

## PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of June 6, 2023

**SUBJECT: Amendments to Chapter 55 (Unified Development Code);**

**Section 5.15 Permitted Uses, Section 5.16 Use Specific Standards, and Section 5.37 Definitions – to define and permit Banquet Hall use in mixed-use zoning districts.**

### PROPOSED CITY PLANNING COMMISSION MOTION

The Ann Arbor City Planning Commission hereby recommends that the Mayor and City Council approve the following amendments to Chapter 55, Unified Development Code:

- Section 5.15.1 Primary Uses, to permit or amend Banquet Hall; Restaurant, Bar, Food Service; Fraternities, Sororities, Student Cooperative Housing; Club Headquarters, Community Center, Religious Assembly; Private [K-12] Schools; Indoor Recreation; Veterinary, Kennel, Animal Boarding; Trade/Industrial Schools.
- Section 5.15.2 Accessory Uses to eliminate Restaurant, Bar, Food Service as an accessory use in the O district.
- Section 5.16.3.M to eliminate use specific standards for Personal Services.
- Section 5.37.2 Specific Definitions to define Banquet Hall, and redefine Veterinary, Kennel, Animal Boarding.

### STAFF RECOMMENDATION:

Staff recommends that the amendment to the Unified Development Code **to define and permit Banquet Hall use** in all Mixed-Use Districts and better align the permitted uses of the O district with other Mixed-Use Districts be **approved** because there is a perceived gap in the regulated land use types, temporary assemblies are already allowed in all Mixed-Use Districts except for the O (Office) district, and adding the proposed permitted uses to the O district will not diminish its ability to function as a buffer between Residential and Nonresidential/Special Purpose Districts.

## **SUMMARY:**

A petition to allow “event spaces” in the O (Office) district was submitted. In response, staff recommend a new land use – banquet halls – be added to the Unified Development Code and permitted as a primary use in all mixed-use zoning districts. Additional amendments to better align the O district with the other Mixed-Use Districts are proposed.

Amendments are proposed to Section 5.15 Permitted Uses, Section 5.16 Use Specific Standards, and Section 5.37 Definitions.

## **REPORT:**

A petition to define and permit “event space” as a primary use in the O (Office) district was submitted by an applicant in November 2022. The City Planning Commission’s Ordinance Revisions Committee discussed the concept on February 28, 2023.

Background – The amendment petition asks that a new use be added to the Unified Development code addressing “event spaces” and that use be permitted in the O district. Event spaces are suggested to be defined as a space or facility for celebrations, ceremonies, weddings, receptions, corporate functions and similar. The petition recommends event spaces be allowed in the O district for several reasons. Three reasons are given to support this petition: First, these events are complementary uses to the other permitted uses in the district. Second, allowing these events will increase the adaptive reuse of existing office buildings as demand for office space decreases. Third, permitting events in the O district will strengthen our local economy and enhance our sense of community.

The Unified Development Code does not currently have a separate land use category for event spaces or a specific land use category for temporary assembly or gatherings such as meeting, weddings, receptions, etc. However, this use may occur where restaurant, bar, food service uses are permitted.

<b>Zoning Districts Permitting Restaurant, Bar, Food Service</b>
<b>As Primary Use</b>
C1 Local Business District
C1A Campus Business District
C1B Community Convenience Center
C1A/R Campus Business Residential District
D1 Downtown Core District
D2 Downtown Interface District
C2B Business Service District
C3 Fringe Commercial District
TC1 Transit Corridor District
<b>As Accessory Use</b>
O Office District

Staff Analysis

1. Staff has addressed enough questions over the years about renting spaces for a variety of temporary purposes to know there is a perceived gap in our land use regulations; this very petition has the underlying assumption that temporary assembly or gatherings that do not necessarily involve food and beverage service are not permitted and requests adding a new land use type to the code. A distinct land use type for temporary assembly and gatherings such as meetings, receptions, etc., separate from restaurant, bar, food service use, will offer much needed clarity.
2. A review of numerous zoning and development codes showed no community uses the term “event space.” A similar term, “event venue,” has a strong connection to events held in rural settings (e.g. event or wedding barns). Banquet hall is the most used term to describe the kinds of events called out in the amendment petition. The International Building Code also uses the term banquet hall for this type of assembly use.
3. Staff recommend the term *banquet hall* over event space because it is the clearest, most well defined, and most widely used term in zoning and building code regulations.
4. Banquet halls are generally and consistently defined as buildings or portions thereof used for gatherings of people by invitation. Definitions usually indicate the gatherings are not open to the general public, and that the space is rented or leased by pre-arrangement. The most common examples mention meetings, receptions, weddings, and social functions. Most definitions specify that food and beverages may or may not be provided. Some definitions mention capacity or occupancy limits.

