



Legislation Details (With Text)

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Type: Ordinance **Status:** Passed

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Enactment date: 7/6/2021 **Enactment #:** ORD-21-19

Title: An Ordinance to Add Sections 5.12.9 and to Amend Sections 5.15, 5.16.3, 5.17.4 and 5.20.4 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (New Zoning District TC1 Transit Corridor) (ORD-21-19)

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD-21-19 Briefed and Approved as Amended.pdf, 2. ORD-21-19 Briefed as Amended.pdf, 3. Ordinance for New District TC1 (6-23-21) Public Hearing w-TC.pdf, 4. ORD-21-19 Briefed.pdf, 5. Ordinance for New District TC1 (4-21-21).pdf, 6. April 13, 2021 Planning Staff Report (TC1), 7. April 6, 2021 Planning Staff Report (TC1), 8. Resolution to Support Transit Oriented Development 5.13.21.pdf, 9. ORD-21-19 Approval Notice.pdf, 10. WLN clipping ORD-21-19 Transit Corridor - Public Hearing Notice.pdf, 11. WLN clipping ORD-21-19 Transit Corridor - Approval Notice.pdf

Date	Ver.	Action By	Action	Result
7/6/2021	1	City Council	Held and Closed	
7/6/2021	1	City Council		
7/6/2021	1	City Council	Referred	Fail
7/6/2021	1	City Council	Amended	Fail
7/6/2021	1	City Council	Adopted on Second Reading	Pass
6/7/2021	1	City Council	Approved on First Reading	Pass

An Ordinance to Add Sections 5.12.9 and to Amend Sections 5.15, 5.16.3, 5.17.4 and 5.20.4 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (New Zoning District TC1 Transit Corridor) (ORD-21-19)

An amendment is proposed to the Unified Development Code to add a new zoning district, TC1 (Transit Corridor) district, and establish permitted uses, use specific standards, and dimensional standards, as well as related amendments and revisions for consistency. It is offered by the Planning Commission in response to Council Resolution R-20-439 which asked for a transit-supported zoning district to increase housing density and options along major corridors, examining certain solutions, and preliminary recommendations for geographic areas to consider for such designation, by June 15, 2021. This resolution directed specific consideration of the following potential components, and a *brief response* is provided after each:

- Increase allowable Floor Area Ratio (FAR) density along transit corridors;

The proposed district establishes no FAR limitations.

- Decrease and/or eliminate parking requirements for new development along transit corridors;

The proposed districts eliminates minimum parking requirements, and establishes maximum parking levels instead.

- Require mixed use;

Mixed use is required for development within 100 feet of a public intersection.

- Decrease height and increase setbacks near pre-existing residential areas;

The maximum height decreases as development nears residentially zoned properties.

- Evaluate development aspects, such as sustainability measures, affordable housing, and public open space - as either requirements or incentives;

Development aspects such as pedestrian/non-motorized/public transit focus are emphasized; vehicular access and automobile-oriented uses are prohibited, and connectivity to adjacent uses is encouraged.

Specific requirements for sustainability measures or affordable units have not been incorporated into the proposed zoning district.

The following provides additional detail of the proposed zoning district:

Summary: Amendments to the Unified Development Code are proposed to create a new zoning district named TC1 (Transit Corridor) district. The TC1 district is intended to require at least two-story buildings for sufficient density to support and sustain the existing transit system, encourage infill development, expand housing choices, and further the goals of the Master Plan. The scope of work includes an intent statement, inserting a new column into the permitted use tables, establishing use specific standards to address building forms and site layout, inserting a new row in the mixed use district dimensional standards table, and including TC districts in the conflicting land use buffer requirements.

- **Amendment to Section 5.12 Mixed Use Zoning Districts - Intent Statements:** A general intent statement provides the intentions and goals of the district. A specific purpose statement provides guidance when considering rezoning applications. At the direction of the Planning Commission, no descriptions of geographical areas are provided in the intent statement. (Preliminary recommendation as requested are provided below.)
- **Amendment to Section 5.15 Permitted Uses - Table 5.15-1 Primary Use Table and Table 5.15-2 Accessory Use Table:** The primary permitted uses in the TC1 district closely match, but are not identical to, the D2 (Downtown Interface) and C3 (Fringe Commercial) districts. Notable differences are that single-family and two-family dwellings are not permitted, nor are auto-oriented uses such as vehicle washes, fueling stations, wholesale, warehousing and indoor storage, motorized vehicle sales, or motorized vehicle repair. Parking structures are permitted only as accessory uses, and drive-through facilities are not permitted.

