

**REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF LANSING, MICHIGAN**

**TONY BENAVIDES LANSING CITY COUNCIL CHAMBERS
LANSING CITY HALL, 10th FLOOR
124 W. MICHIGAN AVENUE**

September 9, 2024 at 7:00 PM



TO THE HON. MAYOR AND MEMBERS OF THE CITY COUNCIL:

The following items were listed on the agenda in the City Clerk's Office in accordance with Section 3-103(2) of the City Charter and will be ready for your consideration at the regular meeting of the City Council at the Tony Benavides Lansing City Council Chambers, 10th Floor, City Hall.

Roll Call

Meditation And Pledge Of Allegiance

Approval Of Printed Council Proceedings

1. August 12, 2024

Consideration Of Late Items (Suspension of Council Rule #9 is needed to allow consideration of late items. Late items will be considered as part of the regular portion of the meeting to which they relate.)

Tabled Items

Special Ceremonies And Presentations

2. Eaton County Separate Tax Limitation Proposal
3. Z-1-2024; 3724 Pleasant Grove Road, Rezoning from "R-3" Suburban Residential to "MFR" Multi Family Residential District (PEND-3771)
4. Payment in Lieu of Taxes (PILOT); Riverview 220 Apartments, 220 E. Kalamazoo St. (PEND-3788)
5. Payment in Lieu of Taxes (PILOT); Grand Vista Place, 500 block of S. Grand Ave. (PEND-3790)

Comments By Council Members And City Clerk

Community Event Announcements (Time, place, purpose, or definition of event – 1 minute limit)

Speaker Registration For Public Comment On Legislative Matters

6. Virtual Participation is available for Public Comment on Legislative Matters. Legislative Matters consist of the following items on the agenda: Public Hearings (other than show cause hearings), Consent Agenda Items, Resolutions, Ordinances for Introduction, and Ordinances for Passage. Sign up by 3 p.m. on Council Meeting days using the following link:

<https://events.gcc.teams.microsoft.com/event/a60334eb-6cdb-4db7-b9ab-714434bfc80a@87509dee-095b-4ff8-ba5a-0035cdfc715d>

Mayor's Comments

Show Cause Hearings

Public Comment On Legislative Matters (Legislative matters consist of the following items on the agenda: public hearings, resolutions, ordinances for introduction, and ordinances for passage. The public may comment for up to three minutes. Speakers must sign up on BLUE form.)

Scheduled Public Hearings

7. Repealing and replacing the existing Sign Ordinance in its entirety (PEND-3700)

Council Consideration Of Legislative Matters

Referral Of Public Hearings

Consent Agenda

8. Grant Acceptance; Michigan Department of Labor & Economic Opportunity Firefighter Turnout Gear Grant (PEND-3774)
9. Grant Acceptance; Cities for Financial Empowerment Fund (PEND-3777)
10. Grant Acceptance; Michigan Department of Environment, Great Lakes, and Energy Community Energy Management Grant (PEND-3778)
11. Development & Tax Increment Finance Plan; Lansing Gateway Corridor Improvement Authority (PEND-3737)
12. Brownfield Plan #81 Amendment No.1; Neogen Expansion, 720 E. Shiawassee St. and 703 E. Michigan Ave. (PEND-3758)
13. Act-4-2024, Purchase of Property, 2300 S. Washington Ave. (PEND-3770)

Resolutions For Action

14. Appointment; Charles Randall as the Internal Auditor (PEND-3792)
15. Establishment of the Ad Hoc Committee on Audit (PEND-3801)
16. Amending the Claims Policy, Claims Review Committee membership (PEND-3802)
17. Claim Appeal; Claim #2066, Dave Mann for \$565 in trash fees at 1123 Hapeman St. (PEND-3795)
18. Claim Appeal; Claim #2061, Eddie Nuno for \$565 in trash fees at 330 N. Walnut St. (PEND-3793)
19. Claim Appeal; Claim #2042, James Williams Jr. for \$2,375 in trash fees at 1705 N. Martin Luther King Jr. Blvd. (PEND-3794)
20. Grant Acceptance; US Department of Agriculture Forestry Grant (PEND-3798)

Reports From Council Committees

Ordinances For Introduction And Setting Of Public Hearings

21. Z-1-2024; 3724 Pleasant Grove Road, Rezoning from "R-3" Suburban Residential to "MFR" Multi Family Residential District (PEND-3771)
22. Payment in Lieu of Taxes (PILOT); Riverview 220 Apartments, 220 E. Kalamazoo St. (PEND-3788)
23. Payment in Lieu of Taxes (PILOT); Grand Vista Place, 500 block of S. Grand Ave. (PEND-3790)

Ordinances For Passage

24. Repealing and replacing the existing Sign Ordinance in its entirety (PEND-3700)

Speaker Registration For Public Comment On City Government Related Matters

Reports Of City Officers, Boards, And Commissions; Communications And Petitions; And Other City Related Matters (Motion that all items be considered as being read in full and that the proper referrals be made by the President)

Item(s) from the City Clerk re:

25. Minutes of Boards and Commissions placed on file in the Clerk's Office

Item(s) from the Mayor re:

26. Grant Acceptance; US Department of Agriculture Forestry Grant (PEND-3798)
27. Appointment: Julie Vandenoorn as a City of Lansing Member of the Capital Area District Library Board for a term to expire April 15, 2028 (PEND-3799)
28. Appointment; Jonathan Smith as an At-Large member of the Lansing Entertainment and Public Facilities Authority Board of Commissioners for a term to expire June 30, 2025 (PEND-3800)
29. Amending Part 12, Title 6, Form Based Zoning Code, Second Amendment (PEND-3780)
30. Setting a Public Hearing on amending Part 12, Title 6, Form Based Zoning Code, Second Amendment (PEND-3779)
31. Amending Part 12, Title 6, Chapter 1250 to include 1250.04.08, Accessory Dwelling Units (PEND-3782)
32. Setting a Public Hearing on amending Part 12, Title 6, Chapter 1250 to include 1250.04.08, Accessory Dwelling Units (PEND-3781)
33. Amending Chapter 1236, Design Standards for Parcel Dimensions (PEND-3784)
34. Setting a Public Hearing on Amending Chapter 1236, Design Standards for Parcel Dimensions (PEND-3783)

Item from Historic District Commission

35. Communication request Historic District Study Committee of the former Eastern High School

Communications and Petitions

36. Claim Appeal; Claim 2059, IPLANGROUP for \$1762.50 in red tag fees at 1504 Lansing Ave. (PEND-3803)
37. Affidavit of Disclosure; Justin Moore, Lansing Police Department
38. Communication from Lansing Economic Area Partnership (LEAP) opposing the creation of a Historic District at the former Eastern High School
39. Communication from Mitch Rice about Payments in Lieu of Taxes (PILOTS)

Motion Of Excused Absence

Remarks By Council Members

Remarks By The Mayor Or Executive Assistant

Public Comment On City Government Related Matters (City government related matters are issues or topics relevant to the operation or governance of the city. The public may comment for up to three minutes. Speakers must sign up on YELLOW form.)

Adjournment



CHRIS SWOPE, CITY CLERK

Persons with disabilities who need an accommodation to fully participate in this meeting should contact the City Clerk's Office at (517) 483-4131 (TTY 711). 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation request.

LANSING CITY COUNCIL MEETING

DATE & TIME: 9/9/2024 7:00 PM

Starting Time 7:00

REGULAR MEETING: X

SPECIAL MEETING:

ATTENDANCE

COUNCIL MEMBER	PRESENT	ABSENT	ARRIVED
BROWN	☒	☐	_____
CARTER	☒	☐	_____
GARZA	☒	☐	_____
HUSSAIN	☒	☐	_____
JACKSON	☒	☒	_____
KOST	☒	☐	_____
PEHLIVANOGLU	☒	☐	_____
SPADAFORE	☒	☐	_____

MEDITATION IN MEMORY OF: AA Dennis Robinson & Firefighters
AS 911

PLEDGE LED BY: _____

Adjournment Time _____

CHRIS SWOPE
LANSING CITY CLERK



**Official Proceedings of the City Council
City of Lansing
August 12, 2024**

Tony Benavides Lansing City Council Chambers
Lansing, Michigan

The City Council of the City of Lansing met in regular session and was called to order at 7:00 p.m. by Vice President Hussain

PRESENT: Council Members Brown, Carter, Hussain, Jackson, Kost, Pehlivanoglu, Spadafore

ABSENT: Council Member Garza

A quorum was present.

Clerk Swope asked people to remember Evangelina Salinas, who recently passed away, during the moment of Meditation. The Council observed a moment of Meditation followed by the Pledge of Allegiance led by Vice President Hussain.

Approval of Printed Council Proceedings

Consideration of Late Items (delete if no late item)

By Council Member Spadafore

To suspend City Council Rule #9 to allow for Consideration of Late Items

Motion Carried

The following item was added to the agenda:

Grant Acceptance; Battle Creek Community Foundation Project Safe Neighborhood Project

Special Ceremonies

Tribute; in recognition of Shawn Laurel Dyer's 50th Birthday

Resolution #2024-168

By Council Members Brown, Carter, Garza, Hussain, Jackson, Kost, Pehlivanoglu, Spadafore
Resolved by the City Council of the City of Lansing

WHEREAS, the City of Lansing City Council believes citizens are the glue that holds this city together, with some citizens go above and beyond to make this city a better place to work, live, and play; and

WHEREAS, Shawn Laurel Dyer is one of those citizens that makes the effort to go above and beyond, and has Lansing home since the early 90's; and

WHEREAS, Shawn is an artist, IT professional, and entrepreneur who has owned many businesses in Lansing. Shawn has a long history of involvement in his community including Art Path, created Lansing Area Guerilla Gardners who have planted flowers all around Lansing, putting up hundreds of pride flags on the Eastside Neighborhood sign and has worked hard to show people the beauty of Lansing through his one-wheeled travels on his PEV; and

WHEREAS, Shawn has also been involved in multiple cleanups in the parks, volunteering for many a neighborhood groups, helped create the Krampus Nacht event in Old Town and has even won the title of *King Krampus*. Shawn Laurel Dyer has given computers that he has repaired to citizens in need, spent his own money to do many of things to just see people smile. In doing all these selfless acts, Shawn has made Lansing a better place to live, work and play; and

WHEREAS, the City of Lansing is lucky to have residents like Shawn Laurel Dyer and the City is better for it. The light he shines onto Lansing spreads beyond his comprehension or ours, and he is a "Big Shiny Penny" to the City of Lansing.

NOW, THEREFORE, BE IT RESOLVED, The Lansing City Council acknowledges Shawn Laurel Dyer for his dedication to making Lansing a better place and wishes him a very happy 50th birthday.

By Council Member Kost

Motion Carried

Council Member Kost recognized Shawn Laurel Dyer who thanked City Council for the recognition.

Payment in Lieu of Taxes (PILOT); Genesee Senior Apartments, 835 W. Genesee St.

Tim Lloyd and Greg Baron presented details and answered questions from City Council members about the Genesee Senior Apartments PILOT request.

Brownfield Plan #81 Amendment No.1; Neogen Expansion, 720 E. Shiawassee St. and 703 E. Michigan Ave.

Karl Dorshimer, Dave Van Haaren, and Hasan Yamani presented details and answered questions from City Council members about Brownfield Plan #81.

Comments by Council Members and the City Clerk

Council Member Brown spoke about positive feedback he has received regarding Council Member Carter's recent community engagement across the City.

Council Member Hussain spoke about a several upcoming meeting and events including: the joint South Lansing constituent contact meeting, the "Prayers and Cares" event, and the next Rejuvenating South Lansing meeting. He further spoke of contractors and developers who are frustrated with delays in permitting and plan review approvals that has been caused by the recent BS&A cloud conversion.

Council Member Brown spoke about the memorial for Dortha Gant, mother of former Council Member Spitzley.

Clerk Swope thanked everyone who participated in last week's August Primary election.

Community Event Announcements

Nicklas Zande spoke about an upcoming meeting of the Old Everett Association.

Loretta Stanaway spoke about the upcoming service of remembrance being held by Friends of Lansing Historic Cemeteries.

Speaker Registration for Public Comment on Legislative Matters

City Clerk Swope announced that the public comment registration form(s) for those intending to address Council on legislative matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.

Mayor's Comments

Executive Assistant to Mayor Schor, Mark Lawrence, spoke about the upcoming Mayor's Senior Fair.

Show Cause Hearings

Orders to Make Safe or Demolish to the owners of 1342 N. Walnut St.

- Comment on Scheduled Show Cause Hearings:

Neil Wright spoke about the Orders to Make Safe or Demolish to the owners of 1342 N. Walnut St.

Referral of Show Cause Hearings

Orders to Make Safe or Demolish to the owners of 1342 N. Walnut St.
Referred to the Committee on Public Safety

Public Comment on Legislative Matters

Public Comment on Legislative Matters:

Alicia Maida spoke about the Genesee Street School Project.

Marshall Clabeaux spoke about the Genesee Street School Project.

William Lawrence spoke about the Genesee Street School Project.

Savannah Detsler spoke about the Genesee Street School Project.

Ashlyn Keeling spoke about the Genesee Street School Project.

Jody Washington spoke about the Genesee Street School Project.

Legislative Matters

Consent Agenda

By Council Member Spadafore

To approve items 7 – 12 on the Consent Agenda.

Resolution #2024-169

By the Committee on Public Safety
Resolved by the City Council of the City of Lansing

WHEREAS, the Mayor has recommended the reappointment of DeYeya Jones as an At-Large member of the Board of Police Commissioners for a term to expire June 30, 2028; and

WHEREAS, the Mayor's office has confirmed with this resolution, that they have vetted the applicant based on the original application and believes that the applicant meets the qualifications as required by the City Charter; and

WHEREAS, the Committee on Public Safety met on July 23, 2024 and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the reappointment of DeYeya Jones as an At-Large member of the Board of Police Commissioners for a term to expire June 30, 2028.

Adopted as part of the Consent Agenda

Resolution #2024-170

By the Committee on City Operations
Resolved by the City Council of the City of Lansing

WHEREAS, the Mayor has recommended the reappointment of Kimberly Whitfield as the 4th Ward member of the Park Board for a term to expire June 30, 2028; and

WHEREAS, the Mayor's office has confirmed with this resolution, that they have vetted the applicant based on the original application and believes that the applicant meets the qualifications as required by the City Charter; and

WHEREAS, the Committee on City Operations met on August 7, 2024, and took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the reappointment of Kimberly Whitfield as the 4th Ward member of the Park Board for a term to expire June 30, 2028.

Adopted as part of the Consent Agenda

Resolution #2024-171

By the Committee on Development and Planning
Resolved by the City Council of the City of Lansing

WHEREAS, the City of Lansing is submitting a second substantial amendment to its FY2021 Action Plan; and

WHEREAS, the original HOME ARP substantial amendment to the City of Lansing FY2021 Action Plan was submitted to the U.S. Department of Housing and Urban Development on December 6, 2022 and approved by HUD on February 21, 2023; and

WHEREAS, in accordance with the City of Lansing's Citizen Participation Plan, a substantial amendment is required when a new eligible activity is being added and/or an increase of more than 15% of funding is added that is not consistent with the approved goals and objectives in the Annual Action Plan; and

WHEREAS, the City of Lansing is requesting U.S. Department of Housing and Urban Development (HUD) approval of the substantial amendment to the HOME ARP Allocation Plan to increase funding for the development of affordable rental housing; and

WHEREAS, more specifically, the substantial amendment will increase the amount of HOME ARP funding for the development of affordable rental housing from \$1,239,251 to \$2,102,301, a 27% increase, which allows the city to provide needed gap funding for the Hillsdale Place project, a 40-unit rental development that will provide 20 units of Permanent Supportive Housing to Qualifying Populations per Lansing's HOME ARP Allocation Plan; and

WHEREAS, this change to the HOME ARP budget results in a 100% reduction in HOME ARP funding set-aside for Acquisition and Development of Non-Congregate Shelters from \$500,000 to \$0; and additionally, the amount of HOME ARP allocated for Supportive Services will be reduced from \$300,000 to \$264,458; and

WHEREAS, this substantial amendment also adds preference to households who are chronically homeless and who also meet at least one of the definitions of the Qualifying Populations and preference adopted by the Participating Jurisdiction, a preference permits an eligible applicant the qualifies that qualifies to be selected for HOME ARP assistance before another eligible applicant the does not qualify for a preference: and

WHEREAS, pursuant to program requirements, the city has published a notice of the proposed change to its HOME ARP Allocation Plan Lansing City Pulse on June 12, 2024 and posted a copy of the proposed amendment on its website; and

WHEREAS, a public hearing was held by the Lansing City Council on July 22, 2024, to again receive citizen comments and recommendations and to give final review to the proposed amendment; and

WHEREAS, the City of Lansing followed its Citizen Participation process in terms of developing the substantial amendment which requires a 30-day comment period; and

WHEREAS, the comment period for the substantial amendment commenced at 8:00 a.m. on June 13, 2024 and expired at 5:00 p.m. July 15, 2024.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lansing adopts the amendment to its FY2021 Annual Action Plan- HOME ARP Allocation Plan to include the increase in the amount of funding for the development of rental housing from \$1,239,251 to \$2,102,301, a 27% increase, which allows the city to provide needed gap funding for the Hillsdale Place Project, a 40-unit rental development that will provide 20 units of Permanent Supportive Housing to Qualifying Populations per Lansing's HOME ARP Allocation Plan; and

BE IT FURTHER RESOLVED that the Mayor, as the City's Chief Executive Officer, is hereby authorized to sign the amendment to the FY21 Action Plan – HOME ARP Allocation Plan, including all understandings, assurances and certifications contained therein, and to submit the amendment to HUD; and

BE IT FINALLY RESOLVED that the Mayor is authorized, as the official representative of the City of Lansing, to provide any and all information, to act in connection with the amendment to the FY21 Action Plan amendment and to execute all agreements, contracts and legal documents to implement the amendment, subject to approval as to form by the City Attorney.

Adopted as part of the Consent Agenda

Resolution #2024-172

By the Committee on Ways and Means
Resolved by the City Council of the City of Lansing

WHEREAS, pursuant to Section 702 of Public Act 321 of 2023, the Michigan Department of Treasury awarded the City of Lansing a Municipal Facilities Infrastructure Election Grant Agreement in the amount of \$1,000,000; and

WHEREAS, the agreement stipulates funding is to be used only to support the administration of elections activities including, but not limited to the storage of elections equipment, secure spaces for tabulation or processing of ballots, and training of elections workers.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby accepts the Department of Treasury grant, subject to the terms of the grant agreement.

BE IT FINALLY RESOLVED, the Administration is authorized to create appropriate accounts and to make the necessary operating transfers for the expenditure and control of the balance of the grant funds, and to execute any necessary agreements upon approval as to form by the City Attorney

Adopted as part of the Consent Agenda

Resolution #2024-173

By the Committee on Ways and Means
Resolved by the City Council of the City of Lansing

WHEREAS, pursuant to Section 1050c(15) of Public Act 121 of 2024, the City of Lansing as an eligible city is to be awarded an Enhancement Grant for facilities that support the administration of election activities in the amount of \$1,000,000; and

WHEREAS, the grant is to support the administration of elections activities including, but not limited to the storage of elections equipment, secure spaces for tabulation or processing of ballots, and training of elections workers.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby authorizes the administration to accept the proposed grant, subject to the terms of the grant agreement.

BE IT FINALLY RESOLVED, the Administration is authorized to create appropriate accounts and to make the necessary operating transfers for the expenditure and control of the balance of the grant funds, and to execute any necessary agreements upon approval as to form by the City Attorney.

Adopted as part of the Consent Agenda

Resolution #2024-174

By the Committee on Ways and Means
Resolved by the City Council of the City of Lansing

WHEREAS, the Federal Consolidated Appropriations Act, 2023 contains \$2,982,285,641 in Economic Development Initiative (EDI) funding for the purpose of making Community Project Funding grants to be administered by the U.S. Department of Housing and Urban Development (HUD); and

WHEREAS, HUD has awarded a grant to the City of Lansing in a sum not to exceed seven hundred and fifty thousand dollars (\$750,000) to provide funding to the City of Lansing to support the development of a new publicly owned music and arts venue in downtown Lansing; and

WHEREAS, this grant is a result of a federal appropriation out of the Community Funded Projects program sponsored by U.S. Congressional Representative Elissa Slotkin; and

WHEREAS, the award does not require local matching funds and was awarded on a non-competitive basis.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby accepts the HUD Grant, subject to the terms of the grant agreement.

BE IT FINALLY RESOLVED, the Administration is authorized to create appropriate accounts and to make the necessary operating transfers for the expenditure and control of the balance of the grant funds, and to execute any necessary agreements upon approval as to form by the City Attorney.

Adopted as part of the Consent Agenda

Resolutions

Resolution #2024-175

By the Committee on Development and Planning
Resolved by the City Council of the City of Lansing

RESOLUTION TO SET A PUBLIC HEARING FOR BROWNFIELD PLAN #81 AMENDMENT #1 NEOGEN EXPANSION BROWNFIELD REDEVELOPMENT PROJECT

WHEREAS, the Lansing Brownfield Redevelopment Authority has prepared and forwarded an approved Brownfield Plan pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act 381 of 1996, as amended, for property commonly referred to as 720 E. Shiawassee Street and 703 E. Michigan Avenue located in the City of Lansing, and;

WHEREAS, prior to Council's action on this request, it is necessary to hold a public hearing on the Plan, to allow for any resident, taxpayer or ad valorem taxing unit the right to appear and be heard, and;

WHEREAS, the brownfield plan is available for public inspection at the Lansing Economic Area Partnership, 401 S. South Washington Sq., Suite 101, Lansing, MI 48933, and that all aspects of the brownfield plan are open for discussion at the public hearing.

NOW, THEREFORE, BE IT RESOLVED that a public hearing be held in the City Council Chambers of the City of Lansing, 10th Floor, Lansing City Hall, Lansing, Michigan, on Monday, August 26, 2024, at 7:00 p.m. on Brownfield Plan #81 Amendment #1 – NEOGEN Expansion Brownfield Redevelopment Project under the Brownfield Redevelopment Financing Act, for property more particularly described as:

720 E. Shiawassee Street (33-01-01-15-151-273):

BEGINNING AT THE NORTHWEST CORNER OF LOT 10 ASSESSOR'S PLAT NO. 5 BEING A SUBDIVISION ON PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 15 TOWN 4 NORTH RANGE 2 WEST CITY OF LANSING INGHAM COUNTY MICHIGAN THENCE S89DEG46'25"E ALONG THE NORTH LINE OF 8, 9 AND 10 OF SAID ASSESSOR'S PLAT NO. 5 ALSO BEING THE SOUTH RIGHT OF WAYLINE OF SHIAWASSEE STREET 206.25 FEET TO THE NORTHEAST CORNER OF SAID LOT 8, THENCE S0DEG24'35"W ALONG SAID EAST LINE OF LOT 8 A DISTANCE OF 155.75 FEET, THENCE N89DEG46'25"W 6.45 FEET THENCE S0DEG24'35"W PARALLEL WITH THE EAST LINE OF SAID LOT 8 A DISTANCE OF 100.00 FEET TO THE SOUTH LINE OF SAID LOT 8 THENCE S1DEG13'20"E 123.30 FEET, THENCE SOUTHEASTERLY 130.83 FEET ALONG THE ARC OF A 239 FOOT RADIUS CURVE TO THE RIGHT THE LONG CHORD OF SAID CURVE BEARING S16DEG27'14"E 129.2 FEET, THENCE SOUTHEASTERLY 102.96 FEET ALONG THE ARC OF A 258 FOOT RADIUS CURVE TO THE LEFT THE LONG CHORD OF SAID CURVE BEARING S20DEG43'01"E 102.29 FEET THENCE N89DEG35'10"W 228.05 FEET TO THE EASTERLY RIGHT OF WAY LINE OF CSX RAILROAD THENCE N0EG24'35"E ALONG SAID EASTERLY RIGHT OF WAY LINE 341.75 FEET TO THE SOUTH LINE OF SAID ASSESSORS PLAT NO. THENCE N89DEG46'25"W ALONG THE SOUTH LINE OF SAID ASSESSORS PLAT NO. 5 DISTANCE OF 46.5 FEET TO THE WEST LINE OF SAID SECTION 15 THENCE N0DEG24'35" ALONG SAID WEST LINE OF SECTION 15 A DISTANCE OF 255.75 FEET TO THE POINT OF BEGINNING. CONTAINING 2.568 ACRES MORE OR LESS INCLUSIVE OF THE LAND CONTAINED WITH EASEMENT TO CSX RAILROAD AS C RECORDED IN LIBER 1668 PAGE 727-753. AREA OF THE ABOVE DESCRIBED EASEMENT IS 0.242 OF AN ACRE NET AREA WITHOUT RAILROAD EASEMENT 2.326 ACRES SUBJECT TO ALL EASEMENTS H OF RECORD AN UNRECORDED BASIS OF BEARING FOR THIS SURVEY ASSUMES THE WEST LINE OF SECTION 15 TO BEAR N0DEG24'35" FROM MICHIGAN STATE PLAN COORDINATES DERIVED FROM GPS FIELD OBSERVATION LOT 8 EXC E 6.45 FT OF S 100 FT, ALSO LOTS 9 & 10 ASSESSORS PLAT NO 5, ALSO COM ON N LINE MICHIGAN AVE 46.5 FT E OF W LINE SEC 15, TH N 00DEG 11MIN 15SCD E 976.18 FT TO S LINE ASSESSORS PLAT NO 5, E ON SAID LINE 153 FT +/- TO C/L OF RAILROAD SPUR TRACK, S ON SAID C/L 123.2 FT, SE'LY 130.77 FT ON A 239 FT RAD CURVE TO LT CHORD BEARING S 16DEG 12MIN 45SCD E 129.2 FT, SE'LY 102.32 FT ON 258 FT RAD CURVE TO RT CHORD BEARING S 20DEG 29MIN 14SCD E 101.65 FT, E 11.06 FT, S 00DEG 12MIN W 194.4 FT, S 08 DEG 16MIN E 19.47 FT, N 89DEG 48MIN 45SCD W 92.25 FT, S 00DEG 11MIN 15SCD W 431.89 FT, S 89DEG 32MIN 30SCD W 145.8 FT TO BEG; SEC 15 T4N R2W AND LOTS 4, 5, 6, 7, 11, 12 & E 6.45 FT OF S 100 FT LOT 8 ASSESSORS PLAT NO 5, ALSO W 41.25 FT LOT 12 JEROMES ADD, ALSO COM SW COR SAID LOT, TH S 192 FT, W 140.01 FT, N 12.7 FT, W 11.06 FT TO C/L RAILROAD SPUR TRACK, NW'LY ON C/L 102.32 FT ALONG A 258 FT RAD CURVE TO THE LT CHORD BEARING N 20 DEG 29MIN 14SCD W 101.65 FT, N'LY ON C/L 130.77 FT ALONG 239 FT RAD CURVE TO THE RT CHORD BEARING N 16DEG 12MIN 45SCD W 129.2 FT, N 123.2 FT TO S LINE ASSESSORS PLAT NO 5, E TO NW COR LOT 12 JEROMES ADD, S TO BEG ALSO WITH A PARCEL OF LAND SPLIT/COMBINED ON 02/07/2023 FROM 33-01-01-15-151-271, 33-01-01-15-151-241, 33-01-01-15-151-253, 33-01-01-15-151- 261; SPLIT ON 08/23/2023 WITH 33-01-01-15-151-272 & 33-01-01-15-151-004 INTO 33-01- 01-15-151-273;

703 E. Michigan Avenue (33-01-01-15-151-003):

PART OF SOUTHWEST 1/4 OF THE NORTHWEST 1/4, OF SECTION TOWN 4 NORTH, RANGE 2 WEST CITY OF LANSING, INGHAM COUNTY MICHIGAN MORE PARTICULARLY DESCRIBED AS BEGINNING AT THE INTERSECTION OF THE NORTH LINE OF MICHIGAN AVENUE AND A

PARALLEL WITH AND 46.5 FEET EAST FROM THE WEST LINE OF SAID SECTION 15, THENCE N0DEG24'35"E 634.03 FEET, THENCE S 89DEG35'10"E 239.05 FEET, THENCE S0DEG43'38"W181.70 FEET, THENCE S7DEG44'37"E 19.47 FEET, THENCE N 89DEG17'22"W 92.25 FEET THENCE S0DEG42'38"W 432.39 FEET TO THE NORHT LINE OF MICHIGAN AVENUE, THENCE S89DEG59'55"W ON SAID NORTH LINE 146.23 FEET TO POINT OF BEGINNING, LOT 8 EXC E 6.45 FT OF S 100 FT, ALSO LOTS 9 & 10 ASSESSORS PLAT NO 5, ALSO COM ON N LINE MICHIGAN AVE 46.5 FT E OF W LINE SEC 15, TH N 00DEG 11MIN 15SCD E 976.18 FT TO S LINE ASSESSORS PLAT NO 5, E ON SAID LINE 153 FT +/- TO C/L OF RAIL ROAD SPUR TRACK, S ON SAID C/L 123.2 FT, SE'LY 130.77 FT ON A 239 FT RAD CURVE TO LT CHORD BEARING S 16DEG 12MIN 45SCD E 129.2 FT, SE'LY 102.32 FT ON 258 FT RAD CURVE TO RT CHORD BEARING S 20DEG 29MIN 14SCD E 101.65 FT, E 11.06 FT, S 00DEG 12MIN W 194.4 FT, S 08 DEG 16MIN E 19.47 FT, N 89DEG 48MIN 45SCD W 92.25 FT, S 00DEG 11MIN 15SCD W 431.89 FT, S 89DEG 32MIN 30SCD W 145.8 FT TO BEG; SEC 15 T4N R2W SPLIT/COMBINED ON 01/10/2022 FROM 33-01-01-15-151-002;

and that the City Clerk cause notice of such hearing to be published twice in a publication of general circulation, no less than 10 days or more than 40 days prior to the date of the public hearing, and that the City Clerk also cause the legislative body of each taxing unit levying ad valorem taxes on this property, to be notified of Brownfield Plan #81 Amendment #1 – NEOGEN Expansion Brownfield Redevelopment Project and the scheduled public hearing.

By Council Member Brown

Motion Carried

Resolution #2024-176

By the Committee on Development and Planning
Resolved by the City Council of the City of Lansing

Resolved by the City Council of the City of Lansing that a second public hearing be set for Monday, September 9, 2024, at 7 p.m. in the Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the passage of:

An ordinance of the City of Lansing, Michigan, to repeal and replace the existing signs ordinance, being Part 14, Title 4 of the Lansing Codified Ordinances in its entirety, with Part 13, Title 2, regulating the size, location, and character of signs and sign structures on property in Lansing.

By Council Member Brown

Motion Carried

Resolution #2024-177

By the Committee of the Whole
Resolved by the City Council of the City of Lansing

WHEREAS, the City of Lansing ("City") and the Lansing Board of Water and Light ("BWL") entered into an agreement dated June 30, 1992, regarding return on equity payments (the "Agreement"); and

WHEREAS, the Agreement has been amended from time to time for a total of six amendments; and

WHEREAS, the City and BWL desire to enter into a seventh amendment (the "Seventh Amendment") to extend the term of the Agreement for an additional year commencing July 1, 2024, and terminating on June 30, 2025; and

WHEREAS, the BWL shall make return on equity payments to the City for FY 2024 and 2025 in the amount of 6% of total budgeted BWL operating revenue, excluding inter-utility sales, as is in effect at the start of each respective fiscal year.