5. Staff propose to define banquet halls as: a building or portion of a building made available for a temporary assembly or gathering of people such as a conference or meeting, party, wedding, reception, fundraiser, display, or other similar occasion which may or may not have food and beverage service.
6. The O district has been steadily evolving into a complete mixed-use district. Permitted uses include all within the residential category (single-family, two-family, multiple-family, group living); some uses in the public/Institutional category (community centers, funeral services, religious assembly, day care, education); a few uses in the commercial category (hotels, indoor recreation); and all uses in the office category (financial, general, medical/dental).
7. The intent statement for the O district states it is primarily for office buildings and as a transitional use buffer between residential uses and the Nonresidential/Special Purpose Districts because “the uses in Nonresidential/Special Purpose Districts are incompatible in direct contact with residential zoning districts.”
8. Although only the O district intent statement mentions using it as a transitional use buffer, all Mixed-Use Districts may serve as the transitional buffer between the Residential Districts and the Nonresidential/Special Purpose Districts.
9. Therefore, as banquet halls are already acceptable in Mixed-Use Districts other than the O district, it is logical to add banquet halls to the O district without diminishing its ability to buffer Residential Districts from Nonresidential/Special Purpose District uses such as research and development, transportation, manufacturing, processing, assembly, fabrication, utilities, warehousing and storage.
10. Staff has identified and propose additional amendments to the O district to better align its permitted use with the remaining Mixed-Use Districts, with the supported by the Ordinance Revisions Committee, that should be considered at this time. They are:
  - a. Allow all types of Personal Services in the O district, not only beauty salons, consistent with the other Mixed-Use Districts.
  - b. Allow Fraternity/Sorority, Student Cooperative Housing, Club Headquarters, Community Center, Religious Assembly, Private [K-12] Schools, and Indoor Recreation as primary, rather than special exception, uses in the O district consistent with the other Mixed-Use Districts.
  - c. Separate Veterinary Offices from Veterinary, Kennels and Animal Boarding, allow Veterinary Offices as primary uses in Mixed-Use Districts. Kennels and Animal Boarding remains as currently permitted (special

exception uses in O, C1, C1A, C1B and C1A/R, primary uses in D1, D2, C2B, C3, TC1, M1, M1A and M2.)

- d. Allow Trade/Industrial Schools as primary uses in the O district consistent with other Mixed-Use Districts.

11. Amending the permitted uses in the O district as proposed will make all Mixed-Use Districts more consistent as well as more flexible.

12. This petition has illuminated where additional, more significant analysis and possible amendments are needed to the list of land use categories and types. Absent recommendations from the forthcoming Comprehensive Plan to consolidate zoning districts and land use categories, and to add or remove zones, staff suggest a future initiative to broadly evaluate the land use categories and types, and where they are permitted as primary, special exception, and accessory uses.

Article III: Use Regulations  
 5.15 Permitted Use Tables1F | 5.15.1 Primary Uses2F

5.15.1 Primary Uses

**TABLE 5.15-1: PRIMARY USE TABLE**

SEE TABLE BOTTOM NOTES FOR ADDITIONAL NOTES

USE CATEGORY AND TYPE	RESIDENTIAL						MIXED USE								NONRESIDENTIAL AND SPECIAL PURPOSE				USE-SPECIFIC STANDARDS						
	AG	R1A, B, C, D, E	R2A	R2B	R3	R4A, B, C, D, E	R6	O	C1	C1A	C1B	C1A/R	D1	D2	C2B	C3	TC1	R5		P	PL	RE	ORL	M1, M1A	M2
<b>RESIDENTIAL</b>																									5.16
<b>Household Living</b>																									
Adult Foster Care		P	P	P	P	P		P	P	P	P	P	P	P	P	P	P			P					
Dwelling, Assisted Living						P		P	P	P	P	P	P	P	P	P	P			P					5.16.1B
Dwelling, Multi-Family						P		P	P	P	P	P	P	P	P	P	P			P	E				5.16.1A; 5.16.1D
Dwelling, Single-Family	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P			P						5.16.1A; 5.16.1C
Dwelling, Townhouse				P	P	P		P	P	P	P	P	P	P	P	P			P						5.16.1A
Dwelling, Two-Family			P	P	P	P		P	P	P	P	P	P	P	P	P			P						5.16.1A
House Trailer/Mobile Home Park							P																		5.16.1A
<b>Group Living</b>																									

**Recommended Amendments** – See the attached ordinance for proposed amendments as recommended by staff.

Amendments to Unified Development Code (Banquet Hall)  
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Prepared by Alexis DiLeo  
Reviewed by Hank Kelley/Brett Lenart  
5-31-2023

Attachments:

Ordinance to Amend Chapter 55 (Banquet Halls) Draft 6-6-2023  
Petition for Chapter 55 Text Amendment  
February 28, 2023 Planning Staff Memo to ORC on Event Space Petition  
February 28, 2023 Presentation on Event Space Petition  
Map of O District Locations