

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of October 1, 2024

SUBJECT: Amendments to Chapter 55 (Unified Development Code) related to Fences (Section 5.26)

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 changing and reorganizing the standards for fences in residential and nonresidential districts provided in Section 5.26.2.

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 standards for fences in residential and nonresidential districts.

Separately, amendments are proposed to revise the reimbursement formula for developments that provide affordable housing dwelling units 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 5.26 Fences

Section 5.26.2 (Fences) is proposed to be amended and reorganized. Proposed amendments include:

Amendments to Unified Development Code (Fences)

October 1, 2024

Page 2

1. Applying the restrictions on sharp edges such as barbs or spikes and electrified fences to residential zoning districts (such restrictions are already in effect in nonresidential districts) except when specifically required by another code.
2. Adding a general requirement to clarify that fences may be located anywhere on a lot including abutting a lot line.
3. Increasing the maximum opacity permitted in the side yard in a residential district from 80% to 100%.
4. Decreasing the maximum height permitted beyond the required front setback line in nonresidential districts from the maximum height limit of the district to 12 feet.

Proposed reorganization includes:

1. Combining residential standards and nonresidential standards into general standards.
2. Separating height and opacity standards from general standards and providing in table format.

The changes are proposed to make the regulations for fences easier to understand and more streamlined to apply, and preventatively closes loopholes.

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 Memo (Fences)