

PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of November 2, 2021

SUBJECT: Amendments to Chapter 55 (Unified Development Code) Sections 5.29.6 (Site Plans) and 5.223 (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 5.22 related to Storm Water Management and Soil Erosion.

STAFF RECOMMENDATION:

Staff recommends that these amendments to the Unified Development Code be approved because the amendments revise the site plan approval thresholds, update storm water treatment requirements, 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 October 5, 2021 City Planning Commission meeting. Planning staff requested additional time to work on addressing related storm water code revisions impacted by the changes in site plan review levels. In addition, , there are some minor edits and clarifications to the revised code and they are noted in the attached draft. The Ordinance drafted and presented here reflects the following changes since the October review:

Elimination of 'n/a' designation in table

This column is now left blank, with a footnote explanation included.

Public Hearing at Planning Commission

The public hearing will be preserved at the Planning Commission. Planning Commission feedback indicated a desire to keep this requirement in place as currently written in the code.

Electrification/Solar development review

As a result of Planning Commission discussion, staff removed the new provision to Site Plan review standards 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).

Storm Water Management

As discussed in previously, 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 were discussed at the October meeting. After discussion with the Planning Commission and Systems Planning Water Resources staff, Planning staff has prepared the attached recommendations for Storm Water management modifications. The recommendations have been reviewed to maintain consistency with the original City Council resolution.

This proposed modification would result in the following changes:

- Adding language that Storm Water requirements are triggered by a Grading permit or a site plan. This will now include three and four unit developments which are proposed to be exempt from site planning, but would require a Grading permit. This will also include smaller projects that may be site plan exempt but create additional impervious surface.
- Provide an exemption for grading permits for demolition, vegetation, removal of impervious surface or other activities as approved by the Public Services Area Administrator.
 - *Grading permits, solely for vegetation clearing, building demolition, removal of impervious surfaces, or other activities approved by the PSA, shall be exempt from the Storm Water Management System requirements of this chapter*
- Eliminates current standard that sites (other than single or two-family) with less than 5,000 square feet of impervious surface are exempt from storm water management systems.

Proposed storm water thresholds:

- If less than 10,000 square feet of impervious, First flush requirements. (would add first flush requirements to sites less than 5,000 square feet of impervious surface that are currently exempt).
- If between 10,000 and 15,000 square feet of impervious, first flush requirements and bankfull requirements. Same as existing, no change.

- If greater than 15,000 square feet of impervious requires first flush, bankfull and detention of 1% Storm event (former 100-year event). Same as existing, no change.

STAFF COMMENTS:

Water Resources Staff (Systems Planning) – Staff has reviewed and approves of the code modifications as written.

Prepared by Matt Kowalski & Brett Lenart
10-26-21

Attachments:

Ordinance to Amend Chapter 55 Unified Development Code, Sections 5.29.6 related to Site Plan Review and Approval Standards, and Section 5.22 (Storm Water Management and Soil Erosion)

c: Public Services
City Attorney's Office