NOW, THEREFORE BE IT RESOLVED, that the Seventh Amendment is hereby approved and the Mayor is authorized to execute the same, subject to approval by the City Attorney as to form.

By Council Member Spadafore

Motion Carried

Ordinances for Introduction

Introduction of Ordinance

Council Member Hussain introduced:

An ordinance of the City of Lansing, Michigan, to amend the Code of Ordinances of the City of Lansing by adding a new section 884.____ for the purposes of providing for a service charge in lieu of taxes for fifty-four (54) low-income elderly dwelling units in a project known as Genesee Senior Apartments, pursuant to the provisions of the State Housing Development Authority Act of 1966, (being Public Act 346 of 1966, as amended [MCL 125.1401, et seq.]) (The "Act").

The Ordinance is read a first time by its title and referred to the Committee on Development and Planning.

Resolution #2024-178

By the Committee on Development and Planning
Resolved by the City Council of the City of Lansing

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Lansing that a public hearing be set for Monday, August 26, 2024, in the City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of supporting and/or opposing the Ordinance establishing a Payment in Lieu of Taxes (PILOT) for Genesee Senior Apartments, located at 835 West Genesee Street in Lansing.

By Council Member Brown

Motion Carried

Speaker Registration for Public Comment on City Government Related Matters

City Clerk Swope announced that the public comment registration form(s) for those intending to address Council on City government matters will be collected and that only those persons who have fully completed the form(s) will be permitted to speak.

Reports From City Officers, Boards, and Commissions; Communications and Petitions; and Other City Related Matters

By Council Member Spadafore that all items be considered as being read in full and that Vice President Hussain make the appropriate referrals

Motion Carried

- Reports from City Officers, Boards and Commissions:

Item(s) from the City Clerk re:

Minutes of Boards and Commissions placed on file in the Clerk's Office
Placed on File

Liquor License; Irish House Company, 1910 W. Saginaw St.
Referred to the Committee on City Operations

Non-Profit Recognition, Lansing Promise
Referred to the Committee on City Operations

Item(s) from the Mayor re:

Appointment; Patty Farhat as the 3rd Ward member of the Police Board of Commissioners for a term to expire June 30, 2027
Referred to the Committee on Public Safety

Grant Acceptance; Office of Financial Empowerment grant from the National League of Cities to advance economic mobility
Referred to the Committee on Ways and Means and to the Internal Auditor

Fees: Building Safety Office
Referred to the Committee on Ways and Means and to the Internal Auditor

Human Services General Fund Allocations, Third Quarter Report
Referred to the Committee of the Whole

Grant Acceptance; Lansing Police Department from the Project Safe Neighborhoods
Referred to the Committee on Ways and Means and to the Internal Auditor

Communications and Petitions, and Other City Related Matters:

Communication from Patrick Cooper about his CART Autopay Service Issue
Placed on File

Motion of Excused Absence

By Council Member Spadafore to excuse Council Member Garza from tonight's proceedings.

Motion Carried

Public Comment on City Government Related Matters

David Ellis spoke about traffic safety and construction on Michigan Ave.

Rina Risper spoke about the usage of a temporary liquor license use permit for a local non-profit event.

Loretta Stanaway spoke about a recycling truck causing a tree limb to fall, blocking her driveway and destroying her recycling cart.

Nicklas Zande spoke about the Genesee Street School Project.

Fredric McLaughlin spoke about affordable housing and the City Charter.

Adjourned Time 9:03 P.M.

Chris Swope, City Clerk

AFFIDAVIT OF PUBLICATION

I, Stephen Underwood, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear, or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement – **CP#24-647 – City of Lansing Notice of Public Hearing, Z-1-2024** – was published Wednesday, September 11, 2024, and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.b

WITNESS my signature this 11th day of September 2024



Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on September 11, 2024

By Stephen Underwood



Berl Schwartz, Notary Public

My commission expires January 24, 2025

**CITY OF LANSING
NOTICE OF PUBLIC HEARING**

**Z-1-2024, 3724 Pleasant Grove Road
Rezoning from R-3 "Suburban Residential" to MFR "Multi Family Residential"**

The Lansing City Council will hold a public hearing on Monday, September 30, 2024, 2024 at 7:00 p.m. in Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan to consider a request to rezone 3724 Pleasant Grove Road from R-3 "Suburban Residential" to MFR "Multi Family Residential". The purpose of the rezoning is to permit multiple-family residential use of the subject property.

For more information, please call Lansing City Council at 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m. Monday, 2024 at the City Clerk's Office, Ninth Floor, City Hall, 124 West Michigan Ave. Lansing, MI 48933 or email city.clerk@lansingmi.gov.

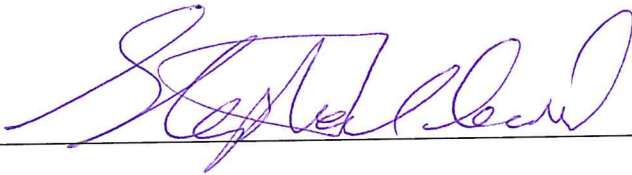
Chris Swope, City Clerk, MMC/CMMC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope

CP#24-647

AFFIDAVIT OF PUBLICATION

I, Stephen Underwood, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear, or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement – **CP#24-648 – City of Lansing Notice of Public Hearing** – was published Wednesday, September 11, 2024, and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.b

WITNESS my signature this 11th day of September 2024



Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on September 11, 2024

By Stephen Underwood



Berl Schwartz, Notary Public

My commission expires January 24, 2025

**CITY OF LANSING
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Monday, September 23, 2024, at 7:00 p.m. in the City Council Chambers, 10th Floor Lansing City Hall, 124 W. Michigan Ave., Lansing, MI for the purpose of considering:

An Ordinance of the City of Lansing, Michigan, to amend the Code of Ordinances of the City of Lansing by adding a new section 888._____ for the purposes of providing for a service charge in lieu of taxes for fifty-five (55) low-income dwelling units in a project known as Grand Vista Place, pursuant to the provisions of the State Housing Development Authority Act of 1966, (being Public Act 346 of 1966, as amended [MCL 125.1401, et seq.]) (The "Act").

For more information, please call Lansing City Council at 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., on the day of the Public Hearing at the City Clerk's office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, Lansing City Clerk, MMC/MIPMC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope

AFFIDAVIT OF PUBLICATION

I, Stephen Underwood, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear, or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement – **CP#24-649 – City of Lansing Notice of Public Hearing** – was published Wednesday, September 11, 2024, and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.b

WITNESS my signature this 11th day of September 2024



Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on September 11, 2024

By Stephen Underwood



Berl Schwartz, Notary Public

My commission expires January 24, 2025

You will not be called to speak unless all required blanks on this form are completed.



Public Comment on Legislative Matters Registration

*The City of Lansing welcomes and encourages public comment relating to City Legislative Matters. In order to facilitate public input, you **MUST** complete this card and submit it to the City Clerk or City Clerk Staff **prior** the close of registration as announced by the City Clerk.*

*Legislative matters consist of the following items on the agenda: **public hearings, resolutions, ordinances for introduction, and ordinances for passage.** The public may comment for up to three minutes*.*

Agenda Item Number(s) or Description(s) Houses Not Apartments

Name (print) Michael Mercer E-Mail (optional) _____

Address (street, city, zip) 4530 Sycamores St Holt Mi. 48842-1636

Company or organization represented, etc. (if applicable) _____

Signature Michael Mercer Pronouns _____

- Public speakers will be called by the City Clerk. When the City Clerk recognizes you, please proceed to the speaker's podium and speak directly and clearly into the microphone. Do not touch the microphone.
- Direct your comments to the Council President.
- No speaker called upon to speak shall by speech or conduct disturb, disrupt, delay, interfere with, or otherwise impede the orderly conduct of the Council meeting.
- No personal attacks or defamatory remarks towards any person will be permitted.
- Questions raised during public comment may or may not be answered by the President, another Council Member, the Mayor, or member of the City Staff during the meeting.
- Time limit to address the council on legislative matters is **3 Minutes***.
- Spokespersons for a group or shared viewpoint are encouraged; however, a speaker's time limit may not be increased through assignment of someone else's time or opportunity to speak.
- No registrations will be accepted after the deadline as announced by the City Clerk.
- If you wish to submit written materials, please provide them to the City Clerk or City Clerk staff along with this form.
- The City Council conducts its open meetings in an orderly manner in accordance with the Open Meetings Act. Council meetings will not be conducted as interactive forums or "town meetings."

Thank you for your involvement and interest in our City,
Chris Swope, Lansing City Clerk, MiPMC / MMC

* *The Presiding Officer may reduce the amount of time for each speaker if he or she determines that the number of registered speakers is so numerous that the meeting cannot be timely concluded without a reduction in the time allocated for each speaker.*

Persons with disabilities who need an accommodation to fully participate in this meeting should contact the City Clerk's Office at (517) 483-4131 (TDD (517) 483-4479). 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

You will not be called to speak unless all required blanks on this form are completed.



Public Comment on Legislative Matters Registration

The City of Lansing welcomes and encourages public comment relating to City Legislative Matters. In order to facilitate public input, you **MUST** complete this card and submit it to the City Clerk or City Clerk Staff prior the close of registration as announced by the City Clerk.

Legislative matters consist of the following items on the agenda: **public hearings, resolutions, ordinances for introduction, and ordinances for passage.** The public may comment for up to three minutes*.

Agenda Item Number(s) or Description(s) 12 - Neogen

Name (print) Keith Wasilowski E-Mail (optional) kwasil@lansingmi.com

Address (street, city, zip) 620 Leshar Pl, Lansing MI 48912

Company or organization represented, etc. (if applicable) Neogen

Signature [Signature] Pronouns He/Him

- Public speakers will be called by the City Clerk. When the City Clerk recognizes you, please proceed to the speaker's podium and speak directly and clearly into the microphone. Do not touch the microphone.
- Direct your comments to the Council President.
- No speaker called upon to speak shall by speech or conduct disturb, disrupt, delay, interfere with, or otherwise impede the orderly conduct of the Council meeting.
- No personal attacks or defamatory remarks towards any person will be permitted.
- Questions raised during public comment may or may not be answered by the President, another Council Member, the Mayor, or member of the City Staff during the meeting.
- Time limit to address the council on legislative matters is **3 Minutes***.
- Spokespersons for a group or shared viewpoint are encouraged; however, a speaker's time limit may not be increased through assignment of someone else's time or opportunity to speak.
- No registrations will be accepted after the deadline as announced by the City Clerk.
- If you wish to submit written materials, please provide them to the City Clerk or City Clerk staff along with this form.
- The City Council conducts its open meetings in an orderly manner in accordance with the Open Meetings Act. Council meetings will not be conducted as interactive forums or "town meetings."

Thank you for your involvement and interest in our City,
Chris Swope, Lansing City Clerk, MiPMC / MMC

* The Presiding Officer may reduce the amount of time for each speaker if he or she determines that the number of registered speakers is so numerous that the meeting cannot be timely concluded without a reduction in the time allocated for each speaker.

Persons with disabilities who need an accommodation to fully participate in this meeting should contact the City Clerk's Office at (517) 483-4131 (TDD (517) 483-4479). 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

Chris - Please put me
after Amy Rocklin from
Neogen if possible. Thanks.

You will not be called to speak unless all required blanks on this form are completed.



Public Comment on Legislative Matters Registration

*The City of Lansing welcomes and encourages public comment relating to City Legislative Matters. In order to facilitate public input, you **MUST** complete this card and submit it to the City Clerk or City Clerk Staff prior the close of registration as announced by the City Clerk.*

*Legislative matters consist of the following items on the agenda: **public hearings, resolutions, ordinances for introduction, and ordinances for passage.** The public may comment for up to three minutes*.*

Agenda Item Number(s) or Description(s) 22 + 23

Name (print) David Ellis E-Mail (optional) _____

Address (street, city, zip) 323 N Walnut Lansing MI 48932

Company or organization represented, etc. (if applicable) _____

Signature David Ellis Pronouns _____

- Public speakers will be called by the City Clerk. When the City Clerk recognizes you, please proceed to the speaker's podium and speak directly and clearly into the microphone. Do not touch the microphone.
- Direct your comments to the Council President.
- No speaker called upon to speak shall by speech or conduct disturb, disrupt, delay, interfere with, or otherwise impede the orderly conduct of the Council meeting.
- No personal attacks or defamatory remarks towards any person will be permitted.
- Questions raised during public comment may or may not be answered by the President, another Council Member, the Mayor, or member of the City Staff during the meeting.
- Time limit to address the council on legislative matters is **3 Minutes***.
- Spokespersons for a group or shared viewpoint are encouraged; however, a speaker's time limit may not be increased through assignment of someone else's time or opportunity to speak.
- No registrations will be accepted after the deadline as announced by the City Clerk.
- If you wish to submit written materials, please provide them to the City Clerk or City Clerk staff along with this form.
- The City Council conducts its open meetings in an orderly manner in accordance with the Open Meetings Act. Council meetings will not be conducted as interactive forums or "town meetings."

Thank you for your involvement and interest in our City,
Chris Swope, Lansing City Clerk, MiPMC / MMC

* *The Presiding Officer may reduce the amount of time for each speaker if he or she determines that the number of registered speakers is so numerous that the meeting cannot be timely concluded without a reduction in the time allocated for each speaker.*

Persons with disabilities who need an accommodation to fully participate in this meeting should contact the City Clerk's Office at (517) 483-4131 (TDD (517) 483-4479). 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

You will not be called to speak unless all required blanks on this form are completed.



Public Comment on Legislative Matters Registration

*The City of Lansing welcomes and encourages public comment relating to City Legislative Matters. In order to facilitate public input, you **MUST** complete this card and submit it to the City Clerk or City Clerk Staff prior the close of registration as announced by the City Clerk.*

*Legislative matters consist of the following items on the agenda: **public hearings, resolutions, ordinances for introduction, and ordinances for passage.** The public may comment for up to three minutes*.*

Agenda Item Number(s) or Description(s) #13 2300 Wash.

Name (print) Nicklas Zande

E-Mail (optional) hwzande@mail.com

Address (street, city, zip) 411 W Willard Ave, Lansing MI 48906

Company or organization represented, etc. (if applicable) GENA

Signature Nicklas Zande

Pronouns he/him

- Public speakers will be called by the City Clerk. When the City Clerk recognizes you, please proceed to the speaker's podium and speak directly and clearly into the microphone. Do not touch the microphone.
- Direct your comments to the Council President.
- No speaker called upon to speak shall by speech or conduct disturb, disrupt, delay, interfere with, or otherwise impede the orderly conduct of the Council meeting.
- No personal attacks or defamatory remarks towards any person will be permitted.
- Questions raised during public comment may or may not be answered by the President, another Council Member, the Mayor, or member of the City Staff during the meeting.
- Time limit to address the council on legislative matters is **3 Minutes***.
- Spokespersons for a group or shared viewpoint are encouraged; however, a speaker's time limit may not be increased through assignment of someone else's time or opportunity to speak.
- No registrations will be accepted after the deadline as announced by the City Clerk.
- If you wish to submit written materials, please provide them to the City Clerk or City Clerk staff along with this form.
- The City Council conducts its open meetings in an orderly manner in accordance with the Open Meetings Act. Council meetings will not be conducted as interactive forums or "town meetings."

Thank you for your involvement and interest in our City,
Chris Swope, Lansing City Clerk, MiPMC / MMC

* *The Presiding Officer may reduce the amount of time for each speaker if he or she determines that the number of registered speakers is so numerous that the meeting cannot be timely concluded without a reduction in the time allocated for each speaker.*

Persons with disabilities who need an accommodation to fully participate in this meeting should contact the City Clerk's Office at (517) 483-4131 (TDD (517) 483-4479). 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

You will not be called to speak unless all required blanks on this form are completed.



Public Comment on Legislative Matters Registration

The City of Lansing welcomes and encourages public comment relating to City Legislative Matters. In order to facilitate public input, you **MUST** complete this card and submit it to the City Clerk or City Clerk Staff prior the close of registration as announced by the City Clerk.

Legislative matters consist of the following items on the agenda: **public hearings, resolutions, ordinances for introduction, and ordinances for passage.** The public may comment for up to three minutes*.

Agenda Item Number(s) or Description(s) #12 - BROWN FIELD #81

Name (print) Amy Rocklin E-Mail (optional) arocklin@gmail.com

Address (street, city, zip) 5305 N DIXBORO Rd Ann Arbor MI

Company or organization represented, etc. (if applicable) NEOGEN CORP

Signature [Signature] Pronouns SHE/HER

- Public speakers will be called by the City Clerk. When the City Clerk recognizes you, please proceed to the speaker's podium and speak directly and clearly into the microphone. Do not touch the microphone.
- Direct your comments to the Council President.
- No speaker called upon to speak shall by speech or conduct disturb, disrupt, delay, interfere with, or otherwise impede the orderly conduct of the Council meeting.
- No personal attacks or defamatory remarks towards any person will be permitted.
- Questions raised during public comment may or may not be answered by the President, another Council Member, the Mayor, or member of the City Staff during the meeting.
- Time limit to address the council on legislative matters is **3 Minutes***.
- Spokespersons for a group or shared viewpoint are encouraged; however, a speaker's time limit may not be increased through assignment of someone else's time or opportunity to speak.
- No registrations will be accepted after the deadline as announced by the City Clerk.
- If you wish to submit written materials, please provide them to the City Clerk or City Clerk staff along with this form.
- The City Council conducts its open meetings in an orderly manner in accordance with the Open Meetings Act. Council meetings will not be conducted as interactive forums or "town meetings."

Thank you for your involvement and interest in our City,
Chris Swope, Lansing City Clerk, MiPMC / MMC

* The Presiding Officer may reduce the amount of time for each speaker if he or she determines that the number of registered speakers is so numerous that the meeting cannot be timely concluded without a reduction in the time allocated for each speaker.

Persons with disabilities who need an accommodation to fully participate in this meeting should contact the City Clerk's Office at (517) 483-4131 (TDD (517) 483-4479). 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

You will not be called to speak unless all required blanks on this form are completed.



Public Comment on Legislative Matters Registration

*The City of Lansing welcomes and encourages public comment relating to City Legislative Matters. In order to facilitate public input, you **MUST** complete this card and submit it to the City Clerk or City Clerk Staff prior the close of registration as announced by the City Clerk.*

*Legislative matters consist of the following items on the agenda: **public hearings, resolutions, ordinances for introduction, and ordinances for passage.** The public may comment for up to three minutes*.*

Agenda Item Number(s) or Description(s) LHC

Name (print) Jody Washington E-Mail (optional) _____

Address (street, city, zip) _____

Company or organization represented, etc. (if applicable) _____

Signature _____ Pronouns _____

- Public speakers will be called by the City Clerk. When the City Clerk recognizes you, please proceed to the speaker's podium and speak directly and clearly into the microphone. Do not touch the microphone.
- Direct your comments to the Council President.
- No speaker called upon to speak shall by speech or conduct disturb, disrupt, delay, interfere with, or otherwise impede the orderly conduct of the Council meeting.
- No personal attacks or defamatory remarks towards any person will be permitted.
- Questions raised during public comment may or may not be answered by the President, another Council Member, the Mayor, or member of the City Staff during the meeting.
- Time limit to address the council on legislative matters is **3 Minutes***.
- Spokespersons for a group or shared viewpoint are encouraged; however, a speaker's time limit may not be increased through assignment of someone else's time or opportunity to speak.
- No registrations will be accepted after the deadline as announced by the City Clerk.
- If you wish to submit written materials, please provide them to the City Clerk or City Clerk staff along with this form.
- The City Council conducts its open meetings in an orderly manner in accordance with the Open Meetings Act. Council meetings will not be conducted as interactive forums or "town meetings."

Thank you for your involvement and interest in our City,
Chris Swope, Lansing City Clerk, MiPMC / MMC

* *The Presiding Officer may reduce the amount of time for each speaker if he or she determines that the number of registered speakers is so numerous that the meeting cannot be timely concluded without a reduction in the time allocated for each speaker.*

Persons with disabilities who need an accommodation to fully participate in this meeting should contact the City Clerk's Office at (517) 483-4131 (TDD (517) 483-4479). 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

You will not be called to speak unless all required blanks on this form are completed.



Public Comment on Legislative Matters Registration

*The City of Lansing welcomes and encourages public comment relating to City Legislative Matters. In order to facilitate public input, you **MUST** complete this card and submit it to the City Clerk or City Clerk Staff prior the close of registration as announced by the City Clerk.*

*Legislative matters consist of the following items on the agenda: **public hearings, resolutions, ordinances for introduction, and ordinances for passage.** The public may comment for up to three minutes*.*

Agenda Item Number(s) or Description(s) Neogen

Name (print) Bill Black E-Mail (optional) billblack@teamst1243.org

Address (street, city, zip) _____

Company or organization represented, etc. (if applicable) Teamster local 243

Signature [Handwritten Signature] Pronouns _____

- Public speakers will be called by the City Clerk. When the City Clerk recognizes you, please proceed to the speaker's podium and speak directly and clearly into the microphone. Do not touch the microphone.
- Direct your comments to the Council President.
- No speaker called upon to speak shall by speech or conduct disturb, disrupt, delay, interfere with, or otherwise impede the orderly conduct of the Council meeting.
- No personal attacks or defamatory remarks towards any person will be permitted.
- Questions raised during public comment may or may not be answered by the President, another Council Member, the Mayor, or member of the City Staff during the meeting.
- Time limit to address the council on legislative matters is **3 Minutes***.
- Spokespersons for a group or shared viewpoint are encouraged; however, a speaker's time limit may not be increased through assignment of someone else's time or opportunity to speak.
- No registrations will be accepted after the deadline as announced by the City Clerk.
- If you wish to submit written materials, please provide them to the City Clerk or City Clerk staff along with this form.
- The City Council conducts its open meetings in an orderly manner in accordance with the Open Meetings Act. Council meetings will not be conducted as interactive forums or "town meetings."

Thank you for your involvement and interest in our City,
Chris Swope, Lansing City Clerk, MiPMC / MMC

* *The Presiding Officer may reduce the amount of time for each speaker if he or she determines that the number of registered speakers is so numerous that the meeting cannot be timely concluded without a reduction in the time allocated for each speaker.*

Persons with disabilities who need an accommodation to fully participate in this meeting should contact the City Clerk's Office at (517) 483-4131 (TDD (517) 483-4479). 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

You will not be called to speak unless all required blanks on this form are completed.



Public Comment on Legislative Matters Registration

*The City of Lansing welcomes and encourages public comment relating to City Legislative Matters. In order to facilitate public input, you **MUST** complete this card and submit it to the City Clerk or City Clerk Staff **prior** the close of registration as announced by the City Clerk.*

*Legislative matters consist of the following items on the agenda: **public hearings, resolutions, ordinances for introduction, and ordinances for passage.** The public may comment for up to three minutes*.*

Agenda Item Number(s) or Description(s) B

Name (print) Loretta Sweeney E-Mail (optional) _____

Address (street, city, zip) 546 Armstrong

Company or organization represented, etc. (if applicable) _____

Signature [Signature] Pronouns _____

- Public speakers will be called by the City Clerk. When the City Clerk recognizes you, please proceed to the speaker's podium and speak directly and clearly into the microphone. Do not touch the microphone.
- Direct your comments to the Council President.
- No speaker called upon to speak shall by speech or conduct disturb, disrupt, delay, interfere with, or otherwise impede the orderly conduct of the Council meeting.
- No personal attacks or defamatory remarks towards any person will be permitted.
- Questions raised during public comment may or may not be answered by the President, another Council Member, the Mayor, or member of the City Staff during the meeting.
- Time limit to address the council on legislative matters is **3 Minutes***.
- Spokespersons for a group or shared viewpoint are encouraged; however, a speaker's time limit may not be increased through assignment of someone else's time or opportunity to speak.
- No registrations will be accepted after the deadline as announced by the City Clerk.
- If you wish to submit written materials, please provide them to the City Clerk or City Clerk staff along with this form.
- The City Council conducts its open meetings in an orderly manner in accordance with the Open Meetings Act. Council meetings will not be conducted as interactive forums or "town meetings."

Thank you for your involvement and interest in our City,
Chris Swope, Lansing City Clerk, MiPMC / MMC

* *The Presiding Officer may reduce the amount of time for each speaker if he or she determines that the number of registered speakers is so numerous that the meeting cannot be timely concluded without a reduction in the time allocated for each speaker.*

Persons with disabilities who need an accommodation to fully participate in this meeting should contact the City Clerk's Office at (517) 483-4131 (TDD (517) 483-4479). 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
NOTICE

Case 07-CA-332596

The issuance of the notice of formal hearing in this case does not mean that the matter cannot be disposed of by agreement of the parties. On the contrary, it is the policy of this office to encourage voluntary adjustments. The examiner or attorney assigned to the case will be pleased to receive and to act promptly upon your suggestions or comments to this end.

An agreement between the parties, approved by the Regional Director, would serve to cancel the hearing. However, unless otherwise specifically ordered, the hearing will be held at the date, hour, and place indicated. Postponements **will not be granted** unless good and sufficient grounds are shown **and** the following requirements are met:

- (1) The request must be in writing. An original and two copies must be filed with the Regional Director when appropriate under 29 CFR 102.16(a) or with the Division of Judges when appropriate under 29 CFR 102.16(b).
- (2) Grounds must be set forth in **detail**;
- (3) Alternative dates for any rescheduled hearing must be given;
- (4) The positions of all other parties must be ascertained in advance by the requesting party and set forth in the request; and
- (5) Copies must be simultaneously served on all other parties (listed below), and that fact must be noted on the request.

Except under the most extreme conditions, no request for postponement will be granted during the three days immediately preceding the date of hearing.

Julie Mann, Chief Human Resources Officer
Neogen Corporation
620 Leshner Place
Lansing, MI 48912

Helen E. R. Mills, Esq.
Fahey Schultz Burzych Rhodes PLC
4151 Okemos Road
Okemos, MI 48864

Tracy Stablein, Esq.
Fahey Schultz Burzych Rhodes PLC
4151 Okemos Road
Okemos, MI 48864

William Black, Business Agent
Local 243, International Brotherhood of
Teamsters
39420 Schoolcraft
Plymouth Township, MI 48170

Scott Soldon, Esq.
Soldon McCoy Law Firm
3934 North Harcourt Place
Shorewood, WI 53211

Kyle A. McCoy, ESQ.
Soldon McCoy
5502 Upland Trail
Middleton, WI 53562

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION SEVEN**

NEOGEN CORPORATION

Respondent

and

Case 07-CA-332596

**LOCAL 243, INTERNATIONAL BROTHERHOOD
OF TEAMSTERS (IBT)**

Charging Party

COMPLAINT AND NOTICE OF HEARING

This Complaint and Notice of Hearing is based on a charge filed by the Charging Party. It is issued pursuant to Section 10(b) of the National Labor Relations Act (the Act), 29 U.S.C. § 151 et seq., and Section 102.15 of the Rules and Regulations of the National Labor Relations Board (the Board) and alleges that Respondent has violated the Act as described below.

1. (a) The charge in this proceeding was filed by the Charging Party on December 14, 2023, and a copy was served on Respondent by U.S. mail on December 28, 2023.

(b) The amended charge in this proceeding was filed by the Charging Party on April 11, 2024, and a copy was served on Respondent by U.S. mail on April 17, 2024.

2. (a) At all material times, Respondent, a corporation with an offices and places of business located at 301 N. Hosmer Street, 717 E. Shiawassee Street, 740 E. Shiawassee Street, and 720 E. Shiawassee Street, Lansing, Michigan, (Lansing facilities), has been engaged in the business of manufacture and distribution of animal and food safety products.

(b) During the calendar year ending December 31, 2023, Respondent in conducting its operations described above in paragraph 2(a), purchased and received at its Lansing, Michigan facilities goods valued in excess of \$50,000 directly from points located outside the State of Michigan.

(c) At all material times, Respondent has been an employer engaged in commerce within the meaning of Section 2(2), (6) and (7) of the Act.

3. At all material times, the Charging Party has been a labor organization within the meaning of Section 2(5) of the Act.

4. At all material times, the following individuals held the positions set forth opposite their respective names and have been supervisors of Respondent within the meaning of Section 2(11) of the Act and agents within the meaning of Section 2(13) of the Act.

John Adent	Chief Executive Officer and President
Robert Donofrio	Chief Scientific Officer
Doug Jones	Chief Operating Officer
Jason Lilly	Vice President, Americas and Australia/New Zealand
David Naemura	Chief Financial Officer
Amy Rocklin	Chief Legal and Compliance Officer
Ray Bigelow	Operations Manager
Jerome Hagadorn	Vice President of Operations
Julie Mann	Chief Human Resources Officer
Kendra Wilson	Organizational Development Manager

5. About November 20, 2023, Respondent, by its representative unknown to the General Counsel but well known to Respondent, at its Lansing facilities, threatened employees with closure and loss of flexibility if they selected the Charging Party as their collective-bargaining representative.

6. About November 21, 2023, Respondent, by its representative unknown to the General Counsel but well known to Respondent, at its Lansing facilities, threatened employees with loss of benefits, such as cookout events, PTO giveaways and other gifts, if they selected the Charging Party as their collective-bargaining representative.

7. About November 22, 2023, Respondent, by Julie Mann, at its Lansing facilities:

- (a) threatened employees with loss of benefits, including scheduling flexibility, if they chose to be represented by the Charging Party;
- (b) threatened employees with the loss of access to direct communication with supervisors if they chose to be represented by the Charging Party.
- (c) threatened employees with loss of benefits, including feeling comfortable and safely discussing problems, issues and questions with company leadership, if they selected the Charging Party as their bargaining representative.

8. About November 29, 2023, Respondent by its representative unknown to the General Counsel, but well known to Respondent, at its Lansing facilities, without specifying any difference between economic or unfair labor practice strike, threatened employees with permanent replacement in the event of a strike if they chose to be represented by a union.

9. About December 1, 2023, Respondent, at its Lansing facilities:

- (a) by John Adent, threatened employees with the closure of the facility if they selected the Charging Party as their collective-bargaining representative;
- (b) by John Adent, threatened employees with loss of access to managers and supervisors to discuss workplace issues if they selected the Charging Party as their bargaining representative;
- (c) by John Adent, impliedly threatened employees with loss of benefits, such as flexibility and understanding, if they selected the Charging Party as their bargaining representative;
- (d) by John Adent, solicited grievances from employees and promised to remedy them if they chose not to be represented by the Charging Party;
- (e) by John Adent, promised employees benefits including the creation of an employee resource group to advocate for employees, if they chose not to be represented by the Charging Party;
- (f) by its representative unknown to the General Counsel but well known to Respondent, by a daily "One Shot," threatened employees with loss of benefits, including access to communication and assistance regarding benefits and benefit plans, if they selected the Charging Party as their bargaining representative;
- (g) by its representative unknown to the General Counsel but well known to Respondent, by a daily "One-Shot," threatened employees with a loss of access to their supervisors to discuss terms and conditions of employment if they selected the Charging Party as their collective-bargaining representative.
- (h) by its representative unknown to the General Counsel but well known to Respondent, promised employees benefits, including flexible accommodation of work schedules, if they chose not to be represented by the Charging Party;
- (i) by its representative unknown to the General Counsel, but well known to Respondent, by a daily "One-Shot," by informing employees they would be reliant on the Charging Party to perform their work if they chose to be represented by them, threatened employees with more onerous working conditions.
- (j) by its representative unknown to the General Counsel but well known to Respondent, threatened employees that they would have to rely on committeemen and shop stewards to communicate their needs for them if they chose to be represented by the Charging Party.

