

MEMORANDUM



TO: City Planning Commission Ordinance Review Committee (ORC)

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DATE: November 28, 2023

SUBJECT: “Unzoning”: Zoning Minimalism and Simplification

City of Ann Arbor Planning and Development Services staff will discuss with ORC members an item from the Commission work program involving what has been referred to as “unzoning” or sometimes “zoning minimalism” as it relates to the simplification of the Unified Development Code (UDC). Potentially instructive concepts for this discussion include Simplified Planning Zones (SPZs), Pink Zones, and Mix Tape Zoning.

Problem Definition Identification

Cities seek to remove barriers and “red tape” to development which exacerbate inequities in areas such as project timelines, housing, and access to daily needs. Change proponents criticize current processes in cities which may be excessive and add undue regulation that is difficult to understand and enforce. Furthermore, existing code does not always align with implementation practices. Code challenges may cause developers to utilize expeditors to see a project through to completion — adding inequities and cost to new development. In Ann Arbor, the Unified Development Code is a 305-page document for which several step-by-step guides and checklists have been created. Simplified zoning language could aid the city in its communication of requirements and expedite the approval process.

With ORC members, staff would like to consider the following questions to arrive at a shared problem definition:

- What trade-offs exist between regulating for what we want to see (ex: light glare) and simplifying code? How can those be identified by the ORC and presented for recommendation to the full Planning Commission?
- What are the primary goals specific to Ann Arbor for simplification in the UDC?
- How does the UDC support or prevent expedited housing development?

Helpful Guides

[Equity in Zoning Policy Guide](#) by the American Planning Association (2023) provides perspective and guidance on implementing equitable zoning practices. Zoning has impacted historically disadvantaged and vulnerable communities through practices like urban renewal. Written law does not always match the daily practice of zoning which can deepen zoning

inequities, and development checklists cannot capture all the requirements of traditional codes. An improved code can be easier to follow and easier to enforce, increasing access to the process.

[Zoning Minimalism](#) by Norman Wright, AICP, explores the case for Zoning Minimalism. Wright suggests that by addressing overcomplicated zoning codes, cities can promote housing equity and develop solutions to the housing crisis. In this article, Wright provides a sample ordinance that implements the tenets of zoning minimalism. He argues that status quo approaches stymie and overcomplicate development whereas zoning minimalism allows for higher compliance and less administration.

Simplified Planning Zones

A Simplified Planning Zone (SPZ) is an area where specific planning permissions have already been granted to remove the need for individual planning permission, encourage development and investment, and increase compliance. SPZs have been ongoing in Ireland and countries within the UK for a few decades and newly in Canada and the United States. Ann Arbor, like the examples below, is a growing city centered around the high-tech and research industries with significant areas of preservation. SPZs can provide a way to balance historic preservation with new development through specific, updated language. Public-facing government websites, such as those of [Glasgow, Scotland](#), and [Rochdale, England](#), model plain-language definitions of SPZs.

Additional wording around SPZs can be found on the Toronto, Ontario, city [website](#), which defines zoning simplification as “proposed changes to reduce confusion, remove redundant provisions, and simplify wording where appropriate.” Toronto’s focus on housing reflects a main driver behind zoning simplification: equitable, achievable solutions to the housing crisis.

In the Scottish government report titled [Research on the Use of Simplified Planning Zones and Equivalent Mechanisms Used Out with Scotland](#), the example is given of Harrington Park, Glasgow, which worked with a neighboring council to provide SPZ language for a mixed-use business park. Pages 42-44 of the report provide a snapshot of the project. The 10-year SPZ (2014-2024) took ten months from preparation to adoption and was approved without objection. Conditions include height restrictions due to the business park’s proximity to Glasgow Airport as well as restrictions on types of retail sales. Stated benefits of the zone include opportunities for complementary uses with sustainability and diversity of use in mind as well as more certainty for developers by removing the need for repetitive applications and redundancies in the city’s work.

In Renfrew, Scotland, the area council and various landowners in the central business district collaborated to research and create a SPZ called Renfrew Towne Centre. This SPZ took nine months to prepare and adopt as outlined on pages 46-47 of the report. One trait that defined this project was the area had no developable land and so very limited conditions were placed on the zone. The scheme also disallowed change of use from residential to any other use.

Pink Zoning

Another example of simplified planning is called the Pink Zone or Pink Zoning. According to The Project for Lean Urbanism, a nonprofit at the front of the lean urbanism movement, a Pink Zone is “an area where the red tape is lightened — is the locus for implementation of Lean strategies and improvements, and it identifies an area where new protocols are pre-negotiated and experiments are conducted, all with the goal of removing impediments to economic development and community-building.” The Project for Lean Urbanism has published a [manual](#) to Pink Zones which are typically small and surgically selected to maximize resources and concentrate investment in area of historic zoning and development inequities.

Mix Tape Zoning

Detroit explored its own example of Pink Zoning called [Mix Tape Zoning](#), referring to mixing land uses along commercial corridors in a deviation from the traditional segregation by use. As of August 8, 2020, an ordinance is in effect based on the recommendations of the Mix Tape process. Detroit used the existing Traditional Main Street Overlay Area (TMSO) regulations so as to require basic design standards, a Mix Tape recommendation. Changes to the TMSO regulations reduced parking requirements and allowed outdoor dining in front of a restaurant without a hearing, among other changes.

Next Steps/Questions to Consider

- What opportunities exist to simplify regulation of use?
- What aspects of development regulations are most important to the community and should potentially remain unchanged? What aspects are the least important and should potentially be streamlined, simplified, lessened, or even eliminated?
- Should this work potentially focus on:
 - a) review and approval procedures,
 - b) development standards, and/or
 - c) the presentation or format of the UDC document?
- Defining equity goals in planning is an explicit task of the City’s Comprehensive Plan rewrite. However, for this exercise, how do current zoning practices line up with existing equity goals and considerations? How could we achieve greater equity through simplification?
- What concepts in zoning equity, minimalism, or from shared case studies resonates with ORC members? How could these concepts help us in updating the UDC?
- The Comprehensive Plan is expected to recommend major updates to the UDC but may not recommend an overhaul. What is the threshold between carrying out only the work recommended by the Comprehensive Plan and fully converting the UDC to some version of minimal?