



Legislation Details (With Text)

File #: 23-1635 **Version:** 1 **Name:** 11/6/23 - Unified Development Code Amendment (TC1 Front Setback)
Type: Ordinance **Status:** Passed
File created: 11/6/2023 **In control:** City Council
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Title: An Ordinance to Amend Sections 5.10.2 and 5.17 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (TC1 Front Setback) (CPC Recommendation: Denial, 5 Yes, 3 No) (ORD-23-33)

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD-23-33 Briefed and Approved.pdf, 2. ORD-23-33 Briefed.pdf, 3. Ordinance (TC1 Front Setback) 2023-11-20.pdf, 4. Street Type Designation Map (TC1 Front Setback) 2023-11-20.pdf, 5. September 6, 2023 Planning Staff Report (TC1 Front Setback).pdf, 6. September 6, 2023 Planning Staff Presentation (TC1 Front Setback).pdf, 7. September 6, 2023 Planning Commission Minutes.pdf, 8. ORD-23-33 Approval Notice.pdf, 9. WLN clipping ORD-23-33 TC1 Front Setbacks - Public Hearing Notice.pdf, 10. WLN clipping ORD-23-33 TC1 Front Setbacks - Approval Notice.pdf

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------|---------------------------|--------|
| 12/4/2023 | 1 | City Council | Held and Closed | |
| 12/4/2023 | 1 | City Council | Adopted on Second Reading | Pass |
| 11/6/2023 | 1 | City Council | Approved on First Reading | Pass |

An Ordinance to Amend Sections 5.10.2 and 5.17 of Chapter 55 (Unified Development Code) of Title V of the Code of the City of Ann Arbor (TC1 Front Setback) (CPC Recommendation: Denial, 5 Yes, 3 No) (ORD-23-33)

Amendments are proposed to in response to Council Resolution R-22-390 calling for the City Planning Commission to evaluate and recommend amendments to the TC1 district to incorporate limited automobile-related uses and address constraints of existing narrow rights-of-way. Ordinance 23-25, approved September 5, 2023, allowed two new uses with special exception use approval, auto sales and rental, and auto repair. This proposed ordinance addresses existing narrow rights-of-way constraints.

- The Building Frontage Map, referenced in Section 5.10.2 (Zoning District Boundaries Shown on the Zoning Map) that designates downtown-area streets as primary, secondary, or front yard for front setback purposes in the D1 and D2 districts, is amended to be renamed Street Type Designation Map and that map will also designate transit corridor streets in the TC1 district.
- The Street Type Designation Map will designate the following as transit corridors:
 - North & South Maple Road between Carbeck Drive and 775 S Maple Rd
 - Jackson Avenue between South Wagner Road and 2155 Jackson Ave

- West Liberty Street between South Maple Road and 2151 W Liberty St
 - West & East Eisenhower Parkway between 250 W Eisenhower Pkwy and the railroad
 - South State Street between Oakbrook Drive and I-94
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- The Mixed-Use Zoning District Dimensions table will be amended so developments in the TC1 district on a designated transit corridor will be required to have a minimum front setback of 18 feet and a maximum of 28 feet measured from the street curb. (Note the City Planning Commission public hearing draft of the ordinance proposed a minimum of 20 feet and a maximum of 40 feet. The City Planning Commission voted [8 yes, 0 no] to amend the proposed front setback dimensions as noted here.)
 - All other developments in the TC1 district continue to require a minimum 0-foot setback and a maximum front setback of 15 feet if a mixed-use building or 20 feet if a townhouse or apartment building measured from the front lot line.
 - Using the curb line as a reference for required front setbacks provides a measure that ensures there is space for pedestrian amenities at the time the development is constructed and in the future. It offers predictability and improvement over current standards in the TC1 district and applies where pedestrian amenities are needed most. This approach has precedents in other communities who also use form-based standards.
 - The proposed front setbacks on transit corridors (at least 18 feet from the curb and no more than 28 feet) represent a comfortable street space with room for large street trees, transit infrastructure and other public amenities such as benches, bus shelters, and bike racks.
 - A discussion of potential counter-arguments is presented beginning on page 10 of the September 6, 2023 Planning Staff Report.

Attachments: Ordinance (TC1 Front Setback)
Street Type Designation Map
September 6, 2023 Planning Staff Report
September 6, 2023 Planning Staff Presentation
September 6, 2023 Planning Commission Minutes

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

Approved by: Milton Dohoney, Jr., City Administrator
(See Attached Ordinance)