10. About December 7, 2023, Respondent, by its representative unknown to the General Counsel but well known to Respondent, threatened employees with loss of access to supervision

to discuss working conditions if they chose the Charging Party as their collective-bargaining representative.

11. About December 11, 2023, Respondent, at its Lansing facilities:

(a) by its representative unknown to the General Counsel but well known to Respondent, threatened employees with a loss of access to supervision to discuss working conditions if they chose the Charging Party as their collective-bargaining representative.

(b) by Ray Bigelow, threatened employees with loss of workplace flexibilities if they chose the Charging party as their collective-bargaining representative.

12. (a) The following employees of Respondent (the Unit) constitute a unit appropriate for the purposes of collective bargaining within the meaning of Section 9(b) of the Act:

All full-time and regular part-time shipping clerks and material handlers employed by the Employer at or out of its facilities located at 301 N. Hosmer Street, 717 E. Shiawassee Street, 740 E. Shiawassee Street, and 720 E. Shiawassee Street, Lansing, Michigan; but excluding all temporary employees, team leads, office clerical employees, managers and guards and supervisors as defined in the Act.

(b) About November 1, 2023, a majority of the Unit designated the Charging Party as their exclusive collective-bargaining representative.

(c) About November 1, 2023, the Charging Party by letter requested that Respondent recognize it as the exclusive collective-bargaining representative of the Unit and bargain collectively with the Charging Party as the exclusive collective-bargaining representative of the Unit.

(d) About November 7, 2023, the Charging Party filed a Certification of Representative Petition (Petition) in Case 07-RC-329663, which included language stating that the Charging Party was requesting Respondent recognize the Charging Party as the exclusive collective-bargaining representative of the Unit.

(e) On December 13, 2023, an election was held pursuant to the Petition filed in paragraph 12(d).

(f) On December 13, 2023, the tally of ballots prepared at the conclusion of the election showed that, of approximately 30 eligible voters, 10 votes were cast for and 17 votes were cast against the Charging Party, with no challenged ballots. Accordingly, a majority of employees in the Unit described above in paragraph 12(a) did not select the Charging Party as their exclusive collective-bargaining representative.

(g) The serious and substantial unfair labor practice conduct described above in paragraphs 5 through 11 is such that it undermined the validity of the election process conducted pursuant to the Petition described in paragraph 12(d). Therefore, on balance, the employees'

sentiments regarding representation, having been previously expressed through authorization cards, would be protected better by issuance of a bargaining order.

(h) The serious and substantial unfair labor practice conduct described above in paragraphs 5 through 11 is such that there is only a slight possibility of traditional remedies erasing their effects and conducting a fair rerun election. Therefore, on balance, the employees' sentiments regarding representation, having been expressed through authorization cards, would be better protected by issuance of a bargaining order.

(i) The allegation described above in paragraph 12(g) requesting the issuance of a bargaining order are supported by, among other things:

(i) John Adent and Julie Mann are high ranking officials responsible for much of the conduct described above in paragraphs 5-11.

(ii) the conduct described above in paragraphs 5-11 has not been retracted.

(iii) there are approximately 30 employees in the Unit described above in paragraph 12(a).

(iv) the conduct described above in paragraphs 5-11 was immediately directed at all employees in the Unit.

(v) all 30 employees in the Unit learned or were likely to learn of the conduct described above in paragraph 5-11.

(vi) The conduct described above in paragraphs 5-11 followed immediately on the heels of Respondent's knowledge of the Charging Party's campaign.

(vii) The conduct described above in paragraphs 5-11 directly impacted the Charging Party's support among a majority of employees in the Unit.

(j) At all times since November 1, 2023, based on Section 9(a) of the Act and the facts described above in paragraphs 12(a)-12(f), the Charging Party has been the exclusive collective-bargaining representative of the Unit.

(k) Since about November 1, 2023, Respondent has failed and refused to recognize and bargain with the Charging Party as the exclusive collective-bargaining representative of the Unit.

13. By the conduct described above in paragraphs 5 through 11, Respondent has been interfering with, restraining and coercing employees in the exercise of rights guaranteed in Section 7 of the Act in violation of Section 8(a)(1) of the Act.

14. By the conduct described above in paragraph 12, Respondent has been failing and refusing to bargain collectively with the exclusive collective-bargaining representative of its employees in violations of Sections 8(a)(1) and (5) of the Act.

15. The unfair labor practices of Respondent described above affect commerce within the meaning of Sections 2(6) and (7) of the Act.

WHEREFORE, it is prayed that Respondent be ordered to:

1. Cease and desist from:

(a) engaging in the conduct described in paragraphs 5 through 11 or in any like or related manner interfering with, restraining, or coercing its employees in the exercise of the rights guaranteed in Section 7 of the Act.

(b) engaging in the conduct described in paragraph 12 or in any like or related manner failing or refusing to bargain collectively and in good faith with the Charging Party as the exclusive collective-bargaining representative of the Unit.

2. Take the following affirmative actions.

(a) notify the Charging Party of any changes made to wages, hours or other terms and conditions of employment of unit employees at any time since November 1, 2023, and on request, bargain with the Charging Party as the exclusive collective-bargaining representative of the Unit employees about said changes, and on request, rescind any changes to Unit employees' terms and conditions of employment made since November 1, 2023, restore the status quo ante with respect to such changes and make whole any employees who were adversely affected by such changes.

(b) Upon request, and pursuant to *Cemex Construction Materials Pacific, LLC*, 372 NLRB No. 130 (2023), meet and bargain in good faith with the Charging Party at reasonable, mutually agreed-upon times and locations with respect to an initial collective-bargaining agreement. If an understanding for a collective-bargaining agreement is reached, Respondent will embody such understanding in a signed, written agreement.

(c) Hold a meeting or meetings during worktime, scheduled to ensure the widest possible attendance of employees, at which a responsible management official of Respondent will read the Notice to Employees and the Board's Explanation of Rights to all attendees in the presence of a Board Agent and a representative of the Charging Party. Distribute a copy of the Notice to Employees and the Board's Explanation of Rights to each employee present at the opening of the meeting and before the Notice and Explanation of Rights are read aloud.

(d) Physically post, and electronically distribute, including by e-mail, any text-based mobile messaging platform, social medial websites, internal apps, and any other means by which Respondent communicate with their employees a copy of the signed the Notice and

Explanation of Rights to Employees, to all employees who have been employed by Respondent since November 1, 2023.

The General Counsel further prays for such other relief as may be just and proper to remedy the unfair labor practices herein alleged.

ANSWER REQUIREMENT

Respondent is notified that, pursuant to Sections 102.20 and 102.21 of the Board's Rules and Regulations, it must file an answer to the complaint. The answer must be **received by this office on or before August 16, 2024, or postmarked on or before August 15, 2024.** Respondent also must serve a copy of the answer on each of the other parties.

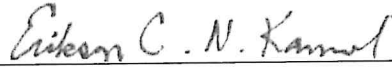
The answer must be filed electronically through the Agency's website. To file electronically, go to www.nlr.gov, click on **E-File Documents**, enter the NLRB Case Number, and follow the detailed instructions. Responsibility for the receipt and usability of the answer rests exclusively upon the sender. Unless notification on the Agency's website informs users that the Agency's E-Filing system is officially determined to be in technical failure because it is unable to receive documents for a continuous period of more than 2 hours after 12:00 noon (Eastern Time) on the due date for filing, a failure to timely file the answer will not be excused on the basis that the transmission could not be accomplished because the Agency's website was off-line or unavailable for some other reason. The Board's Rules and Regulations require that an answer be signed by counsel or non-attorney representative for represented parties or by the party if not represented. See Section 102.21. If the answer being filed electronically is a pdf document containing the required signature, no paper copies of the answer need to be transmitted to the Regional Office. However, if the electronic version of an answer to a complaint is not a pdf file containing the required signature, then the E-filing rules require that such answer containing the required signature continue to be submitted to the Regional Office by traditional means within three (3) business days after the date of electronic filing. Service of the answer on each of the other parties must still be accomplished by means allowed under the Board's Rules and Regulations. The answer may not be filed by facsimile transmission. If no answer is filed, or if an answer is filed untimely, the Board may find, pursuant to a Motion for Default Judgment, that the allegations in the complaint are true.

NOTICE OF HEARING

PLEASE TAKE NOTICE THAT on **Monday, October 28, 2024, 11:00 a.m. at Patrick V. McNamara Federal Building, 477 Michigan Avenue, Room 05-200, Detroit, Michigan**, and on consecutive days thereafter until concluded, a hearing will be conducted before an administrative law judge of the National Labor Relations Board. At the hearing, Respondent and

any other party to this proceeding have the right to appear and present testimony regarding the allegations in this complaint. The procedures to be followed at the hearing are described in the attached Form NLRB-4668. The procedure to request a postponement of the hearing is described in the attached Form NLRB-4338.

Dated: August 2, 2024

A handwritten signature in cursive script, reading "Erikson C. N. Karmol", positioned above a horizontal line.

Erikson C.N. Karmol, Acting Regional Director
National Labor Relations Board, Region 07
Patrick V. McNamara Federal Building
477 Michigan Avenue, Room 05-200
Detroit, MI 48226

Attachments

Procedures in NLRB Unfair Labor Practice Hearings

The attached complaint has scheduled a hearing that will be conducted by an administrative law judge (ALJ) of the National Labor Relations Board who will be an independent, impartial finder of facts and applicable law. **You may be represented at this hearing by an attorney or other representative.** If you are not currently represented by an attorney, and wish to have one represent you at the hearing, you should make such arrangements as soon as possible. A more complete description of the hearing process and the ALJ's role may be found at Sections 102.34, 102.35, and 102.45 of the Board's Rules and Regulations. The Board's Rules and regulations are available at the following link: www.nlr.gov/sites/default/files/attachments/basic-page/node-1717/rules_and_regs_part_102.pdf.

The NLRB allows you to file certain documents electronically and you are encouraged to do so because it ensures that your government resources are used efficiently. To e-file go to the NLRB's website at www.nlr.gov, click on "e-file documents," enter the 10-digit case number on the complaint (the first number if there is more than one), and follow the prompts. You will receive a confirmation number and an e-mail notification that the documents were successfully filed.

Although this matter is set for trial, this does not mean that this matter cannot be resolved through a settlement agreement. The NLRB recognizes that adjustments or settlements consistent with the policies of the National Labor Relations Act reduce government expenditures and promote amity in labor relations and encourages the parties to engage in settlement efforts.

I. BEFORE THE HEARING

The rules pertaining to the Board's pre-hearing procedures, including rules concerning filing an answer, requesting a postponement, filing other motions, and obtaining subpoenas to compel the attendance of witnesses and production of documents from other parties, may be found at Sections 102.20 through 102.32 of the Board's Rules and Regulations. In addition, you should be aware of the following:

- **Special Needs:** If you or any of the witnesses you wish to have testify at the hearing have special needs and require auxiliary aids to participate in the hearing, you should notify the Regional Director as soon as possible and request the necessary assistance. Assistance will be provided to persons who have handicaps falling within the provisions of Section 504 of the Rehabilitation Act of 1973, as amended, and 29 C.F.R. 100.603.
- **Pre-hearing Conference:** One or more weeks before the hearing, the ALJ may conduct a telephonic prehearing conference with the parties. During the conference, the ALJ will explore whether the case may be settled, discuss the issues to be litigated and any logistical issues related to the hearing, and attempt to resolve or narrow outstanding issues, such as disputes relating to subpoenaed witnesses and documents. This conference is usually not recorded, but during the hearing the ALJ or the parties sometimes refer to discussions at the pre-hearing conference. You do not have to wait until the prehearing conference to meet with the other parties to discuss settling this case or any other issues.

II. DURING THE HEARING

The rules pertaining to the Board's hearing procedures are found at Sections 102.34 through 102.43 of the Board's Rules and Regulations. Please note in particular the following:

- **Witnesses and Evidence:** At the hearing, you will have the right to call, examine, and cross-examine witnesses and to introduce into the record documents and other evidence.
- **Exhibits:** Each exhibit offered in evidence must be provided in duplicate to the court reporter and a copy of each of each exhibit should be supplied to the ALJ and each party when the exhibit is offered

(OVER)

in evidence. If a copy of any exhibit is not available when the original is received, it will be the responsibility of the party offering such exhibit to submit the copy to the ALJ before the close of hearing. If a copy is not submitted, and the filing has not been waived by the ALJ, any ruling receiving the exhibit may be rescinded and the exhibit rejected.

- **Transcripts:** An official court reporter will make the only official transcript of the proceedings, and all citations in briefs and arguments must refer to the official record. The Board will not certify any transcript other than the official transcript for use in any court litigation. Proposed corrections of the transcript should be submitted, either by way of stipulation or motion, to the ALJ for approval. Everything said at the hearing while the hearing is in session will be recorded by the official reporter unless the ALJ specifically directs off-the-record discussion. If any party wishes to make off-the-record statements, a request to go off the record should be directed to the ALJ.
- **Oral Argument:** You are entitled, on request, to a reasonable period of time at the close of the hearing for oral argument, which shall be included in the transcript of the hearing. Alternatively, the ALJ may ask for oral argument if, at the close of the hearing, if it is believed that such argument would be beneficial to the understanding of the contentions of the parties and the factual issues involved.
- **Date for Filing Post-Hearing Brief:** Before the hearing closes, you may request to file a written brief or proposed findings and conclusions, or both, with the ALJ. The ALJ has the discretion to grant this request and to will set a deadline for filing, up to 35 days.

III. AFTER THE HEARING

The Rules pertaining to filing post-hearing briefs and the procedures after the ALJ issues a decision are found at Sections 102.42 through 102.48 of the Board's Rules and Regulations. Please note in particular the following:

- **Extension of Time for Filing Brief with the ALJ:** If you need an extension of time to file a post-hearing brief, you must follow Section 102.42 of the Board's Rules and Regulations, which requires you to file a request with the appropriate chief or associate chief administrative law judge, depending on where the trial occurred. You must immediately serve a copy of any request for an extension of time on all other parties and furnish proof of that service with your request. You are encouraged to seek the agreement of the other parties and state their positions in your request.
- **ALJ's Decision:** In due course, the ALJ will prepare and file with the Board a decision in this matter. Upon receipt of this decision, the Board will enter an order transferring the case to the Board and specifying when exceptions are due to the ALJ's decision. The Board will serve copies of that order and the ALJ's decision on all parties.
- **Exceptions to the ALJ's Decision:** The procedure to be followed with respect to appealing all or any part of the ALJ's decision (by filing exceptions with the Board), submitting briefs, requests for oral argument before the Board, and related matters is set forth in the Board's Rules and Regulations, particularly in Section 102.46 and following sections. A summary of the more pertinent of these provisions will be provided to the parties with the order transferring the matter to the Board.

**CITY OF LANSING
NOTICE OF PUBLIC HEARING**

The Lansing City Council will hold a public hearing on Monday, September 9, 2024, at 7:00 p.m. in the Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan. The hearing is in consideration of:

An ordinance of the City of Lansing, Michigan, to repeal and replace the existing signs ordinance, being Part 14, Title 4 of the Lansing Codified Ordinances in its entirety, with Part 13, Title 2, regulating the size, location, and character of signs and sign structures on property in Lansing.

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TDD (517) 483-4479) 24-hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

For more information, please call 517-483-4177. If you are interested in this matter, please attend the public hearing, or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., on the day of the Public Hearing at the City Clerk's Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, Lansing City Clerk, MMC/MiPMC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope



MEMORANDUM

TO: Lansing City Council

FROM: Andrew Fedewa, Principal Planner, Economic Development & Planning Department

DATE: July 11, 2024

SUBJECT: PEND-3700 - Sign Ordinance Repeal and Replace - revision

The Planning and Zoning Office proposes the following changes to the draft Sign Ordinance, Chapter 1310. Thank you for your consideration.

Section 1310.04 Licensing, Permits, and Fees **(d) All projecting signs extending over the public right-of-way, regardless of size or permit required, shall be licensed and placed on file with the Public Service Department.**

Section 1310.08 General Sign Provisions (d) Electronic Message Center (EMC). **(4) EMC signs in all commercial or special zoning districts, excluding DT-3, are limited to 32 square feet in sign area.**

Section 1310.11 Temporary Signs (a) In General: (5) ~~May~~ **Shall not** be internally illuminated, ~~except as otherwise prohibited under the Chapter.~~

Section 1310.13 Freestanding Signs (a) SC, MX-C, MX-1, MX-2, DT-2, IND-1, IND-2, IND-3, INST-1, & INST-2 Zoning Districts

(2) Sign shall be set back at least ~~ten (10)~~ **six (6)** feet but not more than fifteen (15) feet from the property lines abutting a public right-of-way.

(5) Any sign set back less than ten (10) feet from the property line shall not exceed six (6) feet in height and thirty-two (32) square feet in area.

An ordinance of the City of Lansing, Michigan, to repeal and replace the existing signs ordinance, being Part 14, Title 4 of the Lansing Codified Ordinances in its entirety, with Part 13, Title 2, regulating the size, location, and character of signs and sign structures on property in Lansing.

THE CITY OF LANSING ORDAINS:

Section 1. That Part 14, Title 4 of the Lansing Codified Ordinances, is hereby repealed in its entirety

Section 2. That in its place, **Part 13, Title 2** of the Codified Ordinances of the City of Lansing, Michigan, be and is hereby enacted to read as follows:

PART 13, TITLE 2

CHAPTER 1310 SIGNS

1310.01 INTENT AND SUBSTITUTION

(a) This chapter is intended to:

- (1) Provide guidance on sign display in limiting the allowable number, size, and placement of signs to protect the public health, safety, and welfare of the City of Lansing.
- (2) Eliminate visual clutter and distractions to protect and improve traffic and pedestrian safety.
- (3) Protect and enhance the community's aesthetic quality and the character and appearance of the City of Lansing.
- (4) Provide standards for the maintenance and repair of signs and establish procedures for enforcing the provisions of this Chapter.

1310.02 APPLICABILITY

This chapter shall apply to all persons, businesses, and associations owning, occupying, or having control/management of any premises located within the city limits of the City of Lansing.

All new, reconstructed, altered, or relocated signs within the city limits shall comply with the provisions of this Chapter. Any sign already erected as of the effective date of this chapter which is rendered nonconforming by the provisions of this chapter or subsequent amendments hereto, shall be subject to the restrictions and regulations contained herein.

1310.03 DEFINITIONS

ABANDONED SIGN. A sign advertising a business, activity or product which remains on the premises for more than six (6) consecutive months after the business, activity, or product to which it is related to ceased active operation on the premises.

ABANDONED SIGN STRUCTURE. A structure which supported a sign and remains on the premises for more than twelve (12) consecutive months after it ceased to support a lawful sign for a business, activity, or product that has ceased active operation on the premises.

ANIMATED SIGN. A sign or display that uses movement or the appearance of movement using patterns of lights, changes in color or light intensity, computerized special effects, video displays, or through any other method.

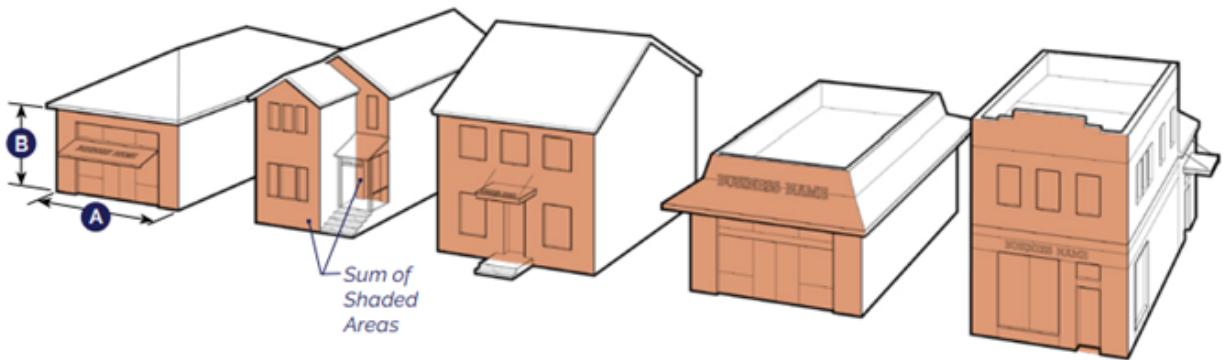
AREA. The entire area of a sign within the limits of writing or pictorial representation together with any frame, other material, or color forming an integral part of the display, but excluding the necessary supports or uprights on which such sign is attached. The area shall be determined by measuring from the outside edge of the frame, material, or color forming the sign. If the sign has no backing, but a wall or canopy is used as the background, a square or rectangle shall be formed around the text or symbols, and those dimensions will be used to compute the area. When a sign has two (2) or more faces, the area of all faces shall be used in determining the total area of the sign.

BANNER SIGN. A temporary sign, as further defined herein, made of cloth, paper, fabric, or other flexible materials, either with or without a supporting framework.

BUILDING FAÇADE. All exterior sides of a building.

BUILDING FRONTAGE. The front of a building facing a right-of-way. In the case of a corner lot, or in the case of a building covering an entire block a building may have more than one frontage. In the case of a multi-tenant building, the frontage of a building or side containing the main entrance directly to that area of the building that the business occupies. For a parcel with more than one (1) line abutting a right-of-way, the building frontage that is used to calculate the allowable wall signage is the one which is intended to be the front wall of the building either by entranceway or another architectural feature. Where this distinction cannot be made, the smaller of the facades facing a right-of-way shall be used to calculate the allowable wall sign area.

[FIGURE 1]



ELECTRONIC MESSAGE CENTER. A sign capable of displaying words, symbols, figures, or images that can be electronically changed by remote or automatic means.

FREESTANDING SIGN. A self-supported sign on the ground by a base, foundation, pole, or brace, not attached to a building and intended to be permanently displayed on the property.

HEIGHT, CLEARANCE. For signs attached to a building or a support structure, the vertical distance measured from the lowest point of the natural grade directly below the sign to the lowest edge of the sign.

[FIGURE 2]



Vertical Clearance

HEIGHT, SIGN. The vertical distance measured from the natural grade directly below the sign to the highest point of the sign or sign structure to which it is attached.

ILLUMINATED SIGN. A sign or part thereof that incorporates fluorescent, neon, LED, or any other form of lighting, or one which is illuminated by an external source such as ground lights that shine directly on the sign.

INSTITUTIONAL LAND USE. Government buildings, schools, churches, hospitals, community centers, public parks, and recreational facilities, or any other public or quasi-public use permitted in the zoning district in which the institution is located.

LEGALLY NONCONFORMING SIGN. A sign which does not comply with one (1) or more of the requirements of this Chapter but was lawfully erected prior to its effective date.

LOCAL STREET. A street not designated as an arterial corridor, activity corridor, suburban corridor, prime connector, or neighborhood connector on the Form-Based Zoning Code Street Typology Map.

MULTI-TENANT SIGN. A sign that provides advertising for two (2) or more establishments that are completely separated from each other within a building, a series of buildings on the same parcel

1 of land, or businesses on adjoining parcels of land that function as a single development with shared
2 access and/or parking.

3 **NEIGHBORHOOD ENTRANCEWAY SIGN.** A sign located on property owned or controlled by
4 the City that identifies the name of a subdivision, condominium development, or neighborhood
5 organization recognized as being active by the City of Lansing Department of Neighborhoods, Arts,
6 and Citizen Engagement.

7 **PROJECTING SIGN.** A sign, other than a wall sign, as defined in this Chapter, affixed to an
8 exterior building wall with the exposed faces perpendicular to the plane of the wall.

9 **PUBLIC SIGN.** A sign, whether temporary or permanent, erected in the public interest by or upon
10 orders from the City of Lansing, Ingham County, State of Michigan, federal government or any
11 agency thereof having appropriate jurisdiction, Public signs include traffic control signs, signs of
12 historical interest, and signs that communicate messages to the public involving safety matters or
13 emergency situations, which signs may or may not be erected in the public right-of-way.

14 **SIDEWALK SIGN.** A portable ‘A-frame’ (Λ) or ‘inverted-T’ sign (⊥) comprised of two (2) separate
15 panels or faces located on a public sidewalk.

16 **SETBACK.** The distance between a property line and the nearest edge of the sign.

17 **SIGN.** A device, fixture, placard, or structure that uses any color, form, graphic, illumination,
18 symbol or writing to advertise, announce or identify the purpose of a person or entity, or to
19 communicate information to the public.

20 **SIGN STRUCTURE.** Includes, but is not limited to a pole, base, or frame intended to be used for
21 the support or display of a sign, regardless of whether the sign itself has been removed.

22 **SUSPENDED SIGN.** A sign that is suspended, hung, or connected to the underside of an awning,
23 canopy, or horizontal building surface, and intended to be viewed by pedestrians on a non-public
24 sidewalk at close range.

25 [FIGURE 3]



TEMPORARY SIGN. A sign, banner, inflatable, or other advertising device, with or without a structural frame, intended for a limited period of display.

TRAFFIC CONTROL SIGN. A sign used solely to direct traffic by identifying building and parking lot entrances/exits, service areas and traffic flow throughout the site.

UNSAFE OR DANGEROUS SIGN. Any sign or sign component, which becomes damaged, insecure, or in danger of falling.

UNLAWFUL SIGN. Any sign that was not lawfully erected or maintained whether prior to or since the adoption of this Chapter.

VACANT PARCEL. Any parcel or lot of record on which no building or structure exists thereon or is not legally occupied.

VEHICLE SIGN. A sign affixed to a parked vehicle or truck trailer which is located on a property primarily for display, rather than for transportation purposes.

[FIGURE 4]



WALL SIGN. A sign attached parallel to and extending not more than twenty-four (24) inches from the wall of a building. Painted signs, signs which consist of individual letters, cabinet signs, and signs mounted on the face of a mansard roof, shall be considered wall signs.

WINDOW SIGN. A sign located on a window or behind a window which is intended to be viewed from the outside. A window sign does not include blinds, shades or screens, or solid color backgrounds that may cover the window and do not display a sign as defined in this Chapter.

1310.04 LICENSING, PERMITS, AND FEES

- (a) **License Required.** No person shall engage in the business of, or perform the work of, installing, erecting, maintaining, repairing, or altering any sign without first obtaining a license therefor from the City Clerk. All such licenses shall automatically expire on April 30 of each year unless renewed. All applications for sign permits must be submitted by a duly licensed sign erector. Said license holder shall perform all work stipulated on the sign permit.
- (b) **Insurance Requirements for Licensees.** All licensees engaged in the installation, alteration, maintenance, repair, or erection of signs shall file with the City Clerk proof of a general liability insurance policy and enforcement which insures the licensee and the City against any liability imposed upon the licensee and/or the City arising out of the work performance for the signs. Such insurance shall provide for the payment to any person injured, or to another by reason of the death of any one person, to the extent of \$100,000.00, and for the

1 **payment of \$300,000.00 for injuries to or the death of more than one person, and for property**
2 **damage in the amount of \$100,000.00.**

3 **(c) Permit Required. Unless specifically exempt under this Chapter, no person shall erect,**
4 **construct, relocate, or cause to be erected, constructed, relocated, or significantly altered,**
5 **any sign, without first obtaining a sign permit with information required by the Building**
6 **Safety Office. A separate, additional electrical permit is required for new electrical service**
7 **or any changes to existing electrical service regardless of the size or exemption status of the**
8 **sign. All signs exempted from permit shall be reviewed by the zoning administrator for**
9 **compliance with this Chapter.**

10 **(d) All projecting signs extending over the public right-of-way, regardless of size or permit**
11 **required, shall be licensed and placed on file with the Public Service Department.**

12 **(e) Permit Application. Each sign permit application shall require the applicant to provide the**
13 **following information:**

14 **(1) The name, current address, and current telephone number of the applicant.**

15 **(2) The legal description or the permanent parcel number, and the address, of the parcel**
16 **on which the activity is to occur.**

17 **(3) The location of the proposed sign relative to the property lines of the parcel.**

18 **(4) All points of ingress and egress on the subject parcel and on adjacent parcels if there**
19 **are adjacent parcels within 60 feet of the proposed sign location or alteration, and the**
20 **location of parking spaces, if any.**

21 **(5) A sign plan which includes the following information: location of sign on parcel, sign**
22 **dimensions, sign message dimensions, height, width of building, parcel zoning district,**
23 **and a sign sketch.**

24 **(6) Construction design information.**

(7) Any other information which, in the determination of the Department, may be necessary to adequately review the proposal.

Sign permit applications, along with the appropriate nonrefundable fee, shall be submitted to the Building Safety Office on forms made available by the City. Upon receipt of a sign permit application, the Building Safety Office shall forward the application to the Planning Division for review and approval prior to the issuance of a sign permit. If it is discovered that the sign permit application contains any false information, the Building Safety Office may revoke the permit or deny the permit application, whichever is appropriate.

(f) Exceptions. No permits are required for the following signs or changes thereto:

(1) Signs that are less than ten (10) square feet in area.

(2) Exempt Signs listed in Section 1310.09 and Temporary Signs permitted by Section 1310.11.

(3) The changing of removable parts of an approved sign that is designed for such changes, or the repainting or reposting of display matter.

(4) The replacement of a sign face within an existing sign cabinet if it does not involve the replacement of any structural component of the sign.

These exceptions do not relieve the sign owner or the owner of the property upon which the sign is located from compliance with all other requirements of this Chapter regarding size, placement, erection, maintenance, removal, and disposal.

(g) Appeal Procedure. An appeal of any decision by the Zoning Administrator shall be made as follows:

(1) Appeals pertaining to the structural features or abandonment of a sign shall be made to the Building Board of Appeals.