- **Amendment to Section 5.16.3.L Use Specific Standards - Commercial Uses - Parking Lot and Structure:** Parking structures in the TC district will be regulated almost identically to those in the D1 district, requiring an active use between it and the street.
- **Amendment to Section 5.16.3 Use Specific Standards - Commercial Uses - Transit Corridor Development:** A new section provides form-based requirements in the areas of buildings, building frontage, site, access and circulation, off-street parking, and parking lots for mixed use buildings, townhouse/apartment buildings, or both, when on lots up to 250 feet in width and lots 250 feet or more in width. At the request of the Planning Commission, only nonresidential uses will be permitted in close proximity to street corners.
- **Amendment to Section 5.17.4 Mixed Use Zoning Districts - Table 5.17-4:** The floor area, FAR, open space, setbacks, height and lot dimension standards for the TC1 district are provided in Table 5.17-4. Setbacks are in keeping with most other mixed use districts. Minimum height is the same as in the D1 and D2 districts, and maximum height is graduated based on distance from residential zoning districts (R Zones) in keeping with some other mixed use districts:
 - Maximum height of 55 feet within 80 feet of R Zones
 - Maximum height of 75 feet between 80-300 feet of R Zones
 - Maximum height of 120 feet between 300-1,000 feet of R Zones
 - Maximum height of 300 feet when more than 1,000 feet from R Zones

[NOTE: The proposed district is presented as recommended by the Planning Commission. Planning Staff recommends amendment at first reading to reflect a maximum height of 120 feet when greater than 300 feet from R Zones.]

Staff concurs with the Planning Commission that there should be evaluation and opportunity for higher limits in appropriate areas, however, the 300 feet limit, at a distance greater than 1,000 feet from R Zone warrants additional consideration and/or modification to understand it's applicability and potential.]

- **Amendment to Section 5.20.4 Landscaping, Screening and Buffering - Conflicting Land Use Buffers:** A conflicting land use buffer will be required where the TC1 district abuts residential zoning districts or the PL district.
- **Preliminary Recommendations for Geographic Areas to Consider:** As requested, the Planning Commission offers the following four areas as preliminary recommendations to consider for the TC1 zoning district:
 - South State Street between Oakbrook Drive and I-94, and East-West Eisenhower Boulevard between South Main Street and the railroad.
 - Washtenaw Avenue between US-23 and Platt Road.
 - West Stadium Boulevard and North-South Maple Road between Jackson Road and

Pauline Boulevard.

- Plymouth Road between Traverwood Boulevard and US-23.
- **Master Plan Review:** The Ann Arbor City Master Plan is a collection of eight documents, or elements, adopted by resolution, to guide our public and private decision-makers regarding development approvals and adopting plans, policies, and programs. A comprehensive survey is provided in the April 6, 2021 Planning Staff Report and the April 13, 2021 Planning Commission Meeting Slides. None of the elements specifically call for a new zoning district to be created, thus none include any mention of “Transit District” or similar. However, all note increasing density, and pedestrian-friendly design, as one means to simultaneously address a variety of different but related goals, such as sustainability, access and choice in housing, housing affordability, reducing vehicle miles traveled, relieving vehicle congestion, supporting existing transit service, and supporting and expanding nonmotorized transportation. Many different tools are suitable and appropriate to achieve these goals whether there is a detailed recipe contained in the objectives and action statements or just a general expression of goals without concrete directions. Creating a new zoning district with modest minimum density requirements and form based standards is one tool to address the expressed goals. Others will still be required as well as because making Ann Arbor a “dynamic community, providing a healthy and safe place to lie, work and recreate” should be a never-ending process.
- **More Information and Materials:** The project webpage at <https://www.a2gov.org/departments/planning/Pages/Proposed-Transit-Oriented-Zoning-> contains all drafts, memos, staff reports and presentation slides regarding creating the new zoning district to increase density along transit corridors. It also has an interactive tool to explore potential configuration of the TC1 district’s maximum height limits to different areas through the city.

The Planning Commission recommended approval of the Ordinance as presented here on April 13, 2021. Staff recommends City Council consider the modifications to height identified in this summary memo.

Attachments: Ordinance to Amend Unified Development Code (New Zoning District TC1 Transit Corridor) Draft April 21, 2021
April 13, 2021 Planning Staff Report

April 6, 2021 Planning Staff Report
April 13, 2021 Planning Commission Minutes
April 6, 2021 Planning Commission Minutes

Prepared by: Alexis DiLeo, City Planner

Reviewed by: Brett Lenart, Planning Manager
Derek Delacourt, Community Services Area Administrator

Approved by: Tom Crawford, City Administrator
(See Attached Ordinance)