements and Reductions**

Section 5.28.1.E is proposed to be amended to offer fee reimbursements when affordable housing is provided in proportion to the percentage provided. Currently, 50% of application fees are reimbursed when affordable housing is provided – regardless of the percentage of affordable housing dwelling units included in the development.

Amendments to Unified Development Code (Reimbursements)

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The proposed formula is:  $\text{Total Fees} \times (\text{Percentage of Floor Area Dedicated to Affordable Housing Dwelling Units} / 2)$

The amendment will have no effect to entirely affordable housing developments but will pro-rate reimbursements for mixed-use developments or developments that provide some affordable housing dwelling units among market rate units. Examples of how the proposed formula applies in three different scenarios are found in the August 27, 2024 Staff Memo to the Ordinance Revisions Committee, attached.

Prepared by Alexis DiLeo, Principal Planner

Reviewed by Brett Lenart, Planning Manager

Attachments: Ordinance to Amend the Unified Development Code (Fences,  
Reimbursements, Public and Private Utilities)  
August 27, 2024 Staff Memos (Reimbursements)