1 **(2) Square footage of sign area, setback requirements, message unit limitations and other**
2 **dimensional requirements shall be made to the City Board of Zoning Appeals.**

3 **(3) All appeals shall be made within 30 days from the date of receipt-of the decision, by**
4 **the Zoning Administrator, that is being appealed.**

5 **An appeal fee shall be paid at the time of the filing of the appeal. The appeal application shall**
6 **specify the particular grounds upon which the appeal is based and shall be signed by a party**
7 **aggrieved, or his or her authorized representative. If a variance is sought, the appeal shall**
8 **specify the requirements from which the variance is sought, and the nature and extent of**
9 **such variance.**

10 **(h) Inspection of Work Covered by Permit. A person conducting or performing work covered**
11 **by a permit required by this chapter shall notify the Building Safety Officer or their designee**
12 **when such work has commenced, in accordance with the inspection schedule established by**
13 **the Building Safety Office. Unless otherwise indicated, no person shall conceal any portion**
14 **of such work until it has been inspected and approved by the Building Safety Officer or their**
15 **designee. When required, a certificate of inspection will be issued. No electrical or**
16 **illuminated sign shall be permanently operated before it has been inspected in accordance**
17 **with the City Electrical Code.**

18 **(i) Suspension or Revocation of Licenses and Permits. The Director shall give notice, in writing,**
19 **to the holder of a license or permit issued under this chapter of the reasons for any proposed**
20 **suspension or revocation of such license or permit, which notice shall be served upon such**
21 **holder at least five days before the time set for the hearing before the Building Board of**
22 **Appeals. At the hearing, the licensee or permittee may appear, in person, or be represented**
23 **by counsel, and may contest such suspension or revocation. For good cause shown at such**
24 **hearing, the Building Board of Appeals may suspend or revoke any such license or permit.**

- 1 (j) **Fees. Permit, licensing, and appeal fees shall be established by resolution of the City Council**
2 **and are nonrefundable.**

3 **1310.05 SIGN ILLUMINATION**

- 4 (a) **An electrical permit is required for new electrical service or any changes to existing electrical**
5 **service regardless of the size or exemption status of the sign.**

- 6 (b) **The intensity of all lights used for the illumination of a sign shall be maintained at a level,**
7 **and directed, positioned, or shielded to prevent:**

8 (1) **Glare onto adjacent properties;**

9 (2) **Interfering or impairing the vision of motorists or bicyclists traveling on a public right**
10 **of way; and**

11 (3) **Competition for attention with other signs in the area.**

12 **1310.06 MAINTENANCE**

- 13 (a) **All signs, including those for which a permit is not required, shall be maintained in a safe**
14 **and working condition. Signs with peeling paint, excessive rust, broken sign faces, bent**
15 **cabinets or supports, or any other structural or operational defect, including burned out**
16 **light bulbs or tubes, shall be in violation of this Chapter.**

17 **1310.07 ENFORCEMENT**

18 **The Zoning Administrator, Building Official, or any of their designees are authorized to enforce**
19 **this Chapter.**

- 20 (a) **Right of Entry. Whenever it is necessary to make an inspection to enforce any of the**
21 **provisions of this chapter, or whenever an authorized enforcing officer of the City has**
22 **reasonable cause to believe that there exists on any building or upon any premises any**
23 **condition or violation of this chapter which makes such building or premises unsafe,**
24 **dangerous or hazardous, the authorized enforcing officer may enter such premises at all**
25 **reasonable times to inspect the same or to perform any duty imposed upon the authorized**

1 enforcing officer by this chapter, provided that if such premises is occupied, the authorized
2 enforcing officer shall first present proper credentials and request entry. If such premises is
3 unoccupied, the authorized enforcing officer shall first make a reasonable effort to locate the
4 owner or other persons having charge or control of the premises and request entry. If such
5 entry is refused, the authorized enforcing officer shall have recourse to every remedy
6 provided by law to secure entry.

7 (b) **Unsafe, Dangerous, Unlawful, Abandoned Signs.** Unsafe, dangerous, unlawful, or
8 Abandoned signs, as determined by the authorized enforcing officer, shall be immediately
9 removed, or shall be made safe or lawful whichever is appropriate in accordance with all the
10 provisions of this chapter, and laws of the State of Michigan. The authorized enforcing
11 officer shall notify the property owner and/or other known responsible parties in writing of
12 such condition and shall direct them to remove the sign in question or make immediate
13 corrections, whichever is appropriate. Should the property owner and/or other known
14 responsible parties fail to comply with such notice, the authorized enforcing officer shall take
15 all action necessary to remove the sign or correct the unlawful or unsafe condition, including
16 Court ordered enforcement. If ordered by a court, any cost incurred by the City in removing
17 or making the sign safe shall be a lien against the real property on which the sign is located,
18 and shall be reported to the City Assessor, who shall bill the property owner and/or other
19 known responsible party and assess the cost against the property until paid. Any property
20 owner and/or other known responsible party aggrieved by the determination of the
21 authorized enforcing officer, may appeal the determination as provided in Section 1310.04(f).

22 (c) **Legally Nonconforming Signs, Sign Structures.** Legally Nonconforming Signs or Sign
23 Structures shall be immediately removed by the property owner and/or other responsible
24 parties, consistent with standards for loss of legal nonconformity of [Chapter 1270](#). The
25 authorized enforcing officer shall notify the property owner and/or other known responsible

parties in writing of such condition and shall direct them to remove the sign or sign structure in question. Should the property owner and/or other known responsible parties fail to comply with such notice, the authorized enforcing officer shall take all action necessary to remove the nonconformity, including pursuing Court ordered enforcement. If ordered by a court, any cost incurred by the City in removing the sign or sign structure shall be a lien against the real property on which the sign or sign structure was located, and shall be reported to the City Assessor, who shall bill the property owner and/or other known responsible party and assess the cost against the property until paid. Any property owner and/or other known responsible party aggrieved by the determination of the authorized enforcing officer, may appeal the determination as provided in Section 1310.04(f).

(d) **Right-of-Way Signs.** Except as otherwise provided in [Chapter 1022](#), signs illegally placed in the public right-of-way may be removed and disposed of by the City, without notice to the owner of the property adjoining the right-of-way or the owner of the sign. The City may also issue a civil fine to the owner of the illegally placed sign(s).

1310.08 GENERAL SIGN PROVISIONS

(a) Signs are permitted as an accessory use to a primary use. When the building on the premises containing the primary use is removed, all signs and sign structures located on the premises shall also be removed prior to finalization of the demolition permit.

(b) Buildings in the DT-3 “Downtown Core” zoning district that are used for a public purpose and are owned or entirely occupied by the United States Federal Government, State of Michigan, or the City of Lansing and any of its agencies, departments or instrumentalities are exempt from the dimensional requirements of this chapter. The Director of the Department of Economic Development and Planning shall have sole authority to approve or deny signs for these agencies after reviewing the proposed signs' compatibility with the surrounding area and the intent expressed in this chapter.

(c) Location.

(1) Setbacks required by this Ordinance shall be measured from the property line adjoining a public right-of-way to the nearest edge of the sign.

(2) No freestanding sign shall be placed closer to any side or rear property line than five (5) feet.

(3) No sign, other than those installed by agencies of government or those authorized to be installed by such agencies with appropriate jurisdiction may be erected, or placed on public property, including rights-of-way.

(4) No sign may be installed in a location that obstructs the clear vision areas required by Section 1250.03.03 of the Zoning Ordinance or interferes in any way with the free use of any public right-of-way, public or private sidewalk, intersection, ingress or egress point, transit stop, parking space, drive aisle, driveway, building entrance, fire escape, or accessibility ramp.

(5) A plot plan depicting the clear vision area shall be provided with the sign permit application for a freestanding sign.

(d) Electronic Message Center (EMC).

(1) All Electronic Message Center signs shall have automatic dimming controls, either by photocell or via software settings, in order to bring EMC lighting level at night into compliance with this chapter.

(2) EMC signs located within two hundred (200) feet of a residentially zoned property or property being used for residential purposes, shall not be illuminated between the hours of 11:00 pm and 6:00 am.

(3) To preserve open vistas, protect the historic integrity of, and enhance the visual cityscape of Downtown Lansing and the Michigan State Capitol Building, EMC signs in the DT-3 district shall be limited to 20 square feet in sign area.

(4) EMC signs in all commercial or special zoning districts, excluding DT-3, are limited to 32 square feet in sign area.

(5) No sign message shall blink, scroll, flash, or be animated.

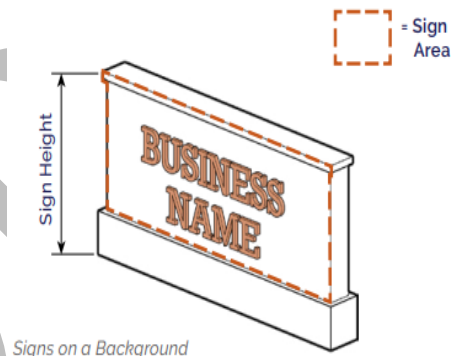
(6) All messages shall remain static while being displayed but may instantly change once every eight (8) seconds or longer.

(7) Any EMC sign that is malfunctioning shall be turned off until such time that it is functioning properly.

(e) Sign Area Measurements.

(1) The entire area of the framework and background of the sign is calculated as sign area, including any material or color forming the sign face or background used to differentiate the sign from the structure against which it is placed.

[FIGURE 5]



(2) The sign area for a sign mounted on a building wall, awning, fence, or landscape wall is the area of a rectangle that encompasses each word or graphic element. Sign area does not include any supporting framework or bracing, unless it is part of the message or graphic element.

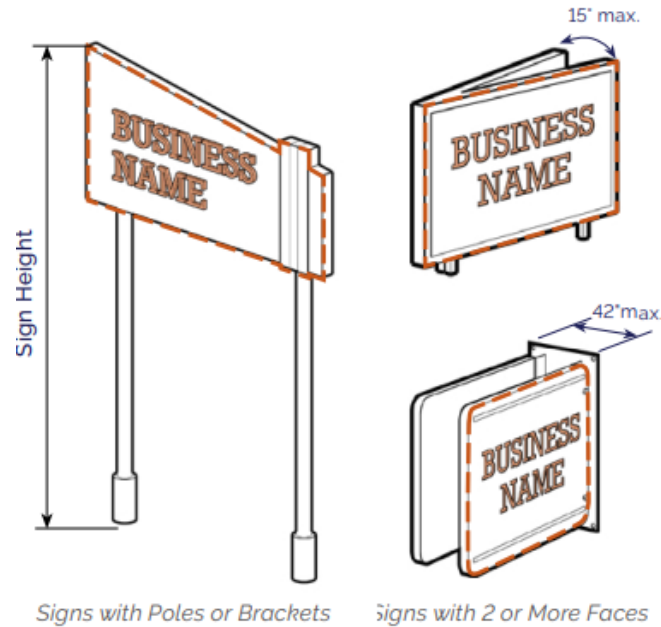
[FIGURE 6]



Individually Mounted Letters & Signs on an Awning

- (3) For signs that include a pole, pole cover, or bracket, the portion of the structure that is not an integral part of the display area shall not be included in the overall calculation of sign area provided no pole or pole cover exceeds two (2) feet in width.
- (4) If a sign has two (2) or more faces, the area of all faces is included in determining the area of the sign. However, if two (2) sign faces are placed back-to-back, or at an angle no greater than fifteen (15) degrees from one another so that both faces cannot be viewed from any point at the same time, the sign surface area shall be computed by the measurement of one (1) of the sign faces. In addition, sign faces that are part of the same sign structure shall not be more than forty-two (42) inches apart.

[FIGURE 7]

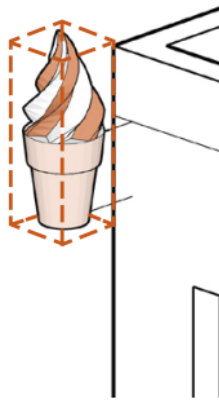


Signs with Poles or Brackets

Signs with 2 or More Faces

(5) The sign area of Three-Dimensional, Free-Form, or Sculptural (nonplanar) signs is calculated as fifty (50) percent of the sum of the area of the four (4) vertical sides of the smallest cube that will encompass the sign.

[FIGURE 8]



(f) **Preservation of Required Landscaping.** No tree or shrub that was installed as part of an approved site or landscape plan for the property upon which it is planted, or which is otherwise required to comply with the requirements of the Zoning Ordinance, may be removed or trimmed to the extent that it may not survive, in order to accommodate a sign. Upon request, the Zoning Administrator may approve the relocation or replacement of plant

materials, if it can be done in a manner that satisfies the requirements and the intent of the Zoning Ordinance regarding landscaping, screening, and buffering.

1310.09 EXEMPTION FROM PERMITTING

The following signs do not require a sign permit, but are subject to the applicable requirements of this chapter:

- (a) **Address Number Sign.** A sign that identifies the address of a property, structure, or establishment, provided it does not exceed four (4) square feet in area for buildings containing four (4) residential units or fewer and no other uses or sixteen (16) square feet in area for a building containing five (5) or more residential units or any non-residential uses.
- (b) **Public sign.** Public signs as defined by this Chapter and notices erected, authorized, or mandated by any governmental law, statute, ordinance, or signs that conform to the U.S. Department of Transportation, Federal Highway Administration's Manual on Uniform Traffic Control Devices and is installed for the purpose of directing or instructing traffic.
- (c) **Construction/Work Zone Signs.** Signs designating construction/work zones, signs warning people to keep out of certain areas due to hazardous conditions, and signs identifying the future development of the site for which the construction fence is erected may be affixed to the fence, subject to the following conditions:
 - (1) Shall not be in the public right-of-way unless the project involves permitted work in the public right-of-way or unless the sign is affixed to an authorized temporary fence or barricade around the construction/work zone area in the public right-of-way.
 - (2) Must be removed within five (5) calendar days upon completion of the project.
 - (3) Signs are allowed on each frontage of the construction/work zone.
 - (4) Shall not extend beyond the top or the ends of the support structure to which it is attached.

(d) **Sidewalk Sign.** A two-sided, portable sign, placed directly outside of the establishment to which it relates, are allowed subject to the following conditions:

(1) A maximum of one (1) sidewalk sign is allowed per establishment per street frontage.

(2) Sign shall not exceed six (6) square feet in sign surface area per side and three (3) feet in height.

(3) Sign may be placed outside on the premises or public sidewalk during the business hours of the establishment to which it relates only and shall be stored indoors at all other times.

(4) Sign shall not interfere with ingress and egress to a building, parking lot or street; shall always maintain a minimum of five (5) feet of unobstructed sidewalk clearance; and shall not interfere with visibility at the intersection of any street or driveway.

(5) Sign shall not be illuminated, contain any electronic components, or have attached to it any balloons, streamers, banners, or other such materials.

(6) Sign may not be placed outdoors when high winds, heavy rain, or heavy snow conditions are present and may not interfere with any snow removal operations.

(e) **Suspended Signs.** One (1) suspended sign up to six (6) square feet in area is permitted for each ground floor establishment. A minimum vertical clearance of at least eight (8) feet from the lowest edge of the sign to the finished grade directly below is required.

(f) **Flags** that are not intended to solely draw attention to the site or any business/operation occurring thereon, shall be permitted on flag poles that are anchored into the ground, are at least twenty (20) feet but no taller than thirty-five (35) feet in height and not located in a public right-of-way.

1310.10 PROHIBITED SIGNS

The following signs and any other signs not specifically permitted by this Chapter are prohibited:

(a) **Signs which are:**

- (1) Abandoned signs, sign structures, or parts thereof.**
- (2) Animated signs using or indicating movement using lights or moving parts.**
- (3) Balloons, inflatables, pennants, streamers, spinners, or flags, and other objects which are used as signs.**
- (4) Banner signs extending on or over public property, except as authorized by the City, County, or State.**
- (5) Unlawfully installed or erected.**
- (6) Unsafe or capable of causing electrical shock.**
- (7) Using words or symbols which would tend to mislead or confuse vehicle operators.**
For example, "STOP", "LOOK", "DANGER".
- (8) Obstructing the view of, imitating, copying, purporting to be, or may be confused with any authorized official sign, traffic sign, traffic signal, or traffic control device.**
- (9) Obstructing or impairing access to windows, doors, roofs, or other building openings necessary for fire escape.**
- (10) In the public right-of-way, except as permitted and regulated elsewhere in these Ordinances.**
- (11) Attached to trees, streetlights, traffic signs, utility poles, utility boxes, or standpipes.**
- (12) Attached to any fence, wall, retaining wall, or accessory structure.**
- (13) Vehicle Signs.**
- (14) If attached to a building, project above the parapet or roof line, except as otherwise permitted and regulated by this Chapter.**
- (15) Contain obscenity.**

1310.11 TEMPORARY SIGNS

(a) In General:

- (1) Each non-residential use and each multiple family residential use with more than twenty (20) units is permitted one (1) temporary sign for up to thirty (30) calendar days, twice during a calendar year on the parcel of land where the business, agency, institution, or residential use to which the sign relates is in active operation.**
- (2) Shall only be permitted on parcels that have at least one (1) property line abutting a non-local street and shall be oriented toward a non-local street.**
- (3) A temporary freestanding sign shall not exceed thirty-two (32) square feet in area.**
- (4) A temporary wall sign shall not exceed fifty (50) square feet in area.**
- (5) Shall not be internally illuminated.**
- (6) An additional temporary sign may be allowed per parcel when the parcel, building, or building suite to which the sign relates is being offered for sale or lease subject to the following restrictions:**
- a. Sign shall not be located in the public right-of-way.**
 - b. One (1) sign is allowed per street frontage.**
 - c. Sign shall not interfere with ingress and egress to a building, parking lot or street, shall always maintain a minimum setback of five (5) feet from a property line abutting a road right-of-way and shall not interfere with visibility at the intersection of any street or driveway.**
 - d. Sign shall not exceed twelve (12) square feet in area and four (4) feet in height on residential parcels of land that have twenty (20) residential units or fewer or on parcels of land containing nonresidential uses that are less than one-half (0.5) acres in size.**
 - e. Sign shall not exceed thirty-two (32) square feet in area and six (6) feet in height on residential parcels of land containing more than (20) residential**

units or on parcels containing nonresidential uses that exceed one-half (0.5) acres in size.

f. Sign shall be removed within five (5) calendar days following the closing of the sale or lease.

(7) Additional temporary signs may be allowed per parcel leading up to and following an official local, county, state, or federal election or referendum subject to the following restrictions:

a. Sign shall not be located in the public right-of-way.

b. Sign shall not interfere with ingress and egress to a building, parking lot or street and shall not interfere with visibility at the intersection of any street or driveway.

c. Sign shall not exceed six (6) square feet in area or three (3) feet in height.

d. Sign shall be removed within ten (10) calendar days following the election to which the sign was associated.

(b) Temporary Freestanding Signs:

(1) Shall be subject to the site visibility requirements of Section 1250.03.03 of the Zoning Ordinance.

(2) Shall be setback at least ten (10) feet from a property line abutting a public right-of-way line.

(3) Shall not exceed six (6) feet in overall height.

(4) No temporary sign of any kind, except for sidewalk signs and construction/work zone signs as permitted and regulated by this Chapter, shall be allowed in the public right-of-way.

(5) Shall not be permitted on parcels of land in the DT-1 zoning district that are less than one-half (0.5) acres in size or have more than fifty percent (50%) of the total building area on the parcel in use for residential purposes.

(c) Temporary Wall Signs:

(1) Must be flat mounted against the wall of a building and properly affixed thereto.

(2) Shall not be placed above the first floor of the building, on a roof, or extend above the roofline of a building.

(3) Shall not be illuminated.

(d) Temporary Signs in Residential districts

(1) Temporary signs on parcels in residential zoning districts and on parcels used for single- or two-family dwellings in the DT-1 district are limited to three (3) feet in height and three (3) square feet in sign area.

(2) Temporary signs shall not be placed in the right-of-way or attached to a fence, structure, or residential building.

1310.12 WALL SIGNS

(a) In General:

(1) Wall signs shall be parallel to the building wall they are attached to and shall not project more than twenty-four (24) inches from the building wall. Wall signs may only extend up to thirty-six (36) inches beyond the wall of the building it is attached to in order to accommodate a curved design or a sign that has depth through overlapping planes or varying plane thickness.

(2) Wall signs shall not obstruct any door, window, fire escape, or ventilation system

(3) Wall signs shall not extend above the top of a building wall or beyond the ends of the wall to which they are attached, except as otherwise permitted by this chapter.

1 **(4) Wall signs shall be located no higher on the building wall than twenty (20) feet from**
2 **the finished grade of the wall to which it is attached.**

3 **(5) One (1) sign shall be permitted on each of the four (4) walls facing different directions**
4 **on:**

5 **a. Buildings being used for non-residential land uses.**

6 **b. Buildings with a mix of residential and nonresidential uses.**

7 **c. A multiple-family residential building containing more than twenty (20) units,**
8 **except that no sign shall be permitted on a building wall that faces an adjoining**
9 **parcel being used solely for residential purposes with less than twenty (20)**
10 **units.**

11 **(6) Each business that has a pedestrian or loading entrance on the rear of the building**
12 **shall be permitted one (1) additional ten (10) square foot sign on the wall near that**
13 **entrance to the building, for identification purposes only.**

14 **(7) A wall sign may be attached to a mansard roof subject to all other requirements of**
15 **this chapter.**

16 **(8) In addition to wall signs, buildings that have at least six (6) stories above ground and**
17 **are not used solely for residential purposes may have one (1) building identification**
18 **sign on each of the four (4) walls of the highest floor of the building facing different**
19 **directions. The building identification signs shall not exceed one hundred (100) square**
20 **feet in area.**

21 **(9) Wall signs may only be illuminated if the wall does not face a Single- or Two-Family**
22 **residential use.**

23 **(10) The combined total area of all walls signs shall not exceed what is permitted**
24 **for the building based upon Table 1310.12 (a)(9):**

Table 1310.12 (a)(9)	
Building Frontage	Maximum Wall Sign Area
Up to 39 lineal feet of building frontage	15 percent of building façade area Maximum size of 50 square feet
40 feet to 99 feet of lineal building frontage	15 percent of building façade area Maximum size 150 square feet
100 feet or more of lineal building frontage	15 percent of building façade area Maximum size 200 square feet
Building façade area calculated by 15 feet in height x building width	

(b) Multi-Tenant Buildings

- (1) Each business that occupies part of and has a direct entrance on the front wall of the building shall be permitted one (1) wall sign, the allowable square footage shall be based upon Table 1310.12 (a)(9) and determined by the linear footage of the front wall of the building that the business occupies.**
- (2) Businesses that occupy a corner suite are permitted one (1) sign on the front wall and one (1) sign on the side wall of the building where the business is located. The allowable square footage for a sign on the side wall of the building is limited to one-half (0.5) of the square footage that is permitted for the business on the front wall of the building or fifty (50) square feet, whichever is greater.**
- (3) Multi-tenant buildings may have one (1) multi-tenant wall sign on the rear facade of the building that is occupied by businesses. The allowable square footage for a sign on the rear of the building shall be the same as, and shall not be deducted from, what is permitted for the businesses on the front or side walls of the building.**

(4) Businesses that do not occupy any part of the frontage of the building shall be permitted one (1) sign, not exceeding ten (10) square feet in area on the front wall of the building, near the entrance for which the business can be accessed.

1310.13 FREESTANDING SIGNS

(a) S-C, MX-C, MX-1, MX-2, DT-2, IND-1, IND-2, IND-3, INST-1 & INST-2 Zoning Districts.

(1) One (1) freestanding sign per parcel of land is permitted. One (1) additional sign may be permitted on a corner parcel that is more than five (5) acres in size and has frontage along and direct access to two (2) non-local roads, if both signs are not oriented towards and clearly visible from the same road.

(2) Sign shall be set back at least six (6) feet but not more than fifteen (15) feet from the property lines abutting a public right-of-way.

(3) A freestanding sign may be set back up to thirty (30) feet from property lines abutting a public right-of-way if approved by the Zoning Administrator based on dimensional restraints of the property or building placement.

(4) Sign shall not exceed twenty-five (25) feet in height and one hundred twenty (120) square feet in area.

(5) Any sign set back less than ten (10) feet from the property line shall not exceed six (6) feet in height and thirty-two (32) square feet in area.

(6) No freestanding sign shall be erected on a vacant parcel.

(b) MX-3, DT-1, DT-3, R-AR, MFR and R-MX Zoning Districts.

(1) One (1) freestanding sign shall be permitted on each parcel of land containing a non-residential use, a mix of residential and non-residential uses or a multiple family residential use with more than twenty (20) residential units. One (1) additional sign may be permitted on a corner parcel that is more than five (5) acres in size and has

frontage along and direct access to two (2) non-local roads, if both signs are not oriented towards and clearly visible from the same street.

(2) Sign shall only be permitted on parcels that have frontage on and shall be oriented towards a non-local street.

(3) Sign shall not exceed six (6) feet in height and thirty-two (32) square feet in area and shall be setback at least six (6) feet from property lines abutting a public right-of-way on parcels that are less than one (1) acre in size.

(4) Sign shall not exceed ten (10) feet in height and sixty (60) square feet in area and shall be setback at least ten (10) feet from property lines abutting a public right-of-way on parcels that are more than one (1) acre in size.

(5) No freestanding sign shall be erected on a vacant parcel.

(c) Institutional Uses.

(1) Institutional uses in the S-C, MX-C, MX-1, MX-2, MX-3, DT-1, DT-2, DT-3, IND-1, IND-2, and IND-3, zoning districts shall be subject to the same sign regulations as all other uses within said districts.

(2) In all other zoning districts, one (1) freestanding sign shall be permitted on parcels that are at least one-half (0.5) acre in size, have at least one (1) property line abutting a non-local street and contain an institutional use in active operation. One (1) additional sign may be permitted on a corner parcel that is more than five (5) acres in size and has frontage along and direct access to two (2) non-local streets, if both signs are not oriented towards and clearly visible from the same street.

(3) One (1) freestanding sign per entrance to the site along a non-local street shall be permitted for institutional uses in all zoning districts that are more than ten (10) acres in size, as long as the signs are separated by at least one hundred (100) feet.

(4) Sign shall not exceed six (6) feet in height and thirty-two (32) square feet in area and shall be setback at least six (6) feet from property lines abutting a public right-of-way on parcels that are less than one (1) acre in size.

(5) Sign shall not exceed ten (10) feet in height and sixty (60) square feet in area and shall be setback at least ten (10) feet from property lines abutting a public right-of-way on parcels that are more than one (1) acre in size.

(d) Multi-Tenant Signs

(1) Signs shall be permitted in the SC, MX-C, MX-1, MX-2, IND-1, IND-2, IND-3, INST-1, and INST-2 zoning districts.

(2) One (1) sign per parcel of land is permitted. One (1) additional sign may be permitted on a corner parcel, at least five (5) acres in size, with frontage along two (2) non-local streets if both signs are located near a primary entrance to the site and are not oriented towards or clearly visible from the same street.

(3) Sign shall not exceed twenty-five (25) feet in height and two hundred (200) square feet in area.

(4) Sign shall be setback at least ten (10) feet but no more than thirty (30) feet from the property lines abutting a public right-of-way.

(5) A business that is accessed from an adjacent multi-tenant site may, with expressly written permission from the sign owner, advertise its business on the multi-tenant sign but will then not be entitled to an additional freestanding sign on the parcel of land occupied by the business.

(e) Signs that are located interior to a school campus, hospital campus, park, multiple-family development, or multi-tenant commercial development may exceed the number of signs allowed herein, provided that such signs are not clearly legible from any public street.

- (f) A business whose building and associated parking lot(s) covers multiple parcels that are not combined but are immediately adjacent to one another and are associated with the same establishment shall not be permitted more than one (1) freestanding sign.**

1310.14 WINDOW SIGNS

- (a) Window signs shall not exceed twenty (20) percent of the area of the window from which the sign can be seen from the exterior of the building. All mounting hardware and equipment shall be concealed from the exterior view of the building. In the case of multi-pane windows, the surface area of the window shall be the combined surface area of the individual panes.**

1310.15 AWNING/CANOPY SIGNS and VEHICLE SERVICE STATION CANOPY SIGNS

- (a) Awning/canopy signs.**

(1) Signs, on awnings or canopies located above entrances to a building intended to provide shelter or installed as an architectural element, shall count towards the allowable number and square footage of wall signage permitted for the business in the building that it relates thereto.

(2) A sign may extend up to five (5) feet vertically above the flat roof of a canopy. If the sign is limited to the address or the name of the building, it shall not count towards the wall signage limitations. In no case shall the sign exceed forty (40) square feet in area.

(3) Electronic Message Center signs are not permitted on awnings or canopies.

(4) Only awnings or canopies on the first-floor story of the building may contain signs.

(5) The sign area shall not exceed what is permitted for wall signage for the building, or fifty (50) percent of the awning or canopy surface on which it is displayed, whichever is less.

(6) All awnings or canopies shall be subject to the architectural standards set forth in Section 1246.04.01 (d) of the Zoning Ordinance.

(b) Motor Vehicle service station canopy signs.

(1) One (1) sign is permitted on each side of the canopy.

(2) No part of the sign shall extend above or below the canopy and must be flat mounted against the canopy.

(3) Signs shall not exceed twenty-five percent (25%) of the area of the side of the canopy to which it is attached.

(4) Signs on canopies shall not count towards the allowable number of wall signs for the building, whether or not it is attached thereto.

(5) EMC signs are permitted.

1310.16 PROJECTING SIGNS

Projecting signs are permitted in all non-residential zoning districts for each business occupying a building subject to the following provisions:

(a) One (1) sign per business. Businesses on corner parcels that occupy a part of the first-floor building walls, may have one (1) projecting sign facing each public street. First floor businesses that have a customer entrance at the rear of the building may have one (1) projecting sign on the rear building wall.

(b) Sign shall not exceed sixteen (16) square feet in area or a maximum projection from the building wall of four and one-half (4.5) feet.

(c) Where a projecting sign is located on the corner of a building and is used in lieu of one (1) permitted wall sign, the area of the projecting sign may exceed sixteen (16) square feet and shall be deducted from the total allowable wall sign area for the building establishment. Such signs shall be visible from at least two (2) directions.

(d) Sign shall have a minimum vertical clearance of ten (10) feet from the bottom edge of the sign to the ground or sidewalk, or fifteen (15) feet if overhanging an alley.

(e) Signs on the front building wall(s) shall be located within fifteen (15) feet of the ground directly below the sign. Signs on the rear building wall shall be located within twenty (20) feet of ground directly below the sign.

(f) There shall be a minimum separation distance of eight (8) feet between projecting signs.

1310.17 NEIGHBORHOOD ENTRANCEWAY SIGNS

Signs that identify the name of a subdivision, condominium development, or neighborhood organization recognized as being active by the City of Lansing Department of Neighborhoods, Arts, and Citizen Engagement, may be located within the public right-of-way and shall be subject to the following:

(a) Review, approval, and issuance of permits from the Public Service Department and the Building Safety Office are required prior to installation of a sign. A plan showing the proposed location of the sign, a rendering of the sign showing the content, materials and all dimensions and a plan for appropriate landscaping around the base of the sign shall be submitted along with the permit applications.

(b) The sign subject matter must be related solely to identifying the name of the subdivision, according to the recorded plat thereof, the name of the condominium according to the recorded master deed, or the name of the neighborhood organization/association recognized as being active by the Department of Neighborhoods, Arts, and Citizen Engagement, or its successor.

(c) Sign shall not exceed six (6) feet in height and fifty (50) square feet in area and shall not be internally illuminated or contain a changeable message center of any kind.

(d) One (1) sign on each side of the roadway at the primary entrance(s) or one (1) sign within a boulevard at the primary entrance(s) of the subdivision, condominium development or

designated neighborhood association/organization may be permitted. The primary entrances where such signs may be located must be at the intersection of a street entering the area to which it is identifying and a non-local street, unless otherwise approved by the Public Service Department.

(e) Signs may be located at no more than two (2) primary entrances to the subdivision, condominium development, or neighborhood association/organization area that it identifies.

(f) The sign, land, and landscaping around the sign must be retained in ownership by the City. All construction, maintenance, or repair, however, shall be the responsibility of the homeowners or condominium association or the neighborhood organization/association.

(g) Appropriate insurance and indemnity policies protecting the City against liability must be provided and maintained.

(h) The City retains the right to remove the sign and the landscaping if it is not being properly maintained or if it necessary to perform roadway, sidewalk, or utility construction/repair, or for any reason at all.

