

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of October 5, 2021

SUBJECT: Amendments to Chapter 55 (Unified Development Code) Section 5.29.6 (Site Plans) and Sections 5.22.1 through 5.22.3 (Storm Water Management and Soil Erosion)

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 and Sections 5.22 related to Storm Water Management and Soil Erosion.

STAFF RECOMMENDATION:

Staff recommends that these amendments to the Unified Development Code be postponed to November 2, 2021 after discussion/direction regarding the related stormwater requirements. Staff also recommends that the preferred direction/language regarding any amendments to Storm Water Management section be forwarded to the Environmental Commission for review and recommendation.

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.

UPDATE:

This petition was postponed at the September 8, 2021 City Planning Commission meeting. Planning staff requested additional time to work on addressing storm water code revisions necessitated by the change in site plan review levels. The Ordinance drafted and presented here reflects the following changes since the September review:

Electrification/Solar development review

The proposed Site Plan review standards now include a provision that would adjust any site plan that requires Planning Commission review be moved to Planning Manager review in the event the resulting development will be electrified without natural gas connection and includes a solar energy system covering a minimum of 60% of the roof area (or equivalent). While not necessarily specific to small/moderately sized

development activities, this would have the potential of increasing the review and approval process for such proposals.

Storm Water Management

As discussed in September, without some modifications to the Storm Water Management section, proposals that previously required storm water management systems would now be exempt from those requirements based on site plan approval amendments. This was due to the code language which directly linked storm water review (other than single or two-family) with a site plan review.

Two options are being presented for consideration or discussion to approach the necessary modifications:

Option A

This option has been generated by Planning Staff, and has been provided simultaneously to Planning Commission, Public Services staff, and the public. The proposed modifications in Option A emphasize reduction in requirements for development as a means of supporting the direction in City Council Resolution to evaluate site plan review processes and requirements.

This option would result in the following changes:

- Amending the 1-2 Family Storm Water Management Requirements to include 3 and 4 dwelling unit properties. This would have the following effect on such developments:
 - If less than 5,000 square feet of impervious, would add first flush requirements.
 - If between 5,000 and 10,000 square feet of impervious, no change.
 - If between 10,000 and 15,000 square feet of impervious, would eliminate detention of bankfull requirements.
 - If greater than 15,000 square feet of impervious, would eliminate detention of bankfull and detention of 1% Storm event (former 100-year event)
- Other small developments or modifications would comply with the 5,000/10,000/15,000 standards for storm water management.

Option B

Planning staff worked with Storm Water and Public Services Staff develop this option. This approach has the effect of simplifying/reducing the categories of development activities and the corresponding storm water management requirements. Only 2 scenarios would apply: 1) first flush for 1-2 family dwellings and any development activity with an impervious surface under 5,000 square feet; and 2) first flush, detention of bankfull, and detention of 1% storm event for all other development activity. It is anticipated that this modification would result in additional points in the City's score in

the Community Rating System, that could lead to eventual reduced flood insurance rates for City properties.

This option would result in the following changes:

- Add grading permits in addition to Site Plans, as a trigger for Storm Water Management measures to be proposed and approved as part of development activities.
- Modify standards for site planned development containing less than 5,000 square feet of impervious surface from fully exempt from storm water management to requiring the same first flush treatments that are required of 1 and 2 family dwellings.
- Modify requirements so that any development activity containing greater than 5,000 square feet of impervious surface be fully compliant with Washtenaw County Water Resources Commissioner (WCWRC) standards for first flush, detention of bankfull, and detention facilities designed for a 1% storm event. Previously sites between 5,000 – 10,000 square feet of impervious were first flush only; and 10,000 -15,000 square feet of impervious surface were first flush and detention of bankfull only.

Prepared by Matt Kowalski & Brett Lenart
9-30-21

Attachments:

Ordinance to Amend Chapter 55 Unified Development Code, Section 5.22
(Storm Water Management and Soil Erosion)

c: Public Services
City Attorney's Office