

Dear neighbors,

The weather has been wet and warm. Many of us are sleeping with the windows open, and watching the grass and other plants grow very quickly. As a result, I'm beginning to hear from some of you.

First, about our furry companions. The City no longer employs dedicated staff to handle complaints about dogs, cats, or other animals. If you are concerned about a dog that's been allowed to run off-leash, please call the police directly. If you or someone you know is concerned about a dog that has bitten someone, please call the police immediately.

Not all dogs are a risk. Some just bark. The City considers such dogs a noise nuisance. Section 107 (Animals) of our ordinances defines the issue as: *"Barking, howling, meowing, squawking or making other sounds, frequently or for a continued duration, which annoys, endangers, injures or disturbs a person of normal sensitivities on premises other than that occupied by the owner of the animal. After 10:00 p.m. and before 7:00 a.m., animal noises audible beyond the property line of the property where the animal is located are presumed to be an annoyance and disturbance and are presumed to constitute a noise nuisance."*

Of course, we all prefer to have the police focus on serious crime. The good news is, Ann Arbor doesn't have a lot of serious crime. If you are bothered by a neighbor's barking dog, you can call the police. I'd do that as a last resort, of course. Good neighbors talk with each other, and good neighbors soothe their animals and keep them from barking and disturbing others.

Another area of concern relates to planting in the lawn extension. (This is also called the margin, the tree lawn, the devil's strip (or devil strip), sidewalk buffer, boulevard, berm, verge, nature strip, tree belt, utility strip, planting strip, parkway, or city grass). (I love these terms!)

Ann Arbor changed its ordinance on planting in the lawn extension about 5 years ago. Our current ordinance reads:

3:15. Lawn extension and city street right-of-way.

The owner of every parcel of land is responsible for grading, planting, mowing and raking the extension or city street right-of-way so that it is covered with turf grass with an average height not in excess of 12 inches or other ground cover vegetation with an average height not in excess of 36 inches above the adjacent road surface unless it presents a view hazard based on the criteria in the AASHTO (American Association of State Highway Transportation Officials) Policy on Geometric Design of Highways and Streets, 5th Edition (2005), or as subsequently amended. The city shall not be liable for damage to any vegetation planted, or to any property or fixtures placed, in or upon the lawn extension or the city right-of-way that results from work performed by the city in the lawn extension or right-of-way.

Many of us garden in the lawn extension. As our flowers bloom (iris, day lilies, and other plants don't exceed 36 inches in average height above the road surface, but the flowers are often taller) sometimes we find that someone from the City comes and gives us a ticket.

Others are trying a little urban farming. Tomatoes, beans, and even corn can be seen growing on that strip in some neighborhoods. I've seen strawberries here and there.

The purpose of the ordinance is to guarantee safety, both for someone exiting a driveway and for someone entering an intersection. Others might consider that this ordinance guarantees community standards.

The Community Standards staff only come out only on a complaint. And the time they are likely to get a complaint is when your day lilies or iris or other flowers are blooming. I'd advise us all to deadhead our plants as soon as bloom is finished, and to remember that 36 inch rule. I also recommend that we resist temptation to plant anything in the lawn extension that will grow on average taller than 36 inches.

At some point, the City may revisit the issue of what types of plants are appropriate for this area. I'm very aware that the language says "turf grass . . . or other ground cover vegetation" and that this may not be our future goal. A few years ago, we didn't expect to have chickens in the backyard, either.

Local food production changes our views of what types of plantings are acceptable.

Tonight's Council meeting

Tonight the City Council will be holding public hearings on Heritage Row (which would be a new development on South Fifth Avenue between William and Packard, with as many as 82 apartments and 163 bedrooms). This PUD is on the same site as two other projects (one rejected, the other approved) and within the proposed Germantown Historic District. If approved, this PUD would supercede the previously approved project. Approval of this project – and subsequent approval of the historic district – would mean that the project is required to be approved by the Historic District Commission.

Because of an error in properly publishing the notice of a public hearing, the vote may be postponed until June 21.

There will also be a public hearing on a revision to Glacier Way's planned addition. Because of an error in properly publishing the notice of a public hearing, the vote may be postponed until June 21.

We won't be postponing votes on the other two issues that will have public hearings tonight. One addresses an increase in water, sewer and stormwater rates – because we are all being frugal and conservative – we are using less water and having less stormwater runoff. The result, unfortunately, is that the City isn't earning enough in fees to pay for the infrastructure maintenance and improvement. They are asking Council to approve an increase in the rates for the next budget cycle.

The Council is also being asked to approve an application for Brownfield Tax Increment Financing for the NearNorth project on North Main Street.

Public Hearings start shortly after 7.

On the horizon

Single Stream Recycling (and placement of curb carts) and redefining uses for public land (especially as relates to transportation) will both be up for public hearings in the next month.

The Germantown Historic District will come to Council for a public hearing and vote in July.

As always, I look forward to hearing from you on any issue.