1310.18 VARIANCES and APPEALS

(a) The Board of Zoning Appeals shall hear and decide requests for variances and appeals regarding a decision or determination made by the Zoning Administrator related to the provisions of this Chapter. Requests made to the Board of Zoning Appeals are subject to all of the requirements, procedures, and evaluation criteria established by [Chapter 1274](#) of the Zoning Ordinance.

(b) To prevent signs exceeding the dimensions allowed in this Chapter from conflicting with business, residential and public land uses, no new freestanding signs exceeding the dimensions allowed in this Chapter shall be constructed, and no existing signs shall be rebuilt in excess of their existing dimensions, within the City of Lansing, unless approved by the Board of Zoning Appeals based upon a determination that removal and replacement of such

1 **an existing sign is necessary to accommodate new development on the site upon which it is**
2 **located.**

3 **(c) In making its decision, the Board must find that the proposed development is consistent with**
4 **the zoning designation of the property and all applicable provisions of the Zoning Ordinance**
5 **as well the goals and objectives of the City's current Master Plan and the future land use**
6 **plan being advanced therein.**

7 **(d) Appeals pertaining to the structural features of a sign shall be made to the Building Board**
8 **of Appeals.**

DRAFT

1310.98 ISSUANCE OF MUNICIPAL CIVIL INFRACTION CITATIONS AND VIOLATION NOTICES

The Zoning Administrator, the Building Official and any of their designees are hereby designated as the authorized City officials to issue Municipal civil infraction citations (directing alleged violators to appear in court) or Municipal civil infraction violation notices (directing alleged violators to appear at the Municipal Ordinance Violations Bureau) as provided in Chapter 203 of these Codified Ordinances.

1310.99 PENALTY

Whoever violates any of the provisions of this chapter is responsible for a Municipal civil infraction and shall be subject to the civil fine provided in Section 203.06 of these Codified Ordinances, plus costs and other sanctions, for each infraction. Repeat offenses shall be subject to increased fines as provided in Section 202.99(c)(2).

Section 3. All ordinances, resolutions or rules, parts of ordinances, resolutions, or rules inconsistent with the provisions are repealed.

Section 4. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 5. This ordinance shall take effect on the 30th day after enactment, unless given immediate effect by City Council, and shall expire December 31, 2032.

AFFIDAVIT OF PUBLICATION

I, Stephen Underwood, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear, or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement – **CP#24-613 – City of Lansing Notice of Public Hearing, Sept. 9, 2024** – was published Wednesday, August 14, 2024, and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.b

WITNESS my signature this 14th day of August 2024



Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on August 14, 2024

By Stephen Underwood



Berl Schwartz, Notary Public

My commission expires January 24, 2025

Ordinance #1323

An ordinance of the City of Lansing, Michigan, to repeal and replace the existing signs ordinance, being Part 14, Title 4 of the Lansing Codified Ordinances in its entirety, with Part 13, Title 2, regulating the size, location, and character of signs and sign structures on property in Lansing.

THE CITY OF LANSING ORDAINS:

Section 1. That Part 14, Title 4 of the Lansing Codified Ordinances, is hereby repealed in its entirety

Section 2. That in its place, **Part 13, Title 2** of the Codified Ordinances of the City of Lansing, Michigan, be and is hereby enacted to read as follows:

PART 13, TITLE 2

CHAPTER 1310 SIGNS

1310.01 INTENT AND SUBSTITUTION

(a) This chapter is intended to:

- (1) Provide guidance on sign display in limiting the allowable number, size, and placement of signs to protect the public health, safety, and welfare of the City of Lansing.
- (2) Eliminate visual clutter and distractions to protect and improve traffic and pedestrian safety.
- (3) Protect and enhance the community's aesthetic quality and the character and appearance of the City of Lansing.
- (4) Provide standards for the maintenance and repair of signs and establish procedures for enforcing the provisions of this Chapter.

1310.02 APPLICABILITY

This chapter shall apply to all persons, businesses, and associations owning, occupying, or having control/management of any premises located within the city limits of the City of Lansing.

All new, reconstructed, altered, or relocated signs within the city limits shall comply with the provisions of this Chapter. Any sign already erected as of the effective date of this chapter which is rendered nonconforming by the provisions of this chapter or subsequent amendments hereto, shall be subject to the restrictions and regulations contained herein.

1310.03 DEFINITIONS

ABANDONED SIGN. A sign advertising a business, activity or product which remains on the premises for more than six (6) consecutive months after the business, activity, or product to which it is related to ceased active operation on the premises.

ABANDONED SIGN STRUCTURE. A structure which supported a sign and remains on the premises for more than twelve (12) consecutive months after it ceased to support a lawful sign for a business, activity, or product that has ceased active operation on the premises.

ANIMATED SIGN. A sign or display that uses movement or the appearance of movement using patterns of lights, changes in color or light intensity, computerized special effects, video displays, or through any other method.

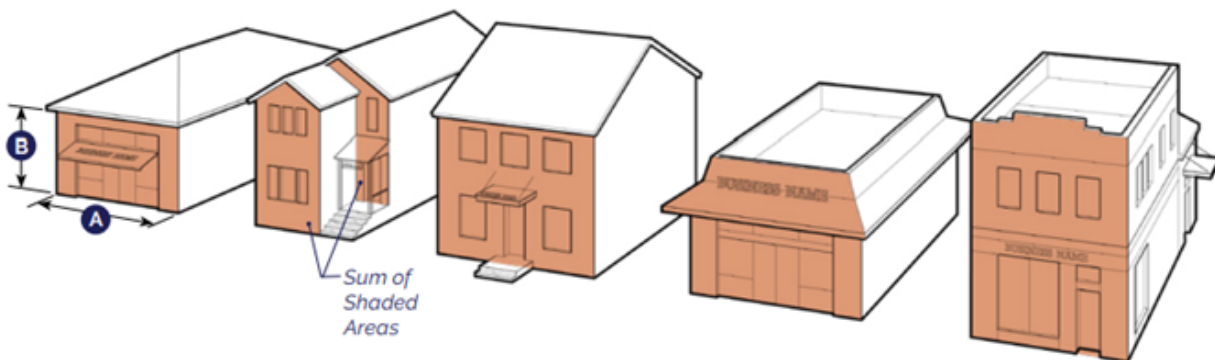
AREA. The entire area of a sign within the limits of writing or pictorial representation together with any frame, other material, or color forming an integral part of the display, but excluding the necessary supports or uprights on which such sign is attached. The area shall be determined by measuring from the outside edge of the frame, material, or color forming the sign. If the sign has no backing, but a wall or canopy is used as the background, a square or rectangle shall be formed around the text or symbols, and those dimensions will be used to compute the area. When a sign has two (2) or more faces, the area of all faces shall be used in determining the total area of the sign.

BANNER SIGN. A temporary sign, as further defined herein, made of cloth, paper, fabric, or other flexible materials, either with or without a supporting framework.

BUILDING FAÇADE. All exterior sides of a building.

BUILDING FRONTAGE. The front of a building facing a right-of-way. In the case of a corner lot, or in the case of a building covering an entire block a building may have more than one frontage. In the case of a multi-tenant building, the frontage of a building or side containing the main entrance directly to that area of the building that the business occupies. For a parcel with more than one (1) line abutting a right-of-way, the building frontage that is used to calculate the allowable wall signage is the one which is intended to be the front wall of the building either by entranceway or another architectural feature. Where this distinction cannot be made, the smaller of the facades facing a right-of-way shall be used to calculate the allowable wall sign area.

[FIGURE 1]



ELECTRONIC MESSAGE CENTER. A sign capable of displaying words, symbols, figures, or images that can be electronically changed by remote or automatic means.

FREESTANDING SIGN. A self-supported sign on the ground by a base, foundation, pole, or brace, not attached to a building and intended to be permanently displayed on the property.

HEIGHT, CLEARANCE. For signs attached to a building or a support structure, the vertical distance measured from the lowest point of the natural grade directly below the sign to the lowest edge of the sign.

[FIGURE 2]



Vertical Clearance

HEIGHT, SIGN. The vertical distance measured from the natural grade directly below the sign to the highest point of the sign or sign structure to which it is attached.

ILLUMINATED SIGN. A sign or part thereof that incorporates fluorescent, neon, LED, or any other form of lighting, or one which is illuminated by an external source such as ground lights that shine directly on the sign.

INSTITUTIONAL LAND USE. Government buildings, schools, churches, hospitals, community centers, public parks, and recreational facilities, or any other public or quasi-public use permitted in the zoning district in which the institution is located.

LEGALLY NONCONFORMING SIGN. A sign which does not comply with one (1) or more of the requirements of this Chapter but was lawfully erected prior to its effective date.

LOCAL STREET. A street not designated as an arterial corridor, activity corridor, suburban corridor, prime connector, or neighborhood connector on the Form-Based Zoning Code Street Typology Map.

MULTI-TENANT SIGN. A sign that provides advertising for two (2) or more establishments that are completely separated from each other within a building, a series of buildings on the same parcel of land, or businesses on adjoining parcels of land that function as a single development with shared access and/or parking.

NEIGHBORHOOD ENTRANCEWAY SIGN. A sign located on property owned or controlled by the City that identifies the name of a subdivision, condominium development, or neighborhood organization recognized as being active by the City of Lansing Department of Neighborhoods, Arts, and Citizen Engagement.

PROJECTING SIGN. A sign, other than a wall sign, as defined in this Chapter, affixed to an exterior building wall with the exposed faces perpendicular to the plane of the wall.

PUBLIC SIGN. A sign, whether temporary or permanent, erected in the public interest by or upon orders from the City of Lansing, Ingham County, State of Michigan, federal government or any agency thereof having appropriate jurisdiction, Public signs include traffic control signs, signs of historical interest,

and signs that communicate messages to the public involving safety matters or emergency situations, which signs may or may not be erected in the public right-of-way.

SIDEWALK SIGN. A portable 'A-frame' (Λ) or 'inverted-T' sign ($\perp$) comprised of two (2) separate panels or faces located on a public sidewalk.

SETBACK. The distance between a property line and the nearest edge of the sign.

SIGN. A device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol or writing to advertise, announce or identify the purpose of a person or entity, or to communicate information to the public.

SIGN STRUCTURE. Includes, but is not limited to a pole, base, or frame intended to be used for the support or display of a sign, regardless of whether the sign itself has been removed.

SUSPENDED SIGN. A sign that is suspended, hung, or connected to the underside of an awning, canopy, or horizontal building surface, and intended to be viewed by pedestrians on a non-public sidewalk at close range.

[FIGURE 3]



TEMPORARY SIGN. A sign, banner, inflatable, or other advertising device, with or without a structural frame, intended for a limited period of display.

TRAFFIC CONTROL SIGN. A sign used solely to direct traffic by identifying building and parking lot entrances/exits, service areas and traffic flow throughout the site.

UNSAFE OR DANGEROUS SIGN. Any sign or sign component, which becomes damaged, insecure, or in danger of falling.

UNLAWFUL SIGN. Any sign that was not lawfully erected or maintained whether prior to or since the adoption of this Chapter.

VACANT PARCEL. Any parcel or lot of record on which no building or structure exists thereon or is not legally occupied.

VEHICLE SIGN. A sign affixed to a parked vehicle or truck trailer which is located on a property primarily for display, rather than for transportation purposes.

[FIGURE 4]



WALL SIGN. A sign attached parallel to and extending not more than twenty-four (24) inches from the wall of a building. Painted signs, signs which consist of individual letters, cabinet signs, and signs mounted on the face of a mansard roof, shall be considered wall signs.

WINDOW SIGN. A sign located on a window or behind a window which is intended to be viewed from the outside. A window sign does not include blinds, shades or screens, or solid color backgrounds that may cover the window and do not display a sign as defined in this Chapter.

1310.04 LICENSING, PERMITS, AND FEES

- (a) **License Required.** No person shall engage in the business of, or perform the work of, installing, erecting, maintaining, repairing, or altering any sign without first obtaining a license therefor from the City Clerk. All such licenses shall automatically expire on April 30 of each year unless renewed. All applications for sign permits must be submitted by a duly licensed sign erector. Said license holder shall perform all work stipulated on the sign permit.
- (b) **Insurance Requirements for Licensees.** All licensees engaged in the installation, alteration, maintenance, repair, or erection of signs shall file with the City Clerk proof of a general liability insurance policy and enforcement which insures the licensee and the City against any liability imposed upon the licensee and/or the City arising out of the work performance for the signs. Such insurance shall provide for the payment to any person injured, or to another by reason of the death of any one person, to the extent of \$100,000.00, and for the payment of \$300,000.00 for injuries to or the death of more than one person, and for property damage in the amount of \$100,000.00.
- (c) **Permit Required.** Unless specifically exempt under this Chapter, no person shall erect, construct, relocate, or cause to be erected, constructed, relocated, or significantly altered, any sign, without first obtaining a sign permit with information required by the Building Safety Office. A separate, additional electrical permit is required for new electrical service or any changes to existing electrical service regardless of the size or exemption status of the sign. All signs exempted from permit shall be reviewed by the zoning administrator for compliance with this Chapter.

(d) All projecting signs extending over the public right-of-way, regardless of size or permit required, shall be licensed and placed on file with the Public Service Department.

(e) Permit Application. Each sign permit application shall require the applicant to provide the following information:

(1) The name, current address, and current telephone number of the applicant.

(2) The legal description or the permanent parcel number, and the address, of the parcel on which the activity is to occur.

(3) The location of the proposed sign relative to the property lines of the parcel.

(4) All points of ingress and egress on the subject parcel and on adjacent parcels if there are adjacent parcels within 60 feet of the proposed sign location or alteration, and the location of parking spaces, if any.

(5) A sign plan which includes the following information: location of sign on parcel, sign dimensions, sign message dimensions, height, width of building, parcel zoning district, and a sign sketch.

(6) Construction design information.

(7) Any other information which, in the determination of the Department, may be necessary to adequately review the proposal.

Sign permit applications, along with the appropriate nonrefundable fee, shall be submitted to the Building Safety Office on forms made available by the City. Upon receipt of a sign permit application, the Building Safety Office shall forward the application to the Planning Division for review and approval prior to the issuance of a sign permit. If it is discovered that the sign permit application contains any false information, the Building Safety Office may revoke the permit or deny the permit application, whichever is appropriate.

(f) Exceptions. No permits are required for the following signs or changes thereto:

(1) Signs that are less than ten (10) square feet in area.

(2) Exempt Signs listed in Section 1310.09 and Temporary Signs permitted by Section 1310.11.

(3) The changing of removable parts of an approved sign that is designed for such changes, or the repainting or reposting of display matter.

(4) The replacement of a sign face within an existing sign cabinet if it does not involve the replacement of any structural component of the sign.

These exceptions do not relieve the sign owner or the owner of the property upon which the sign is located from compliance with all other requirements of this Chapter regarding size, placement, erection, maintenance, removal, and disposal.

(g) Appeal Procedure. An appeal of any decision by the Zoning Administrator shall be made as follows:

(1) Appeals pertaining to the structural features or abandonment of a sign shall be made to the Building Board of Appeals.

(2) Square footage of sign area, setback requirements, message unit limitations and other dimensional requirements shall be made to the City Board of Zoning Appeals.

(3) All appeals shall be made within 30 days from the date of receipt of the decision, by the Zoning Administrator, that is being appealed.

An appeal fee shall be paid at the time of the filing of the appeal. The appeal application shall specify the particular grounds upon which the appeal is based and shall be signed by a party aggrieved, or his or her authorized representative. If a variance is sought, the appeal shall specify the requirements from which the variance is sought, and the nature and extent of such variance.

- (h) **Inspection of Work Covered by Permit.** A person conducting or performing work covered by a permit required by this chapter shall notify the Building Safety Officer or their designee when such work has commenced, in accordance with the inspection schedule established by the Building Safety Office. Unless otherwise indicated, no person shall conceal any portion of such work until it has been inspected and approved by the Building Safety Officer or their designee. When required, a certificate of inspection will be issued. No electrical or illuminated sign shall be permanently operated before it has been inspected in accordance with the City Electrical Code.
- (i) **Suspension or Revocation of Licenses and Permits.** The Director shall give notice, in writing, to the holder of a license or permit issued under this chapter of the reasons for any proposed suspension or revocation of such license or permit, which notice shall be served upon such holder at least five days before the time set for the hearing before the Building Board of Appeals. At the hearing, the licensee or permittee may appear, in person, or be represented by counsel, and may contest such suspension or revocation. For good cause shown at such hearing, the Building Board of Appeals may suspend or revoke any such license or permit.
- (j) **Fees.** Permit, licensing, and appeal fees shall be established by resolution of the City Council and are nonrefundable.

1310.05 SIGN ILLUMINATION

- (a) An electrical permit is required for new electrical service or any changes to existing electrical service regardless of the size or exemption status of the sign.
- (b) The intensity of all lights used for the illumination of a sign shall be maintained at a level, and directed, positioned, or shielded to prevent:
 - (1) Glare onto adjacent properties;
 - (2) Interfering or impairing the vision of motorists or bicyclists traveling on a public right of way; and
 - (3) Competition for attention with other signs in the area.

1310.06 MAINTENANCE

- (a) All signs, including those for which a permit is not required, shall be maintained in a safe and working condition. Signs with peeling paint, excessive rust, broken sign faces, bent cabinets or supports, or any other

structural or operational defect, including burned out light bulbs or tubes, shall be in violation of this Chapter.

1310.07 ENFORCEMENT

The Zoning Administrator, Building Official, or any of their designees are authorized to enforce this Chapter.

- (a) **Right of Entry.** Whenever it is necessary to make an inspection to enforce any of the provisions of this chapter, or whenever an authorized enforcing officer of the City has reasonable cause to believe that there exists on any building or upon any premises any condition or violation of this chapter which makes such building or premises unsafe, dangerous or hazardous, the authorized enforcing officer may enter such premises at all reasonable times to inspect the same or to perform any duty imposed upon the authorized enforcing officer by this chapter, provided that if such premises is occupied, the authorized enforcing officer shall first present proper credentials and request entry. If such premises is unoccupied, the authorized enforcing officer shall first make a reasonable effort to locate the owner or other persons having charge or control of the premises and request entry. If such entry is refused, the authorized enforcing officer shall have recourse to every remedy provided by law to secure entry.
- (b) **Unsafe, Dangerous, Unlawful, Abandoned Signs.** Unsafe, dangerous, unlawful, or Abandoned signs, as determined by the authorized enforcing officer, shall be immediately removed, or shall be made safe or lawful whichever is appropriate in accordance with all the provisions of this chapter, and laws of the State of Michigan. The authorized enforcing officer shall notify the property owner and/or other known responsible parties in writing of such condition and shall direct them to remove the sign in question or make immediate corrections, whichever is appropriate. Should the property owner and/or other known responsible parties fail to comply with such notice, the authorized enforcing officer shall take all action necessary to remove the sign or correct the unlawful or unsafe condition, including Court ordered enforcement. If ordered by a court, any cost incurred by the City in removing or making the sign safe shall be a lien against the real property on which the sign is located, and shall be reported to the City Assessor, who shall bill the property owner and/or other known responsible party and assess the cost against the property until paid. Any property owner and/or other known responsible party aggrieved by the determination of the authorized enforcing officer, may appeal the determination as provided in Section 1310.04(f).
- (c) **Legally Nonconforming Signs, Sign Structures.** Legally Nonconforming Signs or Sign Structures shall be immediately removed by the property owner and/or other responsible parties, consistent with standards for loss of legal nonconformity of [Chapter 1270](#). The authorized enforcing officer shall notify the property owner and/or other known responsible parties in writing of such condition and shall direct them to remove the sign or sign structure in question. Should the property owner and/or other known responsible parties fail to comply with such notice, the authorized enforcing

officer shall take all action necessary to remove the nonconformity, including pursuing Court ordered enforcement. If ordered by a court, any cost incurred by the City in removing the sign or sign structure shall be a lien against the real property on which the sign or sign structure was located, and shall be reported to the City Assessor, who shall bill the property owner and/or other known responsible party and assess the cost against the property until paid. Any property owner and/or other known responsible party aggrieved by the determination of the authorized enforcing officer, may appeal the determination as provided in Section 1310.04(f).

- (d) **Right-of-Way Signs.** Except as otherwise provided in [Chapter 1022](#), signs illegally placed in the public right-of-way may be removed and disposed of by the City, without notice to the owner of the property adjoining the right-of-way or the owner of the sign. The City may also issue a civil fine to the owner of the illegally placed sign(s).

1310.08 GENERAL SIGN PROVISIONS

- (a) Signs are permitted as an accessory use to a primary use. When the building on the premises containing the primary use is removed, all signs and sign structures located on the premises shall also be removed prior to finalization of the demolition permit.
- (b) Buildings in the DT-3 “Downtown Core” zoning district that are used for a public purpose and are owned or entirely occupied by the United States Federal Government, State of Michigan, or the City of Lansing and any of its agencies, departments or instrumentalities are exempt from the dimensional requirements of this chapter. The Director of the Department of Economic Development and Planning shall have sole authority to approve or deny signs for these agencies after reviewing the proposed signs' compatibility with the surrounding area and the intent expressed in this chapter.
- (c) **Location.**
- (1) Setbacks required by this Ordinance shall be measured from the property line adjoining a public right-of-way to the nearest edge of the sign.
 - (2) No freestanding sign shall be placed closer to any side or rear property line than five (5) feet.
 - (3) No sign, other than those installed by agencies of government or those authorized to be installed by such agencies with appropriate jurisdiction may be erected, or placed on public property, including rights-of-way.
 - (4) No sign may be installed in a location that obstructs the clear vision areas required by Section 1250.03.03 of the Zoning Ordinance or interferes in any way with the free use of any public right-of-way, public or private sidewalk, intersection, ingress or egress point, transit stop, parking space, drive aisle, driveway, building entrance, fire escape, or accessibility ramp.
 - (5) A plot plan depicting the clear vision area shall be provided with the sign permit application for a freestanding sign.

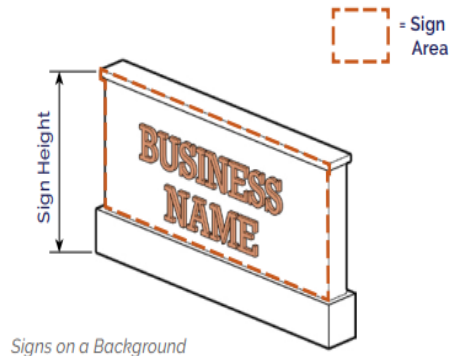
(d) Electronic Message Center (EMC).

- (1) All Electronic Message Center signs shall have automatic dimming controls, either by photocell or via software settings, in order to bring EMC lighting level at night into compliance with this chapter.**
- (2) EMC signs located within two hundred (200) feet of a residentially zoned property or property being used for residential purposes, shall not be illuminated between the hours of 11:00 pm and 6:00 am.**
- (3) To preserve open vistas, protect the historic integrity of, and enhance the visual cityscape of Downtown Lansing and the Michigan State Capitol Building, EMC signs in the DT-3 district shall be limited to 20 square feet in sign area.**
- (4) EMC signs in all commercial or special zoning districts, excluding DT-3, are limited to 32 square feet in sign area.**
- (5) No sign message shall blink, scroll, flash, or be animated.**
- (6) All messages shall remain static while being displayed but may instantly change once every eight (8) seconds or longer.**
- (7) Any EMC sign that is malfunctioning shall be turned off until such time that it is functioning properly.**

(e) Sign Area Measurements.

- (1) The entire area of the framework and background of the sign is calculated as sign area, including any material or color forming the sign face or background used to differentiate the sign from the structure against which it is placed.**

[FIGURE 5]



- (2) The sign area for a sign mounted on a building wall, awning, fence, or landscape wall is the area of a rectangle that encompasses each word or graphic element. Sign area does not include any supporting framework or bracing, unless it is part of the message or graphic element.**

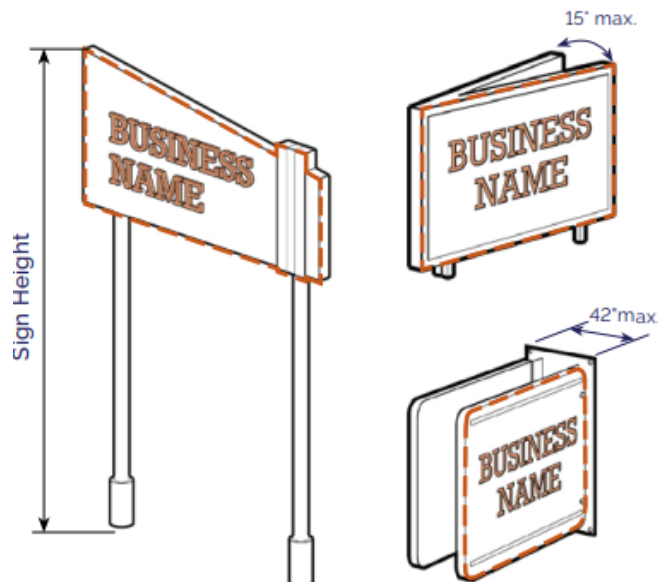
[FIGURE 6]



Individually Mounted Letters & Signs on an Awning

- (3) For signs that include a pole, pole cover, or bracket, the portion of the structure that is not an integral part of the display area shall not be included in the overall calculation of sign area provided no pole or pole cover exceeds two (2) feet in width.
- (4) If a sign has two (2) or more faces, the area of all faces is included in determining the area of the sign. However, if two (2) sign faces are placed back-to-back, or at an angle no greater than fifteen (15) degrees from one another so that both faces cannot be viewed from any point at the same time, the sign surface area shall be computed by the measurement of one (1) of the sign faces. In addition, sign faces that are part of the same sign structure shall not be more than forty-two (42) inches apart.

[FIGURE 7]



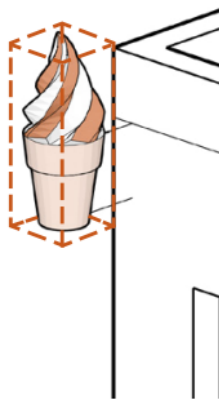
Signs with Poles or Brackets

Signs with 2 or More Faces

- (5) The sign area of Three-Dimensional, Free-Form, or Sculptural (nonplanar) signs is calculated as fifty (50) percent of the sum of the

area of the four (4) vertical sides of the smallest cube that will encompass the sign.

[FIGURE 8]



- (f) **Preservation of Required Landscaping.** No tree or shrub that was installed as part of an approved site or landscape plan for the property upon which it is planted, or which is otherwise required to comply with the requirements of the Zoning Ordinance, may be removed or trimmed to the extent that it may not survive, in order to accommodate a sign. Upon request, the Zoning Administrator may approve the relocation or replacement of plant materials, if it can be done in a manner that satisfies the requirements and the intent of the Zoning Ordinance regarding landscaping, screening, and buffering.

1310.09 EXEMPTION FROM PERMITTING

The following signs do not require a sign permit, but are subject to the applicable requirements of this chapter:

- (a) **Address Number Sign.** A sign that identifies the address of a property, structure, or establishment, provided it does not exceed four (4) square feet in area for buildings containing four (4) residential units or fewer and no other uses or sixteen (16) square feet in area for a building containing five (5) or more residential units or any non-residential uses.
- (b) **Public sign.** Public signs as defined by this Chapter and notices erected, authorized, or mandated by any governmental law, statute, ordinance, or signs that conform to the U.S. Department of Transportation, Federal Highway Administration's Manual on Uniform Traffic Control Devices and is installed for the purpose of directing or instructing traffic.
- (c) **Construction/Work Zone Signs.** Signs designating construction/work zones, signs warning people to keep out of certain areas due to hazardous conditions, and signs identifying the future development of the site for which the construction fence is erected may be affixed to the fence, subject to the following conditions:
 - (1) Shall not be in the public right-of-way unless the project involves permitted work in the public right-of-way or unless the sign is affixed to an authorized temporary fence or barricade around the construction/work zone area in the public right-of-way.
 - (2) Must be removed within five (5) calendar days upon completion of the project.

- (3) Signs are allowed on each frontage of the construction/work zone.
- (4) Shall not extend beyond the top or the ends of the support structure to which it is attached.
- (d) **Sidewalk Sign.** A two-sided, portable sign, placed directly outside of the establishment to which it relates, are allowed subject to the following conditions:
 - (1) A maximum of one (1) sidewalk sign is allowed per establishment per street frontage.
 - (2) Sign shall not exceed six (6) square feet in sign surface area per side and three (3) feet in height.
 - (3) Sign may be placed outside on the premises or public sidewalk during the business hours of the establishment to which it relates only and shall be stored indoors at all other times.
 - (4) Sign shall not interfere with ingress and egress to a building, parking lot or street; shall always maintain a minimum of five (5) feet of unobstructed sidewalk clearance; and shall not interfere with visibility at the intersection of any street or driveway.
 - (5) Sign shall not be illuminated, contain any electronic components, or have attached to it any balloons, streamers, banners, or other such materials.
 - (6) Sign may not be placed outdoors when high winds, heavy rain, or heavy snow conditions are present and may not interfere with any snow removal operations.
- (e) **Suspended Signs.** One (1) suspended sign up to six (6) square feet in area is permitted for each ground floor establishment. A minimum vertical clearance of at least eight (8) feet from the lowest edge of the sign to the finished grade directly below is required.
- (f) **Flags** that are not intended to solely draw attention to the site or any business/operation occurring thereon, shall be permitted on flag poles that are anchored into the ground, are at least twenty (20) feet but no taller than thirty-five (35) feet in height and not located in a public right-of-way.

1310.10 PROHIBITED SIGNS

The following signs and any other signs not specifically permitted by this Chapter are prohibited:

- (a) **Signs which are:**
 - (1) Abandoned signs, sign structures, or parts thereof.
 - (2) Animated signs using or indicating movement using lights or moving parts.
 - (3) Balloons, inflatables, pennants, streamers, spinners, or flags, and other objects which are used as signs.
 - (4) Banner signs extending on or over public property, except as authorized by the City, County, or State.
 - (5) Unlawfully installed or erected.
 - (6) Unsafe or capable of causing electrical shock.
 - (7) Using words or symbols which would tend to mislead or confuse vehicle operators. For example, "STOP", "LOOK", "DANGER".

- (8) Obstructing the view of, imitating, copying, purporting to be, or may be confused with any authorized official sign, traffic sign, traffic signal, or traffic control device.
- (9) Obstructing or impairing access to windows, doors, roofs, or other building openings necessary for fire escape.
- (10) In the public right-of-way, except as permitted and regulated elsewhere in these Ordinances.
- (11) Attached to trees, streetlights, traffic signs, utility poles, utility boxes, or standpipes.
- (12) Attached to any fence, wall, retaining wall, or accessory structure.
- (13) Vehicle Signs.
- (14) If attached to a building, project above the parapet or roof line, except as otherwise permitted and regulated by this Chapter.
- (15) Contain obscenity.

