

## PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of August 3, 2021

**SUBJECT:** Amendments to Chapter 55 (Unified Development Code) Section 5.29.6 (Site Plans).

### PROPOSED CITY PLANNING COMMISSION MOTION

**The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve amendments to Chapter 55 Unified Development Code, to amend Sections 5.29.6 related to Site Plan Review and Approval Standards.**

#### STAFF RECOMMENDATION:

Staff recommends that these amendments to the Unified Development Code be approved. The amendments revise the site plan approval thresholds, clarify required review process, reduce time or approval process improve usability and more effectively communicate types of projects and the corresponding process and/or authority requirements for the benefit of the residents, city officials and the development community.

#### SUMMARY AND BACKGROUND:

On July 6, 2020, City Council passed Resolution R-20-260 directing the Planning Commission to evaluate and make recommendations to the Unified Development Code to facilitate small and modest sized projects, and to improve the communication of UDC standards. The proposed amendment replaces 5.29.6 Site Plans with new paragraphs and text that clarify procedures, requirements, and process through the addition of a table and supplemental text.

Planning Staff met with an Advisory Committee of the development community in the summer of 2020. A summary of these meetings was presented to the Planning Commission in January with a request to proceed based on the Planning Commission recommendation. Planning Staff and the Ordinance Revisions Committee (ORC) reviewed drafts in February, March, April, and May with a presentation and update to the entire Planning Commission in April 2021.

City Council directed specific activities, all of which were addressed in a prior communication to City Council. [Click Here](#) for the Council communication. The proposed amendments in the attached ordinance specifically address the following directions:

*RESOLVED, That proposed amendments consider and recommend changes to Section 5.29.6 Site Plans that amend thresholds for development proposals and/or site alterations by amending approval authorities for such projects to reduce the time and level of authorization to facilitate such projects*

*RESOLVED, That proposed amendments additionally consider and recommend changes to Section 5.29.6 Site Plans that improve usability and more effectively communicate types of projects and the corresponding process and/or authority requirements*

### **STAFF COMMENTS:**

Staff has worked extensively with the ORC and Planning Commission over the last year to address the issues noted in the Council resolution. Staff and the Planning Commission agree that more work in the future is warranted to consider revisions to which standards apply across a property during site plan review, and the potential of creating other standards of required information for small and modest projects. Nonetheless, the attached amendments focus on reducing the level of review and more effective communication of standards.

Any proposed changes to the level of final approval (e.g. Planning Manager, Planning Commission, or City Council) for site plans does not change the applicability of requirements, nor the standards to which satisfaction of codes are met (with the exception of the Electric Vehicle Parking requirements).

Here are some of the significant modifications that would be enacted through adoption of this ordinance:

- In lieu of the current text of the UDC, the proposed ordinance includes a table, which provides a matrix where a user can either start with the type of development activity or the use of the property, and learn the required level of review.
- Currently, the construction of the ordinance dictates that all development activity requires City Council site plan approval, unless exempted, or delegated to the Planning Commission or Planning Manager. This proposed ordinance establishes that only those uses described in the table require site plan review, and all other activity may be conducted through the typical building/zoning permit process.
- Change of approval level from City Council to City Planning Commission for site plans that are NOT associated with a rezoning petition.  
This results in the removal of one public hearing at City Council for site plans not related to a rezoning.
- Building additions 300 square feet and less will be exempt from site plan review. All projects that do not require a site plan will be subject to zoning review during the Building Permit review process. Currently any increase in floor area requires site plan review.

- Construction of up to four units exempt from site plan review. Currently one-two family is exempt.
- Construction of five or six units requires site plan for Planning Manager approval.
- Removal of Planning Commission approval of Administrative Level changes when no site plan is on file. Currently, the UDC specifies a list of changes that can be submitted for Planning Manager approval, so long as the site has a previously approved site plan.
- Construction of Outdoor Deck, Patio, Plaza, or combination up to 1,000 total square feet exempt from site planning for up to four units, other uses require site plan for Planning Manager approval. Currently, the limit is 240 square feet for a unit in an attached single-family development.

As a reminder, there is no change proposed to the level of public participation required in the UDC and no change to the staff review requirements for any site plans. All projects that do not require a site plan will be subject to zoning review during the Building Permit review process.

Prepared by Matt Kowalski

Reviewed by Brett Lenart

7-27-21

Attachments: Resolution from City Council

[01/22/21 communication from Planning Commission to City Council](#)

c: City Attorney's Office