1310.11 TEMPORARY SIGNS

(a) In General:

- (1) Each non-residential use and each multiple family residential use with more than twenty (20) units is permitted one (1) temporary sign for up to thirty (30) calendar days, twice during a calendar year on the parcel of land where the business, agency, institution, or residential use to which the sign relates is in active operation.
- (2) Shall only be permitted on parcels that have at least one (1) property line abutting a non-local street and shall be oriented toward a non-local street.
- (3) A temporary freestanding sign shall not exceed thirty-two (32) square feet in area.
- (4) A temporary wall sign shall not exceed fifty (50) square feet in area.
- (5) Shall not be internally illuminated.
- (6) An additional temporary sign may be allowed per parcel when the parcel, building, or building suite to which the sign relates is being offered for sale or lease subject to the following restrictions:
 - a. Sign shall not be located in the public right-of-way.
 - b. One (1) sign is allowed per street frontage.
 - c. Sign shall not interfere with ingress and egress to a building, parking lot or street, shall always maintain a minimum setback of five (5) feet from a property line abutting a road right-of-way and shall not interfere with visibility at the intersection of any street or driveway.
 - d. Sign shall not exceed twelve (12) square feet in area and four (4) feet in height on residential parcels of land that have twenty (20) residential units or fewer or on parcels of land containing nonresidential uses that are less than one-half (0.5) acres in size.
 - e. Sign shall not exceed thirty-two (32) square feet in area and six (6) feet in height on residential parcels of land containing more

than (20) residential units or on parcels containing nonresidential uses that exceed one-half (0.5) acres in size.

- f. Sign shall be removed within five (5) calendar days following the closing of the sale or lease.

(7) Additional temporary signs may be allowed per parcel leading up to and following an official local, county, state, or federal election or referendum subject to the following restrictions:

- a. Sign shall not be located in the public right-of-way.
- b. Sign shall not interfere with ingress and egress to a building, parking lot or street and shall not interfere with visibility at the intersection of any street or driveway.
- c. Sign shall not exceed six (6) square feet in area or three (3) feet in height.
- d. Sign shall be removed within ten (10) calendar days following the election to which the sign was associated.

(b) Temporary Freestanding Signs:

- (1) Shall be subject to the site visibility requirements of Section 1250.03.03 of the Zoning Ordinance.
- (2) Shall be setback at least ten (10) feet from a property line abutting a public right-of-way line.
- (3) Shall not exceed six (6) feet in overall height.
- (4) No temporary sign of any kind, except for sidewalk signs and construction/work zone signs as permitted and regulated by this Chapter, shall be allowed in the public right-of-way.
- (5) Shall not be permitted on parcels of land in the DT-1 zoning district that are less than one-half (0.5) acres in size or have more than fifty percent (50%) of the total building area on the parcel in use for residential purposes.

(c) Temporary Wall Signs:

- (1) Must be flat mounted against the wall of a building and properly affixed thereto.
- (2) Shall not be placed above the first floor of the building, on a roof, or extend above the roofline of a building.
- (3) Shall not be illuminated.

(d) Temporary Signs in Residential districts

- (1) Temporary signs on parcels in residential zoning districts and on parcels used for single- or two-family dwellings in the DT-1 district are limited to three (3) feet in height and three (3) square feet in sign area.
- (2) Temporary signs shall not be placed in the right-of-way or attached to a fence, structure, or residential building.

1310.12 WALL SIGNS

(a) In General:

- (1) Wall signs shall be parallel to the building wall they are attached to and shall not project more than twenty-four (24) inches from the building wall. Wall signs may only extend up to thirty-six (36) inches beyond the wall of the building it is attached to in order to

accommodate a curved design or a sign that has depth through overlapping planes or varying plane thickness.

- (2) Wall signs shall not obstruct any door, window, fire escape, or ventilation system
- (3) Wall signs shall not extend above the top of a building wall or beyond the ends of the wall to which they are attached, except as otherwise permitted by this chapter.
- (4) Wall signs shall be located no higher on the building wall than twenty (20) feet from the finished grade of the wall to which it is attached.
- (5) One (1) sign shall be permitted on each of the four (4) walls facing different directions on:
 - a. Buildings being used for non-residential land uses.
 - b. Buildings with a mix of residential and nonresidential uses.
 - c. A multiple-family residential building containing more than twenty (20) units, except that no sign shall be permitted on a building wall that faces an adjoining parcel being used solely for residential purposes with less than twenty (20) units.
- (6) Each business that has a pedestrian or loading entrance on the rear of the building shall be permitted one (1) additional ten (10) square foot sign on the wall near that entrance to the building, for identification purposes only.
- (7) A wall sign may be attached to a mansard roof subject to all other requirements of this chapter.
- (8) In addition to wall signs, buildings that have at least six (6) stories above ground and are not used solely for residential purposes may have one (1) building identification sign on each of the four (4) walls of the highest floor of the building facing different directions. The building identification signs shall not exceed one hundred (100) square feet in area.
- (9) Wall signs may only be illuminated if the wall does not face a Single- or Two-Family residential use.
- (10) The combined total area of all walls signs shall not exceed what is permitted for the building based upon Table 1310.12 (a)(9):

Table 1310.12 (a)(9)	
Building Frontage	Maximum Wall Sign Area
Up to 39 lineal feet of building frontage	15 percent of building façade area Maximum size of 50 square feet
40 feet to 99 feet of lineal building frontage	15 percent of building façade area Maximum size 150 square feet
100 feet or more of lineal building frontage	15 percent of building façade area

	Maximum size 200 square feet
Building façade area calculated by 15 feet in height x building width	

(b) Multi-Tenant Buildings

- (1) Each business that occupies part of and has a direct entrance on the front wall of the building shall be permitted one (1) wall sign, the allowable square footage shall be based upon Table 1310.12 (a)(9) and determined by the linear footage of the front wall of the building that the business occupies.
- (2) Businesses that occupy a corner suite are permitted one (1) sign on the front wall and one (1) sign on the side wall of the building where the business is located. The allowable square footage for a sign on the side wall of the building is limited to one-half (0.5) of the square footage that is permitted for the business on the front wall of the building or fifty (50) square feet, whichever is greater.
- (3) Multi-tenant buildings may have one (1) multi-tenant wall sign on the rear facade of the building that is occupied by businesses. The allowable square footage for a sign on the rear of the building shall be the same as, and shall not be deducted from, what is permitted for the businesses on the front or side walls of the building.
- (4) Businesses that do not occupy any part of the frontage of the building shall be permitted one (1) sign, not exceeding ten (10) square feet in area on the front wall of the building, near the entrance for which the business can be accessed.

1310.13 FREESTANDING SIGNS

(a) S-C, MX-C, MX-1, MX-2, DT-2, IND-1, IND-2, IND-3, INST-1 & INST-2 Zoning Districts.

- (1) One (1) freestanding sign per parcel of land is permitted. One (1) additional sign may be permitted on a corner parcel that is more than five (5) acres in size and has frontage along and direct access to two (2) non-local roads, if both signs are not oriented towards and clearly visible from the same road.
- (2) Sign shall be set back at least six (6) feet but not more than fifteen (15) feet from the property lines abutting a public right-of-way.
- (3) A freestanding sign may be set back up to thirty (30) feet from property lines abutting a public right-of-way if approved by the Zoning Administrator based on dimensional restraints of the property or building placement.
- (4) Sign shall not exceed twenty-five (25) feet in height and one hundred twenty (120) square feet in area.
- (5) Any sign set back less than ten (10) feet from the property line shall not exceed six (6) feet in height and thirty-two (32) square feet in area.
- (6) No freestanding sign shall be erected on a vacant parcel.

(b) MX-3, DT-1, DT-3, R-AR, MFR and R-MX Zoning Districts.

- (1) One (1) freestanding sign shall be permitted on each parcel of land containing a non-residential use, a mix of residential and non-residential uses or a multiple family residential use with more than twenty (20) residential units. One (1) additional sign may be permitted on a corner parcel that is more than five (5) acres in size and has frontage along and direct access to two (2) non-local roads, if both signs are not oriented towards and clearly visible from the same street.**
- (2) Sign shall only be permitted on parcels that have frontage on and shall be oriented towards a non-local street.**
- (3) Sign shall not exceed six (6) feet in height and thirty-two (32) square feet in area and shall be setback at least six (6) feet from property lines abutting a public right-of-way on parcels that are less than one (1) acre in size.**
- (4) Sign shall not exceed ten (10) feet in height and sixty (60) square feet in area and shall be setback at least ten (10) feet from property lines abutting a public right-of-way on parcels that are more than one (1) acre in size.**
- (5) No freestanding sign shall be erected on a vacant parcel.**

(c) Institutional Uses.

- (1) Institutional uses in the S-C, MX-C, MX-1, MX-2, MX-3, DT-1, DT-2, DT-3, IND-1, IND-2, and IND-3, zoning districts shall be subject to the same sign regulations as all other uses within said districts.**
- (2) In all other zoning districts, one (1) freestanding sign shall be permitted on parcels that are at least one-half (0.5) acre in size, have at least one (1) property line abutting a non-local street and contain an institutional use in active operation. One (1) additional sign may be permitted on a corner parcel that is more than five (5) acres in size and has frontage along and direct access to two (2) non-local streets, if both signs are not oriented towards and clearly visible from the same street.**
- (3) One (1) freestanding sign per entrance to the site along a non-local street shall be permitted for institutional uses in all zoning districts that are more than ten (10) acres in size, as long as the signs are separated by at least one hundred (100) feet.**
- (4) Sign shall not exceed six (6) feet in height and thirty-two (32) square feet in area and shall be setback at least six (6) feet from property lines abutting a public right-of-way on parcels that are less than one (1) acre in size.**
- (5) Sign shall not exceed ten (10) feet in height and sixty (60) square feet in area and shall be setback at least ten (10) feet from property lines abutting a public right-of-way on parcels that are more than one (1) acre in size.**

(d) Multi-Tenant Signs

- (1) Signs shall be permitted in the SC, MX-C, MX-1, MX-2, IND-1, IND-2, IND-3, INST-1, and INST-2 zoning districts.
 - (2) One (1) sign per parcel of land is permitted. One (1) additional sign may be permitted on a corner parcel, at least five (5) acres in size, with frontage along two (2) non-local streets if both signs are located near a primary entrance to the site and are not oriented towards or clearly visible from the same street.
 - (3) Sign shall not exceed twenty-five (25) feet in height and two hundred (200) square feet in area.
 - (4) Sign shall be setback at least ten (10) feet but no more than thirty (30) feet from the property lines abutting a public right-of-way.
 - (5) A business that is accessed from an adjacent multi-tenant site may, with expressly written permission from the sign owner, advertise its business on the multi-tenant sign but will then not be entitled to an additional freestanding sign on the parcel of land occupied by the business.
- (e) Signs that are located interior to a school campus, hospital campus, park, multiple-family development, or multi-tenant commercial development may exceed the number of signs allowed herein, provided that such signs are not clearly legible from any public street.
- (f) A business whose building and associated parking lot(s) covers multiple parcels that are not combined but are immediately adjacent to one another and are associated with the same establishment shall not be permitted more than one (1) freestanding sign.

1310.14 WINDOW SIGNS

- (a) Window signs shall not exceed twenty (20) percent of the area of the window from which the sign can be seen from the exterior of the building. All mounting hardware and equipment shall be concealed from the exterior view of the building. In the case of multi-pane windows, the surface area of the window shall be the combined surface area of the individual panes.

1310.15 AWNING/CANOPY SIGNS and VEHICLE SERVICE STATION CANOPY SIGNS

- (a) Awning/canopy signs.

- (1) Signs, on awnings or canopies located above entrances to a building intended to provide shelter or installed as an architectural element, shall count towards the allowable number and square footage of wall signage permitted for the business in the building that it relates thereto.
- (2) A sign may extend up to five (5) feet vertically above the flat roof of a canopy. If the sign is limited to the address or the name of the building, it shall not count towards the wall signage limitations. In no case shall the sign exceed forty (40) square feet in area.
- (3) Electronic Message Center signs are not permitted on awnings or canopies.
- (4) Only awnings or canopies on the first-floor story of the building may contain signs.

- (5) The sign area shall not exceed what is permitted for wall signage for the building, or fifty (50) percent of the awning or canopy surface on which it is displayed, whichever is less.
- (6) All awnings or canopies shall be subject to the architectural standards set forth in Section 1246.04.01 (d) of the Zoning Ordinance.
- (b) Motor Vehicle service station canopy signs.
 - (1) One (1) sign is permitted on each side of the canopy.
 - (2) No part of the sign shall extend above or below the canopy and must be flat mounted against the canopy.
 - (3) Signs shall not exceed twenty-five percent (25%) of the area of the side of the canopy to which it is attached.
 - (4) Signs on canopies shall not count towards the allowable number of wall signs for the building, whether or not it is attached thereto.
 - (5) EMC signs are permitted.

1310.16 PROJECTING SIGNS

Projecting signs are permitted in all non-residential zoning districts for each business occupying a building subject to the following provisions:

- (a) One (1) sign per business. Businesses on corner parcels that occupy a part of the first-floor building walls, may have one (1) projecting sign facing each public street. First floor businesses that have a customer entrance at the rear of the building may have one (1) projecting sign on the rear building wall.
- (b) Sign shall not exceed sixteen (16) square feet in area or a maximum projection from the building wall of four and one-half (4.5) feet.
- (c) Where a projecting sign is located on the corner of a building and is used in lieu of one (1) permitted wall sign, the area of the projecting sign may exceed sixteen (16) square feet and shall be deducted from the total allowable wall sign area for the building establishment. Such signs shall be visible from at least two (2) directions.
- (d) Sign shall have a minimum vertical clearance of ten (10) feet from the bottom edge of the sign to the ground or sidewalk, or fifteen (15) feet if overhanging an alley.
- (e) Signs on the front building wall(s) shall be located within fifteen (15) feet of the ground directly below the sign. Signs on the rear building wall shall be located within twenty (20) feet of ground directly below the sign.
- (f) There shall be a minimum separation distance of eight (8) feet between projecting signs.

1310.17 NEIGHBORHOOD ENTRANCEWAY SIGNS

Signs that identify the name of a subdivision, condominium development, or neighborhood organization recognized as being active by the City of Lansing Department of Neighborhoods, Arts, and Citizen Engagement, may be located within the public right-of-way and shall be subject to the following:

- (a) Review, approval, and issuance of permits from the Public Service Department and the Building Safety Office are required prior to installation of a sign. A plan showing the proposed location of the sign, a rendering of the sign showing the content, materials and all dimensions and a plan for

appropriate landscaping around the base of the sign shall be submitted along with the permit applications.

- (b) The sign subject matter must be related solely to identifying the name of the subdivision, according to the recorded plat thereof, the name of the condominium according to the recorded master deed, or the name of the neighborhood organization/association recognized as being active by the Department of Neighborhoods, Arts, and Citizen Engagement, or its successor.
- (c) Sign shall not exceed six (6) feet in height and fifty (50) square feet in area and shall not be internally illuminated or contain a changeable message center of any kind.
- (d) One (1) sign on each side of the roadway at the primary entrance(s) or one (1) sign within a boulevard at the primary entrance(s) of the subdivision, condominium development or designated neighborhood association/organization may be permitted. The primary entrances where such signs may be located must be at the intersection of a street entering the area to which it is identifying and a non-local street, unless otherwise approved by the Public Service Department.
- (e) Signs may be located at no more than two (2) primary entrances to the subdivision, condominium development, or neighborhood association/organization area that it identifies.
- (f) The sign, land, and landscaping around the sign must be retained in ownership by the City. All construction, maintenance, or repair, however, shall be the responsibility of the homeowners or condominium association or the neighborhood organization/association.
- (g) Appropriate insurance and indemnity policies protecting the City against liability must be provided and maintained.
- (h) The City retains the right to remove the sign and the landscaping if it is not being properly maintained or if it necessary to perform roadway, sidewalk, or utility construction/repair, or for any reason at all.

1310.18 VARIANCES and APPEALS

- (a) The Board of Zoning Appeals shall hear and decide requests for variances and appeals regarding a decision or determination made by the Zoning Administrator related to the provisions of this Chapter. Requests made to the Board of Zoning Appeals are subject to all of the requirements, procedures, and evaluation criteria established by [Chapter 1274](#) of the Zoning Ordinance.
- (b) To prevent signs exceeding the dimensions allowed in this Chapter from conflicting with business, residential and public land uses, no new freestanding signs exceeding the dimensions allowed in this Chapter shall be constructed, and no existing signs shall be rebuilt in excess of their existing dimensions, within the City of Lansing, unless approved by the Board of Zoning Appeals based upon a determination that removal and replacement of such an existing sign is necessary to accommodate new development on the site upon which it is located.

(c) In making its decision, the Board must find that the proposed development is consistent with the zoning designation of the property and all applicable provisions of the Zoning Ordinance as well the goals and objectives of the City's current Master Plan and the future land use plan being advanced therein.

(d) Appeals pertaining to the structural features of a sign shall be made to the Building Board of Appeals.

1310.98 ISSUANCE OF MUNICIPAL CIVIL INFRACTION CITATIONS AND VIOLATION NOTICES

The Zoning Administrator, the Building Official and any of their designees are hereby designated as the authorized City officials to issue Municipal civil infraction citations (directing alleged violators to appear in court) or Municipal civil infraction violation notices (directing alleged violators to appear at the Municipal Ordinance Violations Bureau) as provided in Chapter 203 of these Codified Ordinances.

1310.99 PENALTY

Whoever violates any of the provisions of this chapter is responsible for a Municipal civil infraction and shall be subject to the civil fine provided in Section 203.06 of these Codified Ordinances, plus costs and other sanctions, for each infraction. Repeat offenses shall be subject to increased fines as provided in Section 202.99(c)(2).

Section 3. All ordinances, resolutions or rules, parts of ordinances, resolutions, or rules inconsistent with the provisions are repealed.

Section 4. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 5. This ordinance shall take effect on the 30th day after enactment, unless given immediate effect by City Council, and shall expire December 31, 2032.

DORIS FRANKLIN: ‘YOU HAVE TO GIVE BACK’

Doris Franklin spent 20 years working as an aide at a nursing home in Cleveland, supervising residents and helping with whatever else needed to be done, from making beds to taking temperatures and blood pressure readings. Though the 83-year-old retired in 2003 and moved to Lansing, she's retained her passion for helping people.

Today, she's a member of Lansing's Hope Christian Ministries International, where she assists with outreach in addition to attending Sunday mass weekly. On the fourth Saturday of each month, she travels to the Waverly Place Apartments to help with the church's Sow and Reap program, which provides ministry, food and games. She also participates in the church's grand-

parent program, where she watches over church members' children while they take some time for themselves.

"The new generations aren't coming up the way we were brought up. The kids are raising their parents. So, you have to be able to be there with kids and tell them right from wrong," Franklin said.

Other church members regard her as a mother figure — so much so that she's earned the title "Mother Doris."

"I'm probably about the oldest one in there," she said. "When they call you 'mother,' they look up to you."

Apart from volunteer work through the church, Franklin also helps out in classrooms at Dwight Ridge School of the Arts



Raymond Holt for City Pulse
Church members refer to Doris Franklin as a "mother figure."

when she can.

"I'll read to the kids, the kids read to me. I don't do it often, just sometimes, because I got sick for a while," she said. "When you get to be a certain age, things happen in your life. You never know what's wrong with you until you go to the doctor. Maybe something's hurting, and when you go there, it might be okay, it might not. But I came out okay, and I was blessed."

Franklin said that

her generosity is inspired by the kindness she experienced in her youth.

"I was always taught you have to give back because when we were coming up, people always helped us," she said. "Whatever I do, like going on trips with the church, volunteering or whatever, I never think the more about it. This is just something you do."

When she's not out bettering the community, Franklin enjoys shopping with her niece and sister and watching sports, from basketball and football to the Olympics. She ran and played basketball herself growing up.

When it comes to college athletics, she roots for Ohio State University. In the NBA, her favor is beginning to move toward the Detroit Pistons.

"They have a good team that's young, and the kids play hard out. They still don't win, but I enjoy it," she said.

— NICOLE NOECHEL



You're invited to a **FREE** Educational Estate Planning Workshop with Lansing area Elder Law attorney Jack Meyers!

Tuesday, August 27th at 11am

IN THIS WORKSHOP YOU WILL LEARN:

- How to maximize the inheritance you leave your children
- How to protect yourself against divorce, disability, or your kid's debts
- How to plan and pay for nursing home
- How to avoid the expenses and delay of probate - The pitfalls of putting assets into your children's names
- Why your current power of attorney may be useless to protect your assets - and so much more!

Space is limited so make sure to register by calling Zoe at our office at **(517) 351-6222** or by scanning the QR code below and completing the online registration.



Scan me for more info.

We hold educational workshops regularly, please visit our website **www.family-elder-law.com** for a complete calendar of upcoming events!



CITY OF LANSING NOTICE OF PUBLIC HEARING

The Lansing City Council will hold a public hearing on Monday, September 9, 2024, at 7:00 p.m. in the Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan. The hearing is in consideration of:

An ordinance of the City of Lansing, Michigan, to repeal and replace the existing signs ordinance, being Part 14, Title 4 of the Lansing Codified Ordinances in its entirety, with Part 13, Title 2, regulating the size, location, and character of signs and sign structures on property in Lansing.

Persons with disabilities who need an accommodation to fully participate in these meetings should contact the City Council Office at 517-483-4177 (TDD 517-483-4479) 24-hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

For more information, please call 517-483-4177. If you are interested in this matter, please attend the public hearing, or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., on the day of the Public Hearing at the City Clerk's Office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, Lansing City Clerk, MMC/MIPMC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope

Resolution #2024-189

By the Committee on Ways and Means
Resolved by the City Council of the City of Lansing

WHEREAS, in June of 2024, the City of Lansing applied for the LEO 2024 Firefighter Turnout Gear Grant and on August 1, 2024, the City of Lansing received notification from the Department of Labor & Economic Opportunity that Lansing was awarded; and

WHEREAS, the City of Lansing was awarded \$549,500.00 with no match and the funded work must be completed within 12 months of signing the grant agreement; and

WHEREAS, the funds will be used for a second set of Turnout Gear for all full-time firefighters; and

WHEREAS, the City of Lansing will be the sole awardee of the funds mentioned above; and

WHEREAS, the Lansing Fire Department is requesting acceptance of the LEO 2024 firefighter turnout gear grant; and

WHEREAS, the Administration and the City Council recognize the importance of supporting Lansing firefighters, providing updated technology, and keeping them safe while also finding efficiencies to better serve Lansing residents.

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council approves acceptance of the LEO Firefighter Turnout Gear Grant for the purpose of purchasing turnout gear for full-time firefighters.

BE IT FINALLY RESOLVED, the Administration is authorized to receive the funds, create the necessary accounts, and make necessary transfers for administration in accordance with the requirements of the grantor.

Resolution #2024-190

By the Committee on Ways and Means
Resolved by the City Council of the City of Lansing

WHEREAS, The City of Lansing submitted a grant proposal on February 13, 2024, to request funding in the amount of \$20,000.00 to support costs associated with partnership with the CFE Fund and was awarded the grant on March 14, 2024; and

WHEREAS, The City of Lansing's Office of Financial Empowerment, part of the Department of Economic Development and Planning, will be receiving said funding from Cities for Financial Empowerment Fund, Inc. (CFE) for the purposes of providing technical assistance to nine municipalities "FE Cities Grantees" planning for and launching their own Offices of Financial Empowerment as part of those municipalities' grant relationships; and

WHEREAS, this funding was the result of a competitive application process; and

WHEREAS, the award for \$20,000.00 does not require a local match.

NOW, THEREFORE, BE IT RESOLVED, The Lansing City Council approves acceptance of the funding in the total amount of \$20,000.00 for the period beginning on the date of council approval for the City of Lansing and ending on March 31, 2025.

BE IT FINALLY RESOLVED, The Administration is authorized to create appropriate accounts and to make the necessary operating transfers for the expenditure and control of the balance of the grant funds.

Resolution #2024-191

By the Committee on Ways and Means
Resolved by the City Council of the City of Lansing

WHEREAS, in April 2024, the City of Lansing applied for a Community Energy Management (CEM) Grant to fund an update of the non-motorized plan and on June 13, 2024, the City of Lansing received notification from the State of Michigan's Department of Environment, Great Lakes, and Energy (EGLE) that the City has received the 2024 CEM grant; and

WHEREAS, The City of Lansing was awarded \$100,000 with no matching requirement to update the non-motorized plan by August 31, 2025; and

WHEREAS, the Public Service Department is requesting acceptance of the Community Energy Management Grant; and

WHEREAS, the Administration and the City Council recognize the importance of updating the non-motorized plan to reflect newer issues, such as scooters, e-bikes, etc. and how the plan relates to the Sustainability Action Plan and other new or updated planning documents in the City of Lansing.

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council approves acceptance of the EGLE Community Energy Management grant for the purposes of updating the City of Lansing's Non-motorized Plan.

BE IT FINALLY RESOLVED, the Administration is authorized to receive the funds, create the necessary accounts, and make necessary transfers for administration in accordance with the requirements of the grantor.

Resolution #2024-192

By the Committee on Development and Planning
Resolved by the City Council of the City of Lansing

A RESOLUTION TO APPROVE THE DEVELOPMENT AND
TAX INCREMENT FINANCE PLAN OF THE LANSING GATEWAY CORRIDOR
IMPROVEMENT AUTHORITY OF THE CITY OF LANSING

WHEREAS, the City Council of the City of Lansing, MI, by Resolution 2019-334, passed on December 16, 2019, authorized the creation of the Lansing Gateway Corridor Improvement Authority (the "Authority") by the provisions of the State of Michigan's Corridor Improvement Authority Act, previously Act 280 of 2005 (MCL 125.2871, et seq.), recently reorganized as Part 6 of Act 57 of 2018 (125.4602, et seq.), as amended (the "Act"); and

WHEREAS, the Board of Directors of the Authority met and approved a joint Development and Tax Increment Finance Plan (together, the "Plan") on June 25, 2024 at a duly noticed public hearing of the Authority; and

WHEREAS, the Board of Directors for the Authority have transmitted the Plan to the City Council of the City of Lansing for review and approval after public hearing; and

WHEREAS, the City Council of the City of Lansing held a public hearing and received comments from members of the public, and each taxing jurisdiction levying taxes that would be subject to capture if the tax increment financing plan is approved, on all aspects of the Plan, on August 26, 2024, and in compliance with Sections 622 & 618 of the Act; and

WHEREAS, after public comment the Plan was reviewed by the Committee on Development and Planning, and further by City Council as a whole, with particular attention to the following considerations:

- a) whether the plan meets the requirements under section 620(2) of the Act;
- b) whether the proposed method of financing the development is feasible and the authority has the ability to arrange the financing;
- c) whether the development is reasonable and necessary to carry out the purposes of the Act;
- c) whether the land included within the development area to be acquired is reasonably necessary to carry out the purposes of the plan and of this part in an efficient and economically satisfactory manner;
- d) whether the development plan is in reasonable accord with the land use plan of the municipality;
- e) whether public services, such as fire and police protection and utilities, are or will be adequate to service the project area;
- f) whether changes in zoning, streets, street levels, intersections, and utilities are reasonably necessary for the project and for the municipality; and

- g) whether the Plan is consistent with and supports the Qualified Development Area containing Transit-Oriented Development.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lansing determines that the Plan, containing both a Development Plan and Tax Increment Finance Plan, constitutes a public purpose.

BE IT FURTHER RESOLVED that the City Council of the City of Lansing finds that:

- a) the plan meets the requirements under Section 620(2) of the Act;
- b) the proposed method of financing the development is feasible and the authority has the ability to arrange the financing;
- c) the development is reasonable and necessary to carry out the purposes of the Act;
- d) no land included within the development area is required to be acquired to fulfill the Plan, but any ancillary acquisition that may become necessary is reasonably necessary to carry out the purposes of the Plan and of the Act in an efficient and economically satisfactory manner;
- e) the Plan is in reasonable accord with the land use plan of the City of Lansing;
- f) public services, such as fire and police protection and utilities, are or will be adequate to service the project area;
- g) any changes in zoning, streets, street levels, intersections, and utilities are reasonably necessary for the project and for the City of Lansing; and
- h) the Plan is consistent with and supports the Qualified Development Area containing Transit-Oriented Development.

BE IT FINALLY RESOLVED that the City Council of the City of Lansing approves the Plan without modification.

Resolution #2024-193

By the Committee on Development and Planning
Resolved by the City Council of the City of Lansing

**RESOLUTION APPROVING BROWNFIELD PLAN #81 AMENDMENT #1
NEOGEN EXPANSION BROWNFIELD REDEVELOPMENT PROJECT**

WHEREAS, the Brownfield Redevelopment Authority (the 'Authority') of the City of Lansing, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, Public Act, Public Act 381 of 1996, as amended, (the 'Act') has prepared a Brownfield Plan, submitted to Council and placed on file in the office of City Clerk, LBRA Brownfield Plan #81 Amendment #1 – NEOGEN Expansion Brownfield Redevelopment Project (the 'Plan'); and

WHEREAS, a public hearing was held by the Lansing City Council on August 26, 2024, and at least 10 days before the public hearing the taxing jurisdictions were provided notice to be fully informed about the fiscal and economic implications of the proposed Plan and given a reasonable opportunity to express their views and recommendations regarding the Plan in accordance with Section 13 (10) and 14(1) of the Act; and

WHEREAS, the Lansing City Council, before and during its public hearing on August 26, 2024, reviewed testimony and evidence regarding the Plan, and found that:

1. the Plan provides for the reimbursement of costs attributable to eligible activities to the developer and the Authority,
2. the Project includes, in addition to the eligible activities identified in the Plan, the redevelopment of the property,
3. the Project may result in new private investment of approximately \$208,000,000 million.
4. the Plan provides for the capture of property tax increment revenues due to the private investment on the site, and devotes them to repaying the Authority for its costs associated with eligible activities it performs, and to repaying the developer for their costs associated with eligible activities they perform, in accordance with the Plan,

WHEREAS, the Authority Board of Directors, at its meeting on July 12, 2024, unanimously recommended approval of the Plan, for this Project; and

WHEREAS, the City of Lansing Department of Economic Development and Planning has determined the proposed Project is consistent with local development and redevelopment plans and zoning ordinances, and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, after having duly

considered the Plan, finds it is in compliance with the provisions of the Act and further finds:

- The Plan constitutes a public purpose under the Act;
- The Plan meets all of the requirements for a Brownfield Plan set forth in Section 13 of the Act;
- The proposed method of financing the costs of the eligible activities, as described in the Plan, is feasible and the Authority has the ability to arrange the financing;
- The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act; and
- The amount of the captured taxable value estimated to result from the adoption of the Plan is reasonable; and
- The proposed project is consistent with local development and redevelopment plans and zoning ordinances as has also been determined by the City of Lansing Department of Economic Development and Planning.

BE IT FURTHER RESOLVED that the Lansing City Council hereby approves the LBRA 'Brownfield Plan #81 Amendment #1 – NEOGEN Expansion Brownfield Redevelopment Project'.

Resolution #2024-194

By the Committee on Development and Planning
Resolved by the City Council of the City of Lansing

Act-4-2024, Purchase of Property, 2300 South Washington Avenue

WHEREAS, the City of Lansing has requested to acquire from the Lansing Building Authority a parcel of real property, 2300 S Washington Avenue, Parcel Identification Number 33-01-01-28-151-023, and legally described below, to facilitate the construction of the Public Safety Complex; and

WHEREAS, the property is approximately 11.7 acres; and

WHEREAS, the agreed upon purchase price is Three Hundred Thousand Dollars (\$300,000.00) plus closing costs; and

WHEREAS, on August 7, 2024, the Planning Commission reviewed the location, character, and extent of the proposal in accordance with its Act 33 Review procedure, and voted unanimously 5-0 to recommend approval of Act-4-2024, Purchase of Property, 2300 S Washington Ave.; and

WHEREAS, the Committee on Development and Planning has reviewed the report and recommendation of the Planning Commission and concurs therewith.

NOW THEREFORE BE IT RESOLVED, the Lansing City Council hereby approves Act-4-2024, and approves the purchase of property in the City of Lansing, County of Ingham, State of Michigan, legally described as:

Commencing at the intersection of the centerlines of Mt. Hope Avenue and South Washington Avenue, South 31 degrees 56 minutes 55 seconds West 1382.08 feet for the point of beginning; thence West 1268.81 feet to railroad Right of Way; thence Southwesterly 612.34 feet; thence East 1537.29 feet; thence Northeasterly 428.82 feet to beginning.

From the Lansing Building Authority for a sum of Three Hundred Thousand Dollars (\$300,000.00), plus closing costs.

BE IT FINALLY RESOLVED, that the Mayor, on behalf of the City, is authorized to execute all documents necessary to complete this transaction, subject to the prior approval as to content and form by the City Attorney.

Resolution #2024-195

By the Committee on Personnel
Resolved by the City Council of the City of Lansing

WHEREAS, on August 13, 2024 the Committee on Personnel held interviews for the selection of an Internal Auditor for the City of Lansing; and

WHEREAS, on August 13, 2024 the Committee on Personnel made the selection of Charles Randall to fill the vacancy of Internal Auditor for the City of Lansing beginning on September 10, 2024 with a starting annual pay of \$125,000.00; and

WHEREAS, pursuant to Council Fringe Benefits, for a new hired employee, Council may grant up to fifteen (15) days of vacation leave for year one, available for use immediately at point of hire. The Committee on Personnel has agreed to grant Charles Randall fifteen (15) days available for use immediately at point of hire; and

WHEREAS, Charles Randall has been vetted by the Human Resource Department and meets all the requirements.

NOW THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, appoints Charles Randall to the position of Internal Auditor for the City of Lansing to begin on September 10, 2024.

Resolution #2024-196

By Council President Garza
Resolved by the City Council of the City of Lansing

WHEREAS, the City Council has a duty to oversee the financial affairs of the city, and serves as the policymaking body of the City of Lansing;

WHEREAS, an Ad Hoc Audit Committee will be established to provide guidance and oversight to the City Council Internal Auditor in the performance of his/her responsibilities, create and review annual audit plans, evaluate the financial position of the City; and

WHEREAS, an objective of the Ad Hoc Audit Committee is to make a recommendation to the City Council for a potential amendment to Council Rule 16 Standing Committees and implement a permanent Audit Committee.

NOW, THEREFORE BE IT RESOLVED, Lansing City Council President Garza appoints Council Member Spadafore as Chair of the Ad Hoc Audit Committee, Council Member Tamera Carter as Vice Chair and Council Member Pehlivanoglu as Member. A quorum of members at the Ad Hoc Audit Committee is two (2) members.

BE IT FURTHER RESOLVED, The Ad Hoc Audit Committee shall establish and prepare an annual audit plan by December 16th, 2024. The annual audit plan, any previous findings, and recommendations will be reported to the Committee of the Whole no later than December 16th, 2024.

BE IT FINALLY RESOLVED, the Ad Hoc Audit Committee will meet on the days and times set by the Chair and will be dissolved by September 1, 2025.

Resolution #2024-197

By the Committee on City Operations
Resolved by the City Council of the City of Lansing

WHEREAS, on May 18, 1987, under Resolution 0253, the City of Lansing City Council established a Claims Policy; and

WHEREAS, the established policy required that claims are referred to the City Attorney, who, together with a representative of the Mayor and staff representative assigned by Council, shall review the claim; and

WHEREAS, claims are adjudicated by this administrative panel and if the claimant is dissatisfied with the disposition of the administrative panel they can appeal to the City Council.

NOW THEREFORE BE IT RESOLVED, the City Council amends the Claims Policy establishing members of the administrative "Claims Review Committee" to be the Internal Auditor, a representative of the Mayor, and a licensed attorney from the City Attorney's office.

Resolution #2024-198

By the Committee on City Operations
Resolved by the City Council of the City of Lansing

WHEREAS, Dave Mann sought to eliminate a special assessment of \$565 for trash fees, on the property tax bill for 1123 Hapeman Street, (Tax ID #33-01-01-08-332-181); and

WHEREAS, upon filing a claim to the Committee on City Operations, the Committee met on September 4, 2024, and denied the claim in the amount of \$565.

THEREFORE, BE IT RESOLVED, the City Council, hereby denies the claim in the amount of \$565 for trash fees on the property tax bill for 1123 Hapeman Street (Tax ID #33-01-01-08-332-181).

BE IT FURTHER RESOLVED, that the City Attorney shall take the appropriate steps to process this claim.

Resolution #2024-199

By the Committee on City Operations
Resolved by the City Council of the City of Lansing

WHEREAS, Eddie Nuno sought to eliminate a special assessment of \$565 for trash removal fees, on the property tax bill for 330 N. Walnut Street, (Tax ID #33-01-01-16-176-002); and

WHEREAS, upon filing a claim to the Committee on City Operations, the Committee met on September 4, 2024, and granted the claim in the amount of \$565.

THEREFORE, BE IT RESOLVED, the City Council, hereby grants the claim in the amount of \$565 for trash removal fees on the property tax bill for 330 N. Walnut Street (Tax ID #33-01-01-16-176-002).

BE IT FURTHER RESOLVED, that the City Attorney shall take the appropriate steps to process this claim.

Resolution #2024-200

By the Committee on City Operations
Resolved by the City Council of the City of Lansing

WHEREAS, James Williams Jr. sought to eliminate a special assessment of \$2,375 for trash fees, on the property tax bill for 1705 N. Martin Luther King Jr. Blvd., (Tax ID #33-01-01-08-202-261); and

WHEREAS, upon filing a claim to the Committee on City Operations, the Committee met on September 4, 2024, and denied the claim in the amount of \$2,375.

THEREFORE, BE IT RESOLVED, the City Council, hereby denies the claim in the amount of \$2,375 for trash fees on the property tax bill for 1705 N. Martin Luther King Jr. Blvd. (Tax ID #33-01-01-08-202-261).

BE IT FURTHER RESOLVED, that the City Attorney shall take the appropriate steps to process this claim.

INTRODUCTION OF ORDINANCE

An ordinance of the City of Lansing, Michigan, providing for the rezoning of a parcel of real property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code of Ordinances. Property located at:

Z-1-2024: 3724 Pleasant Grove Road, Rezoning from "R-3" Suburban Residential to ""MFR" Multi Family Residential

Was introduced by the Committee on Development and Planning, read a first time by its title and referred to the Committee on Development and Planning.

Resolution #2024-###

By the Committee on Development and Planning
Resolved by the City Council of the City of Lansing

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, September 30, 2024, at 7:00 p.m. in the Tony Benavides Lansing City Council Chambers, 10th Floor, Lansing City Hall, 124 W Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-1-2024: 3724 Pleasant Grove Road – Rezoning from “R-3” Suburban Residential to “MFR” Multi Family Residential

ORDINANCE # _____

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1242.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification of the property described as follows:

Case Number:	Z-1-2024
Parcel Number's:	33-01-01-31-231-041
Addresses:	3724 Pleasant Grove Road
Legal Descriptions:	COM 10 FT S OF E 1/8 POST OF NE 1/4 SEC 31, TH N 140 FT, W 330 FT, S 140 FT, E TO BEG; SEC 31 T4N R2W, from "R-3" Suburban Residential to "MFR" Multi Family Residential

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance was duly adopted by the Lansing City Council on _____, 2024, and a copy is available in the office of the Lansing City Clerk, 9th Floor, City Hall, 124 W. Michigan Avenue, Lansing, MI 48933.

Section 4. This ordinance shall take effect on the 30th day after enactment.

Resolution #2024-202

By the Committee on Development and Planning
Resolved by the City Council of the City of Lansing

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, September 30, 2024, at 7:00 p.m. in the Tony Benavides Lansing City Council Chambers, 10th Floor, Lansing City Hall, 124 W Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-1-2024: 3724 Pleasant Grove Road – Rezoning from “R-3” Suburban Residential to “MFR” Multi Family Residential

INTRODUCTION OF ORDINANCE

Council Member Hussain introduced:

An ordinance of the City of Lansing, Michigan, to amend the Code of Ordinances of the City of Lansing by adding a new section 888.____ for the purposes of providing for a service charge in lieu of taxes for fifty-six (56) low-income dwelling units in a project known as Riverview 220 Apartments, pursuant to the provisions of the State Housing Development Authority Act of 1966, (being Public Act 346 of 1966, as amended [MCL 125.1401, et seq.]) (The “Act”).

The Ordinance is read a first time by its title and referred to the Committee on Development and Planning.

Resolution #

By the Committee on Development and Planning
Resolved by the City Council of the City of Lansing

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Lansing that a public hearing be set for Monday, September 23, 2024, in the City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of supporting and/or opposing the Ordinance establishing a Payment in Lieu of Taxes (PILOT) for Riverview 220 Apartments, located at 220 East Kalamazoo Street in Lansing.

Ordinance no. _____

An ordinance of the City of Lansing, Michigan, to amend the Code of Ordinances of the City of Lansing by adding a new section 888.____ for the purposes of providing for a service charge in lieu of taxes for fifty-six (56) low-income multi-family dwelling units in a project known as Riverview 220 Apartments, pursuant to the provisions of the State Housing Development Authority Act of 1966, (being Public Act 346 of 1966, as amended [MCL 125.1401, et seq.]) (The “Act”).

The City of Lansing ordains:

Section 1. That chapter 888 of the Code of Ordinances of the City of Lansing, Michigan be amended to add a new section _____ to read as follows:

_____ **Riverview 220 Apartments**

(a) ***Purpose.*** It is acknowledged that it is a proper public purpose of the state and its political subdivisions to provide housing for its residents of low and moderate income and to encourage the development of such housing by providing for a service charge in lieu of property taxes in accordance with the State Housing Development Authority Act of 1966, being Public Act 346 of 1966, as amended [mcl 125.1401, et seq.]. The City is authorized by such Act to establish or change the service charge to be paid in lieu of taxes by any or all classes of housing exempt from taxation under such Act at any amount it chooses, not to exceed the taxes that would be paid but for this Act. It is further acknowledged that such housing for persons of low and moderate income is a public necessity, and as the City will be benefited and improved by such housing, the encouragement of the same by providing certain real estate tax exemption for such housing is a valid public purpose.

(b) ***Definitions.***

- (1) **"Act"** means the State Housing Development Authority Act, being Public Act 346 of 1966, as amended.
- (2) **"Annual shelter rents"** means the total collections during an agreed annual period from all persons of low or moderate income, occupying the housing development representing rents for occupancy, which rental amounts shall be exclusive of charges for gas, electricity, heat or other utilities furnished to the occupants.
- (3) **"Authority"** means the Michigan State Housing Development Authority.
- (4) **"Housing development" or "Development"** means a development which contains a significant element of housing for persons of low and moderate income and such elements of other housing, commercial, recreational, industrial, communal and educational facilities as the authority may determine will improve the quality of the development as it relates to housing for persons of low and moderate income. For the purpose of this section, the name of this development is Riverview 220 Apartments, and consist of fifty-six (56) units of rental housing located within Lansing at:

LOTS 1, 2, 3, 4, 9, 10 & E 33 FT LOTS 11 & 12, BLOCK 134 ORIG
PLAT
- (5) **"HUD"** means The Department of Housing and Urban Development of the United States government.
- (6) **"Low-income housing tax credit program"** means the program established by Section 42 of the United States internal revenue code.
- (7) **"Low or moderate income"** means low- or moderate-income eligibility under the authority act or rules.

- (8) **"Mortgage loan"** means a loan that is federally aided (as defined in Section 11 of the act) or a loan or grant made or to be made by the authority to the Sponsor for the construction, rehabilitation, acquisition and/or permanent financing of a housing project and secured by a mortgage on the housing project.
- (9) **"Sponsor"** means a person or other entity with a housing development which is financed or assisted pursuant to the act. For purposes of this section, the Sponsor of Riverview 220 Apartments is the Lansing Housing Commission, or its successors or assigns.
- (10) **"Utilities"** means fuel, water, sanitary sewer and/or electrical service, which is paid for by the housing development.
- (c) ***Establishment of annual service charge.***
- (1) The City acknowledges that the Sponsor and the authority have established the economic feasibility of Riverview 220 Apartments in reliance upon the enactment and continuing effect of this section and upon the qualification of the fifty-six (56) units of housing in the housing development for exemption from all property taxes as established in this section,
- (2) Subject to the conditions and requirements of this section and the act, the fifty-six (56) units in the housing development for persons of low and moderate income identified as Riverview 220 Apartments and the property on which they are constructed shall be exempt from all property taxes for not more than forty (40) years, commencing with and including tax year 2025.
- (3) In lieu of all said property taxes on the fifty-six (56) units in the housing development, the Sponsor shall pay, and the City will accept, an annual service

charge for public services in the sum equal to five percent (5%) of the annual shelter rents.

- (4) The exemption provided under this section shall commence when the Sponsor complies with section 15a(1) of 1966 PA 346, as amended, codified as MCL 125.1415a(1), which provides: the owner of a housing project eligible for the exemption shall file with the local assessing officer (the City Assessor) a notification of the exemption, which shall be in an affidavit form as provided by the authority. The completed affidavit form first shall be submitted to the authority for certification by the authority that the project is eligible for the exemption. The owner then shall file or cause to be filed the certified notification of the exemption with the local Assessing Officer before November 1 of the year preceding the tax year in which the exemption is to begin.
- (5) In addition to the certification required pursuant to subsection (c)(4), the Sponsor shall provide for the housing development annually in writing to the City Assessor for the preceding year in which the property tax exemption was in effect:
- A. The annual audited accounting report for the Payment In Lieu Of Taxes; and
 - B. A certified statement identifying all the units rented to persons of low or moderate income; and
 - C. If requested by the City, proof that the housing development units have not increased, decreased, or been altered in any form, unless the City has otherwise amended the provisions of this section.
- (d) *Limitation on the payment of the annual service charge.* Notwithstanding Subsection (c), the service charge to be paid each year in lieu of taxes for the part of the housing

development project that is tax exempt and occupied by other than low- or moderate-income persons shall be equal to the full amount of the taxes that would otherwise be due and payable on that portion of the housing development project if the project were not tax exempt.

- (e) *Payment of annual service charge.* The service charge in lieu of taxes, as established under this section, shall be payable in the same manner as general property taxes are payable to the City, except that the annual payment shall be made on or before July 1 of the year following the year upon which such charge is calculated. Collection procedures shall be in accordance with the provisions of the General Property Tax Act (1893 PA 206 as amended; mcl 211.1 et.seq.).
- (f) *Contractual effect.* Notwithstanding the provisions of Section 15(a)(5) of the act to the contrary, a contract between the City and the Sponsor with the authority as third-party beneficiary under the contract, to provide tax exemption and accept payment in lieu of taxes as previously described, is effectuated by the enactment of this section.
- (g) *Duration.* This section shall remain in effect and shall not terminate for forty (40) years, commencing with and including tax year 2025, provided that the Sponsor complies with the requirements of the act and this section, and further provided that the housing development continues to be rented to low or moderate income persons at rents determined under the low income housing tax credit program, as the same maybe further amended or superseded, or there is an authority-aided or federally-aided mortgage on the housing development as provided in the act, or the authority or HUD has an interest in the property; but in no event beyond December 31, 2065. If (a) the construction of the housing development project does not commence or the Sponsors fail

to obtain a mortgage loan within two (2) years from the effective date of this ordinance, or (b) if transfer of title is not effectuated to 220 Kalamazoo Limited Dividend Housing Association LP within two (2) years from the effective date of this ordinance or (c) if the Sponsors change the scope or purpose of the fifty-six (56) units of housing within the housing development project without the consent of the City, by and through its representatives, and in accordance with the requirements of the Lansing City charter, and the Sponsor or other responsible party does not cure the violation within ninety (90) days after written notice is given to the Sponsor, then this ordinance shall automatically expire, terminate and be of no further effect.

Section 2. All ordinances, resolutions or rules, ordinances, parts of ordinances, resolutions or rules inconsistent with the provisions hereof including the Payment In Lieu of Taxes Agreement dated April 1, 2023, are hereby repealed as they pertain to Riverview 220 Apartments at the time this exemption commences.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be valid.

Section 4. This ordinance shall take effect on the 30th day after enactment unless given immediate effect by the City Council.

INTRODUCTION OF ORDINANCE

Council Member Hussain introduced:

An ordinance of the City of Lansing, Michigan, to amend the Code of Ordinances of the City of Lansing by adding a new section 888.____ for the purposes of providing for a service charge in lieu of taxes for fifty-six (56) low-income dwelling units in a project known as Riverview 220 Apartments, pursuant to the provisions of the State Housing Development Authority Act of 1966, (being Public Act 346 of 1966, as amended [MCL 125.1401, et seq.]) (The “Act”).

The Ordinance is read a first time by its title and referred to the Committee on Development and Planning.

Resolution #2024-203

By the Committee on Development and Planning
Resolved by the City Council of the City of Lansing

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Lansing that a public hearing be set for Monday, September 23, 2024, in the City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of supporting and/or opposing the Ordinance establishing a Payment in Lieu of Taxes (PILOT) for Riverview 220 Apartments, located at 220 East Kalamazoo Street in Lansing.

INTRODUCTION OF ORDINANCE

Council Member Hussain introduced:

An ordinance of the City of Lansing, Michigan, to amend the Code of Ordinances of the City of Lansing by adding a new section 888.____ for the purposes of providing for a service charge in lieu of taxes for fifty-five (55) low-income dwelling units in a project known as Grand Vista Place, pursuant to the provisions of the State Housing Development Authority Act of 1966, (being Public Act 346 of 1966, as amended [MCL 125.1401, et seq.]) (The “Act”).

The Ordinance is read a first time by its title and referred to the Committee on Development and Planning.

Resolution #

By the Committee on Development and Planning
Resolved by the City Council of the City of Lansing

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Lansing that a public hearing be set for Monday, September 23, 2024, in the City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of supporting and/or opposing the Ordinance establishing a Payment in Lieu of Taxes (PILOT) for Grand Vista Place, located at the 500 block of South Grand Avenue in Lansing.

Ordinance no. _____

An ordinance of the City of Lansing, Michigan, to amend the Code of Ordinances of the City of Lansing by adding a new section 888.____ for the purposes of providing for a service charge in lieu of taxes for fifty-five (55) low-income multi-family dwelling units in a project known as Grand Vista Place, pursuant to the provisions of the State Housing Development Authority Act of 1966, (being Public Act 346 of 1966, as amended [MCL 125.1401, et seq.]) (The “Act”).

The City of Lansing ordains:

Section 1. That chapter 888 of the Code of Ordinances of the City of Lansing, Michigan be amended to add a new section _____ to read as follows:

_____ **Grand Vista Place**

(a) Purpose. It is acknowledged that it is a proper public purpose of the state and its political subdivisions to provide housing for its residents of low and moderate income and to encourage the development of such housing by providing for a service charge in lieu of property taxes in accordance with the State Housing Development Authority Act of 1966, being Public Act 346 of 1966, as amended [mcl 125.1401, et seq.]. The City is authorized by such Act to establish or change the service charge to be paid in lieu of taxes by any or all classes of housing exempt from taxation under such Act at any amount it chooses, not to exceed the taxes that would be paid but for this Act. It is further acknowledged that such housing for persons of low and moderate income is a public necessity, and as the City will be benefited and improved by such housing, the encouragement of the same by providing certain real estate tax exemption for such housing is a valid public purpose.

(b) Definitions.

- (1) **"Act"** means the State Housing Development Authority Act, being Public Act 346 of 1966, as amended.
- (2) **"Annual shelter rents"** means the total collections during an agreed annual period from all persons of low or moderate income, occupying the housing development representing rents for occupancy, which rental amounts shall be exclusive of charges for gas, electricity, heat or other utilities furnished to the occupants.
- (3) **"Authority"** means the Michigan State Housing Development Authority.
- (4) **"Housing development" or "Development"** means a development which contains a significant element of housing for persons of low and moderate income and such elements of other housing, commercial, recreational, industrial, communal and educational facilities as the authority may determine will improve the quality of the development as it relates to housing for persons of low and moderate income. For the purpose of this section, the name of this development is Grand Vista Place, and consist of fifty-five (55) units of rental housing located within Lansing at:

Parcel 1

LOT 10 EXC N 1 FT, ALSO LOTS 8 & 9 BLOCK 151 ORIG PLAT

Parcel 2

LOT 3 BLOCK 151 ORIG PLAT

- (5) **"HUD"** means The Department of Housing and Urban Development of the United States government.
- (6) **"Low-income housing tax credit program"** means the program established by Section 42 of the United States internal revenue code.

- (7) ***"Low or moderate income"*** means low- or moderate-income eligibility under the authority act or rules.
- (8) ***"Mortgage loan"*** means a loan that is federally aided (as defined in Section 11 of the act) or a loan or grant made or to be made by the authority to the Sponsor for the construction, rehabilitation, acquisition and/or permanent financing of a housing project and secured by a mortgage on the housing project.
- (9) ***"Sponsor"*** means a person or other entity with a housing development which is financed or assisted pursuant to the act. For purposes of this section, the Sponsor of Grand Vista Place is the Lansing Housing Commission, or its successors or assigns.
- (10) ***"Utilities"*** means fuel, water, sanitary sewer and/or electrical service, which is paid for by the housing development.
- (c) ***Establishment of annual service charge.***
- (1) The City acknowledges that the Sponsor and the authority have established the economic feasibility of Grand Vista Place in reliance upon the enactment and continuing effect of this section and upon the qualification of the fifty-five (55) units of housing in the housing development for exemption from all property taxes as established in this section,
- (2) Subject to the conditions and requirements of this section and the act, the fifty-five (55) units in the housing development for persons of low and moderate income identified as Grand Vista Place and the property on which they are constructed shall be exempt from all property taxes for not more than forty (40) years, commencing with and including tax year 2025.

- (3) In lieu of all said property taxes on the fifty-five (55) units in the housing development, the Sponsor shall pay, and the City will accept, an annual service charge for public services in the sum equal to five percent (5%) of the annual shelter rents.
- (4) The exemption provided under this section shall commence when the Sponsor complies with section 15a(1) of 1966 PA 346, as amended, codified as MCL 125.1415a(1), which provides: the owner of a housing project eligible for the exemption shall file with the local assessing officer (the City Assessor) a notification of the exemption, which shall be in an affidavit form as provided by the authority. The completed affidavit form first shall be submitted to the authority for certification by the authority that the project is eligible for the exemption. The owner then shall file or cause to be filed the certified notification of the exemption with the local Assessing Officer before November 1 of the year preceding the tax year in which the exemption is to begin.
- (5) In addition to the certification required pursuant to subsection (c)(4), the Sponsor shall provide for the housing development annually in writing to the City Assessor for the preceding year in which the property tax exemption was in effect:
- A. The annual audited accounting report for the Payment In Lieu Of Taxes; and
 - B. A certified statement identifying all the units rented to persons of low or moderate income; and
 - C. If requested by the City, proof that the housing development units have not increased, decreased, or been altered in any form, unless the City has otherwise amended the provisions of this section.

- (d) *Limitation on the payment of the annual service charge.* Notwithstanding Subsection (c), the service charge to be paid each year in lieu of taxes for the part of the housing development project that is tax exempt and occupied by other than low- or moderate-income persons shall be equal to the full amount of the taxes that would otherwise be due and payable on that portion of the housing development project if the project were not tax exempt.
- (e) *Payment of annual service charge.* The service charge in lieu of taxes, as established under this section, shall be payable in the same manner as general property taxes are payable to the City, except that the annual payment shall be made on or before July 1 of the year following the year upon which such charge is calculated. Collection procedures shall be in accordance with the provisions of the General Property Tax Act (1893 PA 206 as amended; mcl 211.1 et.seq.).
- (f) *Contractual effect.* Notwithstanding the provisions of Section 15(a)(5) of the act to the contrary, a contract between the City and the Sponsor with the authority as third-party beneficiary under the contract, to provide tax exemption and accept payment in lieu of taxes as previously described, is effectuated by the enactment of this section.
- (g) *Duration.* This section shall remain in effect and shall not terminate for forty (40) years, commencing with and including tax year 2025, provided that the Sponsor complies with the requirements of the act and this section, and further provided that the housing development continues to be rented to low or moderate income persons at rents determined under the low income housing tax credit program, as the same maybe further amended or superseded, or there is an authority-aided or federally-aided mortgage on the housing development as provided in the act, or the authority or HUD

has an interest in the property; but in no event beyond December 31, 2065. If (a) the construction of the housing development project does not commence or the Sponsors fail to obtain a mortgage loan within two (2) years from the effective date of this ordinance, or (b) if transfer of title is not effectuated to 425 S. Grand Limited Dividend Housing Association LP within two (2) years from the effective date of this ordinance or (c) if the Sponsors change the scope or purpose of the fifty-five (55) units of housing within the housing development project without the consent of the City, by and through its representatives, and in accordance with the requirements of the Lansing City charter, and the Sponsor or other responsible party does not cure the violation within ninety (90) days after written notice is given to the Sponsor, then this ordinance shall automatically expire, terminate and be of no further effect.

Section 2. All ordinances, resolutions or rules, ordinances, parts of ordinances, resolutions or rules inconsistent with the provisions hereof including the Payment In Lieu of Taxes Agreement dated January 29, 2021, are hereby repealed as they pertain to Grand Vista Place at the time this exemption commences.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be valid.

Section 4. This ordinance shall take effect on the 30th day after enactment unless given immediate effect by the City Council.

**CITY OF LANSING
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that a Public Hearing will be held on Monday, September 23, 2024, at 7:00 p.m. in the City Council Chambers, 10th Floor Lansing City Hall, 124 West Michigan Ave., Lansing, MI for the purpose of considering:

An Ordinance of the City of Lansing, Michigan, to amend the Code of Ordinances of the City of Lansing by adding a new section 888._____ for the purposes of providing for a service charge in lieu of taxes for fifty-five (55) low-income dwelling units in a project known as Grand Vista Place, pursuant to the provisions of the State Housing Development Authority Act of 1966, (being Public Act 346 of 1966, as amended [MCL 125.1401, et seq.]) (The "Act").

For more information, please call Lansing City Council at 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m., on the day of the Public Hearing at the City Clerk's office, Ninth Floor, City Hall, 124 West Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, Lansing City Clerk, MMC/MIPMC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope

INTRODUCTION OF ORDINANCE

Council Member Hussain introduced:

An ordinance of the City of Lansing, Michigan, to amend the Code of Ordinances of the City of Lansing by adding a new section 888.____ for the purposes of providing for a service charge in lieu of taxes for fifty-five (55) low-income dwelling units in a project known as Grand Vista Place, pursuant to the provisions of the State Housing Development Authority Act of 1966, (being Public Act 346 of 1966, as amended [MCL 125.1401, et seq.]) (The “Act”).

The Ordinance is read a first time by its title and referred to the Committee on Development and Planning.

Resolution #2024-204

By the Committee on Development and Planning
Resolved by the City Council of the City of Lansing

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Lansing that a public hearing be set for Monday, September 23, 2024, in the City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of supporting and/or opposing the Ordinance establishing a Payment in Lieu of Taxes (PILOT) for Grand Vista Place, located at the 500 block of South Grand Avenue in Lansing.

PASSAGE OF ORDINANCE

An ordinance of the City of Lansing, Michigan, to repeal and replace the existing signs ordinance, being Part 14, Title 4 of the Lansing Codified Ordinances in its entirety, with Part 13, Title 2, regulating the size, location, and character of signs and sign structures on property in Lansing.

Is read a second time by its title. The Ordinance was reported from the Committee on Development and Planning and is on the order of immediate passage.

COUNCIL MEMBER	YEAS	NAYS
Brown	☐	☐
Carter	☐	☐
Garza	☐	☐
Hussain	☐	☐
Jackson	☐	☐
Kost	☐	☐
Pehlivanoglu	☐	☐
Spadafore	☐	☐
	_____	_____
☐ ADOPTED	☐ FAILED	

An ordinance of the City of Lansing, Michigan, to repeal and replace the existing signs ordinance, being Part 14, Title 4 of the Lansing Codified Ordinances in its entirety, with Part 13, Title 2, regulating the size, location, and character of signs and sign structures on property in Lansing.

THE CITY OF LANSING ORDAINS:

Section 1. That Part 14, Title 4 of the Lansing Codified Ordinances, is hereby repealed in its entirety

Section 2. That in its place, **Part 13, Title 2** of the Codified Ordinances of the City of Lansing, Michigan, be and is hereby enacted to read as follows:

PART 13, TITLE 2

CHAPTER 1310 SIGNS

1310.01 INTENT AND SUBSTITUTION

(a) This chapter is intended to:

- (1) Provide guidance on sign display in limiting the allowable number, size, and placement of signs to protect the public health, safety, and welfare of the City of Lansing.**
- (2) Eliminate visual clutter and distractions to protect and improve traffic and pedestrian safety.**
- (3) Protect and enhance the community's aesthetic quality and the character and appearance of the City of Lansing.**
- (4) Provide standards for the maintenance and repair of signs and establish procedures for enforcing the provisions of this Chapter.**

1310.02 APPLICABILITY

This chapter shall apply to all persons, businesses, and associations owning, occupying, or having control/management of any premises located within the city limits of the City of Lansing.

1 All new, reconstructed, altered, or relocated signs within the city limits shall comply with the
2 provisions of this Chapter. Any sign already erected as of the effective date of this chapter which is
3 rendered nonconforming by the provisions of this chapter or subsequent amendments hereto, shall
4 be subject to the restrictions and regulations contained herein.

5 **1310.03 DEFINITIONS**

6 **ABANDONED SIGN.** A sign advertising a business, activity or product which remains on the
7 premises for more than six (6) consecutive months after the business, activity, or product to which
8 it is related to ceased active operation on the premises.

9 **ABANDONED SIGN STRUCTURE.** A structure which supported a sign and remains on the
10 premises for more than twelve (12) consecutive months after it ceased to support a lawful sign for a
11 business, activity, or product that has ceased active operation on the premises.

12 **ANIMATED SIGN.** A sign or display that uses movement or the appearance of movement using
13 patterns of lights, changes in color or light intensity, computerized special effects, video displays, or
14 through any other method.

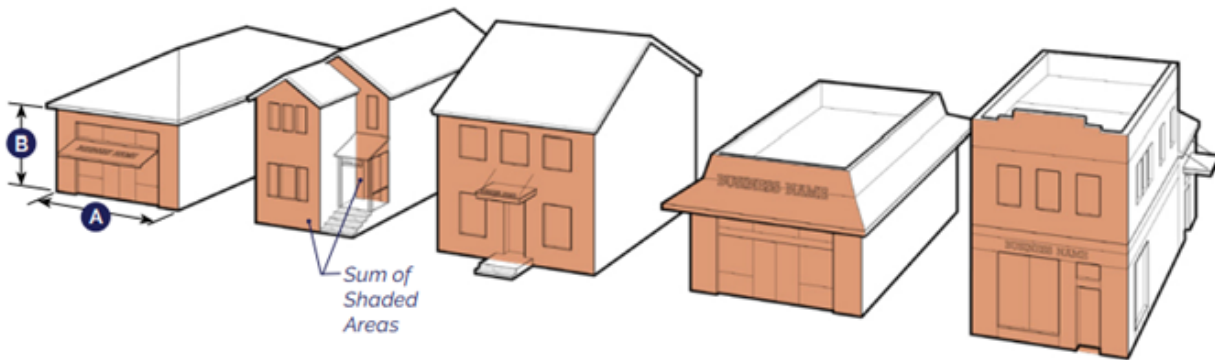
15 **AREA.** The entire area of a sign within the limits of writing or pictorial representation together
16 with any frame, other material, or color forming an integral part of the display, but excluding the
17 necessary supports or uprights on which such sign is attached. The area shall be determined by
18 measuring from the outside edge of the frame, material, or color forming the sign. If the sign has no
19 backing, but a wall or canopy is used as the background, a square or rectangle shall be formed
20 around the text or symbols, and those dimensions will be used to compute the area. When a sign has
21 two (2) or more faces, the area of all faces shall be used in determining the total area of the sign.

22 **BANNER SIGN.** A temporary sign, as further defined herein, made of cloth, paper, fabric, or other
23 flexible materials, either with or without a supporting framework.

24 **BUILDING FAÇADE.** All exterior sides of a building.

BUILDING FRONTAGE. The front of a building facing a right-of-way. In the case of a corner lot, or in the case of a building covering an entire block a building may have more than one frontage. In the case of a multi-tenant building, the frontage of a building or side containing the main entrance directly to that area of the building that the business occupies. For a parcel with more than one (1) line abutting a right-of-way, the building frontage that is used to calculate the allowable wall signage is the one which is intended to be the front wall of the building either by entranceway or another architectural feature. Where this distinction cannot be made, the smaller of the facades facing a right-of-way shall be used to calculate the allowable wall sign area.

[FIGURE 1]



ELECTRONIC MESSAGE CENTER. A sign capable of displaying words, symbols, figures, or images that can be electronically changed by remote or automatic means.

FREESTANDING SIGN. A self-supported sign on the ground by a base, foundation, pole, or brace, not attached to a building and intended to be permanently displayed on the property.

HEIGHT, CLEARANCE. For signs attached to a building or a support structure, the vertical distance measured from the lowest point of the natural grade directly below the sign to the lowest edge of the sign.

[FIGURE 2]



HEIGHT, SIGN. The vertical distance measured from the natural grade directly below the sign to the highest point of the sign or sign structure to which it is attached.

ILLUMINATED SIGN. A sign or part thereof that incorporates fluorescent, neon, LED, or any other form of lighting, or one which is illuminated by an external source such as ground lights that shine directly on the sign.

INSTITUTIONAL LAND USE. Government buildings, schools, churches, hospitals, community centers, public parks, and recreational facilities, or any other public or quasi-public use permitted in the zoning district in which the institution is located.

LEGALLY NONCONFORMING SIGN. A sign which does not comply with one (1) or more of the requirements of this Chapter but was lawfully erected prior to its effective date.

LOCAL STREET. A street not designated as an arterial corridor, activity corridor, suburban corridor, prime connector, or neighborhood connector on the Form-Based Zoning Code Street Typology Map.

MULTI-TENANT SIGN. A sign that provides advertising for two (2) or more establishments that are completely separated from each other within a building, a series of buildings on the same parcel

1 of land, or businesses on adjoining parcels of land that function as a single development with shared
2 access and/or parking.

3 **NEIGHBORHOOD ENTRANCEWAY SIGN.** A sign located on property owned or controlled by
4 the City that identifies the name of a subdivision, condominium development, or neighborhood
5 organization recognized as being active by the City of Lansing Department of Neighborhoods, Arts,
6 and Citizen Engagement.

7 **PROJECTING SIGN.** A sign, other than a wall sign, as defined in this Chapter, affixed to an
8 exterior building wall with the exposed faces perpendicular to the plane of the wall.

9 **PUBLIC SIGN.** A sign, whether temporary or permanent, erected in the public interest by or upon
10 orders from the City of Lansing, Ingham County, State of Michigan, federal government or any
11 agency thereof having appropriate jurisdiction, Public signs include traffic control signs, signs of
12 historical interest, and signs that communicate messages to the public involving safety matters or
13 emergency situations, which signs may or may not be erected in the public right-of-way.

14 **SIDEWALK SIGN.** A portable ‘A-frame’ (Λ) or ‘inverted-T’ sign ($\perp$) comprised of two (2) separate
15 panels or faces located on a public sidewalk.

16 **SETBACK.** The distance between a property line and the nearest edge of the sign.

17 **SIGN.** A device, fixture, placard, or structure that uses any color, form, graphic, illumination,
18 symbol or writing to advertise, announce or identify the purpose of a person or entity, or to
19 communicate information to the public.

20 **SIGN STRUCTURE.** Includes, but is not limited to a pole, base, or frame intended to be used for
21 the support or display of a sign, regardless of whether the sign itself has been removed.

22 **SUSPENDED SIGN.** A sign that is suspended, hung, or connected to the underside of an awning,
23 canopy, or horizontal building surface, and intended to be viewed by pedestrians on a non-public
24 sidewalk at close range.

25 [FIGURE 3]



TEMPORARY SIGN. A sign, banner, inflatable, or other advertising device, with or without a structural frame, intended for a limited period of display.

TRAFFIC CONTROL SIGN. A sign used solely to direct traffic by identifying building and parking lot entrances/exits, service areas and traffic flow throughout the site.

UNSAFE OR DANGEROUS SIGN. Any sign or sign component, which becomes damaged, insecure, or in danger of falling.

UNLAWFUL SIGN. Any sign that was not lawfully erected or maintained whether prior to or since the adoption of this Chapter.

VACANT PARCEL. Any parcel or lot of record on which no building or structure exists thereon or is not legally occupied.

VEHICLE SIGN. A sign affixed to a parked vehicle or truck trailer which is located on a property primarily for display, rather than for transportation purposes.

[FIGURE 4]



WALL SIGN. A sign attached parallel to and extending not more than twenty-four (24) inches from the wall of a building. Painted signs, signs which consist of individual letters, cabinet signs, and signs mounted on the face of a mansard roof, shall be considered wall signs.

WINDOW SIGN. A sign located on a window or behind a window which is intended to be viewed from the outside. A window sign does not include blinds, shades or screens, or solid color backgrounds that may cover the window and do not display a sign as defined in this Chapter.

1310.04 LICENSING, PERMITS, AND FEES

- (a) **License Required.** No person shall engage in the business of, or perform the work of, installing, erecting, maintaining, repairing, or altering any sign without first obtaining a license therefor from the City Clerk. All such licenses shall automatically expire on April 30 of each year unless renewed. All applications for sign permits must be submitted by a duly licensed sign erector. Said license holder shall perform all work stipulated on the sign permit.
- (b) **Insurance Requirements for Licensees.** All licensees engaged in the installation, alteration, maintenance, repair, or erection of signs shall file with the City Clerk proof of a general liability insurance policy and enforcement which insures the licensee and the City against any liability imposed upon the licensee and/or the City arising out of the work performance for the signs. Such insurance shall provide for the payment to any person injured, or to another by reason of the death of any one person, to the extent of \$100,000.00, and for the

1 **payment of \$300,000.00 for injuries to or the death of more than one person, and for property**
2 **damage in the amount of \$100,000.00.**

3 **(c) Permit Required. Unless specifically exempt under this Chapter, no person shall erect,**
4 **construct, relocate, or cause to be erected, constructed, relocated, or significantly altered,**
5 **any sign, without first obtaining a sign permit with information required by the Building**
6 **Safety Office. A separate, additional electrical permit is required for new electrical service**
7 **or any changes to existing electrical service regardless of the size or exemption status of the**
8 **sign. All signs exempted from permit shall be reviewed by the zoning administrator for**
9 **compliance with this Chapter.**

10 **(d) All projecting signs extending over the public right-of-way, regardless of size or permit**
11 **required, shall be licensed and placed on file with the Public Service Department.**

12 **(e) Permit Application. Each sign permit application shall require the applicant to provide the**
13 **following information:**

14 **(1) The name, current address, and current telephone number of the applicant.**

15 **(2) The legal description or the permanent parcel number, and the address, of the parcel**
16 **on which the activity is to occur.**

17 **(3) The location of the proposed sign relative to the property lines of the parcel.**

18 **(4) All points of ingress and egress on the subject parcel and on adjacent parcels if there**
19 **are adjacent parcels within 60 feet of the proposed sign location or alteration, and the**
20 **location of parking spaces, if any.**

21 **(5) A sign plan which includes the following information: location of sign on parcel, sign**
22 **dimensions, sign message dimensions, height, width of building, parcel zoning district,**
23 **and a sign sketch.**

24 **(6) Construction design information.**

(7) Any other information which, in the determination of the Department, may be necessary to adequately review the proposal.

Sign permit applications, along with the appropriate nonrefundable fee, shall be submitted to the Building Safety Office on forms made available by the City. Upon receipt of a sign permit application, the Building Safety Office shall forward the application to the Planning Division for review and approval prior to the issuance of a sign permit. If it is discovered that the sign permit application contains any false information, the Building Safety Office may revoke the permit or deny the permit application, whichever is appropriate.

(f) Exceptions. No permits are required for the following signs or changes thereto:

(1) Signs that are less than ten (10) square feet in area.

(2) Exempt Signs listed in Section 1310.09 and Temporary Signs permitted by Section 1310.11.

(3) The changing of removable parts of an approved sign that is designed for such changes, or the repainting or reposting of display matter.

(4) The replacement of a sign face within an existing sign cabinet if it does not involve the replacement of any structural component of the sign.

These exceptions do not relieve the sign owner or the owner of the property upon which the sign is located from compliance with all other requirements of this Chapter regarding size, placement, erection, maintenance, removal, and disposal.

(g) Appeal Procedure. An appeal of any decision by the Zoning Administrator shall be made as follows:

(1) Appeals pertaining to the structural features or abandonment of a sign shall be made to the Building Board of Appeals.

1 **(2) Square footage of sign area, setback requirements, message unit limitations and other**
2 **dimensional requirements shall be made to the City Board of Zoning Appeals.**

3 **(3) All appeals shall be made within 30 days from the date of receipt-of the decision, by**
4 **the Zoning Administrator, that is being appealed.**

5 **An appeal fee shall be paid at the time of the filing of the appeal. The appeal application shall**
6 **specify the particular grounds upon which the appeal is based and shall be signed by a party**
7 **aggrieved, or his or her authorized representative. If a variance is sought, the appeal shall**
8 **specify the requirements from which the variance is sought, and the nature and extent of**
9 **such variance.**

10 **(h) Inspection of Work Covered by Permit. A person conducting or performing work covered**
11 **by a permit required by this chapter shall notify the Building Safety Officer or their designee**
12 **when such work has commenced, in accordance with the inspection schedule established by**
13 **the Building Safety Office. Unless otherwise indicated, no person shall conceal any portion**
14 **of such work until it has been inspected and approved by the Building Safety Officer or their**
15 **designee. When required, a certificate of inspection will be issued. No electrical or**
16 **illuminated sign shall be permanently operated before it has been inspected in accordance**
17 **with the City Electrical Code.**

18 **(i) Suspension or Revocation of Licenses and Permits. The Director shall give notice, in writing,**
19 **to the holder of a license or permit issued under this chapter of the reasons for any proposed**
20 **suspension or revocation of such license or permit, which notice shall be served upon such**
21 **holder at least five days before the time set for the hearing before the Building Board of**
22 **Appeals. At the hearing, the licensee or permittee may appear, in person, or be represented**
23 **by counsel, and may contest such suspension or revocation. For good cause shown at such**
24 **hearing, the Building Board of Appeals may suspend or revoke any such license or permit.**

- 1 (j) **Fees. Permit, licensing, and appeal fees shall be established by resolution of the City Council**
2 **and are nonrefundable.**

3 **1310.05 SIGN ILLUMINATION**

- 4 (a) **An electrical permit is required for new electrical service or any changes to existing electrical**
5 **service regardless of the size or exemption status of the sign.**

- 6 (b) **The intensity of all lights used for the illumination of a sign shall be maintained at a level,**
7 **and directed, positioned, or shielded to prevent:**

8 (1) **Glare onto adjacent properties;**

9 (2) **Interfering or impairing the vision of motorists or bicyclists traveling on a public right**
10 **of way; and**

11 (3) **Competition for attention with other signs in the area.**

12 **1310.06 MAINTENANCE**

- 13 (a) **All signs, including those for which a permit is not required, shall be maintained in a safe**
14 **and working condition. Signs with peeling paint, excessive rust, broken sign faces, bent**
15 **cabinets or supports, or any other structural or operational defect, including burned out**
16 **light bulbs or tubes, shall be in violation of this Chapter.**

17 **1310.07 ENFORCEMENT**

18 **The Zoning Administrator, Building Official, or any of their designees are authorized to enforce**
19 **this Chapter.**

- 20 (a) **Right of Entry. Whenever it is necessary to make an inspection to enforce any of the**
21 **provisions of this chapter, or whenever an authorized enforcing officer of the City has**
22 **reasonable cause to believe that there exists on any building or upon any premises any**
23 **condition or violation of this chapter which makes such building or premises unsafe,**
24 **dangerous or hazardous, the authorized enforcing officer may enter such premises at all**
25 **reasonable times to inspect the same or to perform any duty imposed upon the authorized**

1 enforcing officer by this chapter, provided that if such premises is occupied, the authorized
2 enforcing officer shall first present proper credentials and request entry. If such premises is
3 unoccupied, the authorized enforcing officer shall first make a reasonable effort to locate the
4 owner or other persons having charge or control of the premises and request entry. If such
5 entry is refused, the authorized enforcing officer shall have recourse to every remedy
6 provided by law to secure entry.

7 (b) **Unsafe, Dangerous, Unlawful, Abandoned Signs.** Unsafe, dangerous, unlawful, or
8 Abandoned signs, as determined by the authorized enforcing officer, shall be immediately
9 removed, or shall be made safe or lawful whichever is appropriate in accordance with all the
10 provisions of this chapter, and laws of the State of Michigan. The authorized enforcing
11 officer shall notify the property owner and/or other known responsible parties in writing of
12 such condition and shall direct them to remove the sign in question or make immediate
13 corrections, whichever is appropriate. Should the property owner and/or other known
14 responsible parties fail to comply with such notice, the authorized enforcing officer shall take
15 all action necessary to remove the sign or correct the unlawful or unsafe condition, including
16 Court ordered enforcement. If ordered by a court, any cost incurred by the City in removing
17 or making the sign safe shall be a lien against the real property on which the sign is located,
18 and shall be reported to the City Assessor, who shall bill the property owner and/or other
19 known responsible party and assess the cost against the property until paid. Any property
20 owner and/or other known responsible party aggrieved by the determination of the
21 authorized enforcing officer, may appeal the determination as provided in Section 1310.04(f).

22 (c) **Legally Nonconforming Signs, Sign Structures.** Legally Nonconforming Signs or Sign
23 Structures shall be immediately removed by the property owner and/or other responsible
24 parties, consistent with standards for loss of legal nonconformity of [Chapter 1270](#). The
25 authorized enforcing officer shall notify the property owner and/or other known responsible

parties in writing of such condition and shall direct them to remove the sign or sign structure in question. Should the property owner and/or other known responsible parties fail to comply with such notice, the authorized enforcing officer shall take all action necessary to remove the nonconformity, including pursuing Court ordered enforcement. If ordered by a court, any cost incurred by the City in removing the sign or sign structure shall be a lien against the real property on which the sign or sign structure was located, and shall be reported to the City Assessor, who shall bill the property owner and/or other known responsible party and assess the cost against the property until paid. Any property owner and/or other known responsible party aggrieved by the determination of the authorized enforcing officer, may appeal the determination as provided in Section 1310.04(f).

(d) **Right-of-Way Signs.** Except as otherwise provided in [Chapter 1022](#), signs illegally placed in the public right-of-way may be removed and disposed of by the City, without notice to the owner of the property adjoining the right-of-way or the owner of the sign. The City may also issue a civil fine to the owner of the illegally placed sign(s).

1310.08 GENERAL SIGN PROVISIONS

(a) Signs are permitted as an accessory use to a primary use. When the building on the premises containing the primary use is removed, all signs and sign structures located on the premises shall also be removed prior to finalization of the demolition permit.

(b) Buildings in the DT-3 “Downtown Core” zoning district that are used for a public purpose and are owned or entirely occupied by the United States Federal Government, State of Michigan, or the City of Lansing and any of its agencies, departments or instrumentalities are exempt from the dimensional requirements of this chapter. The Director of the Department of Economic Development and Planning shall have sole authority to approve or deny signs for these agencies after reviewing the proposed signs' compatibility with the surrounding area and the intent expressed in this chapter.

(c) Location.

- (1) Setbacks required by this Ordinance shall be measured from the property line adjoining a public right-of-way to the nearest edge of the sign.**
- (2) No freestanding sign shall be placed closer to any side or rear property line than five (5) feet.**
- (3) No sign, other than those installed by agencies of government or those authorized to be installed by such agencies with appropriate jurisdiction may be erected, or placed on public property, including rights-of-way.**
- (4) No sign may be installed in a location that obstructs the clear vision areas required by Section 1250.03.03 of the Zoning Ordinance or interferes in any way with the free use of any public right-of-way, public or private sidewalk, intersection, ingress or egress point, transit stop, parking space, drive aisle, driveway, building entrance, fire escape, or accessibility ramp.**
- (5) A plot plan depicting the clear vision area shall be provided with the sign permit application for a freestanding sign.**

(d) Electronic Message Center (EMC).

- (1) All Electronic Message Center signs shall have automatic dimming controls, either by photocell or via software settings, in order to bring EMC lighting level at night into compliance with this chapter.**
- (2) EMC signs located within two hundred (200) feet of a residentially zoned property or property being used for residential purposes, shall not be illuminated between the hours of 11:00 pm and 6:00 am.**
- (3) To preserve open vistas, protect the historic integrity of, and enhance the visual cityscape of Downtown Lansing and the Michigan State Capitol Building, EMC signs in the DT-3 district shall be limited to 20 square feet in sign area.**

(4) EMC signs in all commercial or special zoning districts, excluding DT-3, are limited to 32 square feet in sign area.

(5) No sign message shall blink, scroll, flash, or be animated.

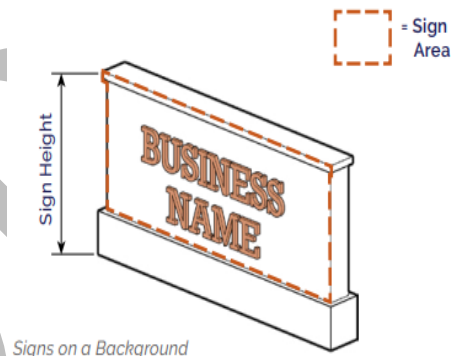
(6) All messages shall remain static while being displayed but may instantly change once every eight (8) seconds or longer.

(7) Any EMC sign that is malfunctioning shall be turned off until such time that it is functioning properly.

(e) Sign Area Measurements.

(1) The entire area of the framework and background of the sign is calculated as sign area, including any material or color forming the sign face or background used to differentiate the sign from the structure against which it is placed.

[FIGURE 5]



(2) The sign area for a sign mounted on a building wall, awning, fence, or landscape wall is the area of a rectangle that encompasses each word or graphic element. Sign area does not include any supporting framework or bracing, unless it is part of the message or graphic element.

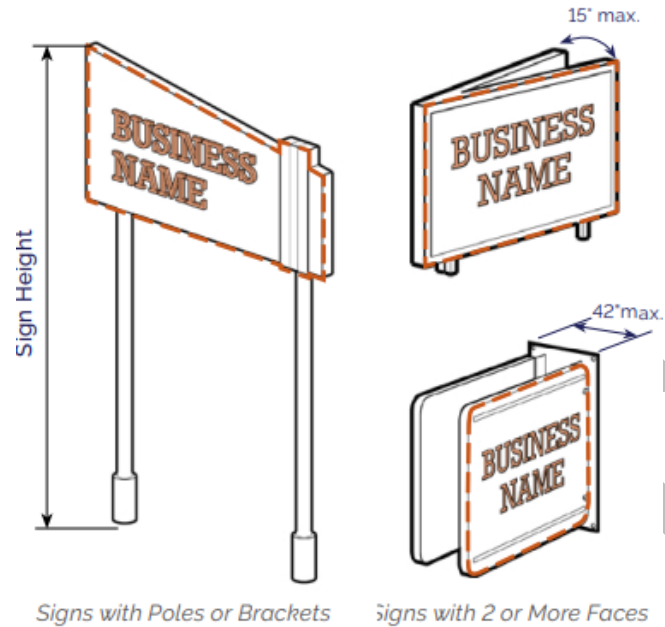
[FIGURE 6]



Individually Mounted Letters & Signs on an Awning

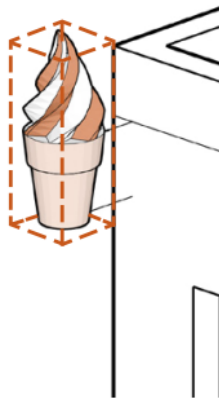
- (3) For signs that include a pole, pole cover, or bracket, the portion of the structure that is not an integral part of the display area shall not be included in the overall calculation of sign area provided no pole or pole cover exceeds two (2) feet in width.
- (4) If a sign has two (2) or more faces, the area of all faces is included in determining the area of the sign. However, if two (2) sign faces are placed back-to-back, or at an angle no greater than fifteen (15) degrees from one another so that both faces cannot be viewed from any point at the same time, the sign surface area shall be computed by the measurement of one (1) of the sign faces. In addition, sign faces that are part of the same sign structure shall not be more than forty-two (42) inches apart.

[FIGURE 7]



- (5) The sign area of Three-Dimensional, Free-Form, or Sculptural (nonplanar) signs is calculated as fifty (50) percent of the sum of the area of the four (4) vertical sides of the smallest cube that will encompass the sign.

[FIGURE 8]



- (f) **Preservation of Required Landscaping.** No tree or shrub that was installed as part of an approved site or landscape plan for the property upon which it is planted, or which is otherwise required to comply with the requirements of the Zoning Ordinance, may be removed or trimmed to the extent that it may not survive, in order to accommodate a sign. Upon request, the Zoning Administrator may approve the relocation or replacement of plant

materials, if it can be done in a manner that satisfies the requirements and the intent of the Zoning Ordinance regarding landscaping, screening, and buffering.

1310.09 EXEMPTION FROM PERMITTING

The following signs do not require a sign permit, but are subject to the applicable requirements of this chapter:

- (a) **Address Number Sign.** A sign that identifies the address of a property, structure, or establishment, provided it does not exceed four (4) square feet in area for buildings containing four (4) residential units or fewer and no other uses or sixteen (16) square feet in area for a building containing five (5) or more residential units or any non-residential uses.
- (b) **Public sign.** Public signs as defined by this Chapter and notices erected, authorized, or mandated by any governmental law, statute, ordinance, or signs that conform to the U.S. Department of Transportation, Federal Highway Administration's Manual on Uniform Traffic Control Devices and is installed for the purpose of directing or instructing traffic.
- (c) **Construction/Work Zone Signs.** Signs designating construction/work zones, signs warning people to keep out of certain areas due to hazardous conditions, and signs identifying the future development of the site for which the construction fence is erected may be affixed to the fence, subject to the following conditions:
 - (1) Shall not be in the public right-of-way unless the project involves permitted work in the public right-of-way or unless the sign is affixed to an authorized temporary fence or barricade around the construction/work zone area in the public right-of-way.
 - (2) Must be removed within five (5) calendar days upon completion of the project.
 - (3) Signs are allowed on each frontage of the construction/work zone.
 - (4) Shall not extend beyond the top or the ends of the support structure to which it is attached.

(d) **Sidewalk Sign.** A two-sided, portable sign, placed directly outside of the establishment to which it relates, are allowed subject to the following conditions:

(1) A maximum of one (1) sidewalk sign is allowed per establishment per street frontage.

(2) Sign shall not exceed six (6) square feet in sign surface area per side and three (3) feet in height.

(3) Sign may be placed outside on the premises or public sidewalk during the business hours of the establishment to which it relates only and shall be stored indoors at all other times.

(4) Sign shall not interfere with ingress and egress to a building, parking lot or street; shall always maintain a minimum of five (5) feet of unobstructed sidewalk clearance; and shall not interfere with visibility at the intersection of any street or driveway.

(5) Sign shall not be illuminated, contain any electronic components, or have attached to it any balloons, streamers, banners, or other such materials.

(6) Sign may not be placed outdoors when high winds, heavy rain, or heavy snow conditions are present and may not interfere with any snow removal operations.

(e) **Suspended Signs.** One (1) suspended sign up to six (6) square feet in area is permitted for each ground floor establishment. A minimum vertical clearance of at least eight (8) feet from the lowest edge of the sign to the finished grade directly below is required.

(f) **Flags** that are not intended to solely draw attention to the site or any business/operation occurring thereon, shall be permitted on flag poles that are anchored into the ground, are at least twenty (20) feet but no taller than thirty-five (35) feet in height and not located in a public right-of-way.

1310.10 PROHIBITED SIGNS

The following signs and any other signs not specifically permitted by this Chapter are prohibited:

(a) **Signs which are:**

- (1) Abandoned signs, sign structures, or parts thereof.**
- (2) Animated signs using or indicating movement using lights or moving parts.**
- (3) Balloons, inflatables, pennants, streamers, spinners, or flags, and other objects which are used as signs.**
- (4) Banner signs extending on or over public property, except as authorized by the City, County, or State.**
- (5) Unlawfully installed or erected.**
- (6) Unsafe or capable of causing electrical shock.**
- (7) Using words or symbols which would tend to mislead or confuse vehicle operators.**
For example, "STOP", "LOOK", "DANGER".
- (8) Obstructing the view of, imitating, copying, purporting to be, or may be confused with any authorized official sign, traffic sign, traffic signal, or traffic control device.**
- (9) Obstructing or impairing access to windows, doors, roofs, or other building openings necessary for fire escape.**
- (10) In the public right-of-way, except as permitted and regulated elsewhere in these Ordinances.**
- (11) Attached to trees, streetlights, traffic signs, utility poles, utility boxes, or standpipes.**
- (12) Attached to any fence, wall, retaining wall, or accessory structure.**
- (13) Vehicle Signs.**
- (14) If attached to a building, project above the parapet or roof line, except as otherwise permitted and regulated by this Chapter.**
- (15) Contain obscenity.**

1310.11 TEMPORARY SIGNS

(a) In General:

- (1) Each non-residential use and each multiple family residential use with more than twenty (20) units is permitted one (1) temporary sign for up to thirty (30) calendar days, twice during a calendar year on the parcel of land where the business, agency, institution, or residential use to which the sign relates is in active operation.**
- (2) Shall only be permitted on parcels that have at least one (1) property line abutting a non-local street and shall be oriented toward a non-local street.**
- (3) A temporary freestanding sign shall not exceed thirty-two (32) square feet in area.**
- (4) A temporary wall sign shall not exceed fifty (50) square feet in area.**
- (5) Shall not be internally illuminated.**
- (6) An additional temporary sign may be allowed per parcel when the parcel, building, or building suite to which the sign relates is being offered for sale or lease subject to the following restrictions:**
- a. Sign shall not be located in the public right-of-way.**
 - b. One (1) sign is allowed per street frontage.**
 - c. Sign shall not interfere with ingress and egress to a building, parking lot or street, shall always maintain a minimum setback of five (5) feet from a property line abutting a road right-of-way and shall not interfere with visibility at the intersection of any street or driveway.**
 - d. Sign shall not exceed twelve (12) square feet in area and four (4) feet in height on residential parcels of land that have twenty (20) residential units or fewer or on parcels of land containing nonresidential uses that are less than one-half (0.5) acres in size.**
 - e. Sign shall not exceed thirty-two (32) square feet in area and six (6) feet in height on residential parcels of land containing more than (20) residential**

units or on parcels containing nonresidential uses that exceed one-half (0.5) acres in size.

f. Sign shall be removed within five (5) calendar days following the closing of the sale or lease.

(7) Additional temporary signs may be allowed per parcel leading up to and following an official local, county, state, or federal election or referendum subject to the following restrictions:

a. Sign shall not be located in the public right-of-way.

b. Sign shall not interfere with ingress and egress to a building, parking lot or street and shall not interfere with visibility at the intersection of any street or driveway.

c. Sign shall not exceed six (6) square feet in area or three (3) feet in height.

d. Sign shall be removed within ten (10) calendar days following the election to which the sign was associated.

(b) Temporary Freestanding Signs:

(1) Shall be subject to the site visibility requirements of Section 1250.03.03 of the Zoning Ordinance.

(2) Shall be setback at least ten (10) feet from a property line abutting a public right-of-way line.

(3) Shall not exceed six (6) feet in overall height.

(4) No temporary sign of any kind, except for sidewalk signs and construction/work zone signs as permitted and regulated by this Chapter, shall be allowed in the public right-of-way.

(5) Shall not be permitted on parcels of land in the DT-1 zoning district that are less than one-half (0.5) acres in size or have more than fifty percent (50%) of the total building area on the parcel in use for residential purposes.

(c) Temporary Wall Signs:

(1) Must be flat mounted against the wall of a building and properly affixed thereto.

(2) Shall not be placed above the first floor of the building, on a roof, or extend above the roofline of a building.

(3) Shall not be illuminated.

(d) Temporary Signs in Residential districts

(1) Temporary signs on parcels in residential zoning districts and on parcels used for single- or two-family dwellings in the DT-1 district are limited to three (3) feet in height and three (3) square feet in sign area.

(2) Temporary signs shall not be placed in the right-of-way or attached to a fence, structure, or residential building.

1310.12 WALL SIGNS

(a) In General:

(1) Wall signs shall be parallel to the building wall they are attached to and shall not project more than twenty-four (24) inches from the building wall. Wall signs may only extend up to thirty-six (36) inches beyond the wall of the building it is attached to in order to accommodate a curved design or a sign that has depth through overlapping planes or varying plane thickness.

(2) Wall signs shall not obstruct any door, window, fire escape, or ventilation system

(3) Wall signs shall not extend above the top of a building wall or beyond the ends of the wall to which they are attached, except as otherwise permitted by this chapter.

1 **(4) Wall signs shall be located no higher on the building wall than twenty (20) feet from**
2 **the finished grade of the wall to which it is attached.**

3 **(5) One (1) sign shall be permitted on each of the four (4) walls facing different directions**
4 **on:**

5 **a. Buildings being used for non-residential land uses.**

6 **b. Buildings with a mix of residential and nonresidential uses.**

7 **c. A multiple-family residential building containing more than twenty (20) units,**
8 **except that no sign shall be permitted on a building wall that faces an adjoining**
9 **parcel being used solely for residential purposes with less than twenty (20)**
10 **units.**

11 **(6) Each business that has a pedestrian or loading entrance on the rear of the building**
12 **shall be permitted one (1) additional ten (10) square foot sign on the wall near that**
13 **entrance to the building, for identification purposes only.**

14 **(7) A wall sign may be attached to a mansard roof subject to all other requirements of**
15 **this chapter.**

16 **(8) In addition to wall signs, buildings that have at least six (6) stories above ground and**
17 **are not used solely for residential purposes may have one (1) building identification**
18 **sign on each of the four (4) walls of the highest floor of the building facing different**
19 **directions. The building identification signs shall not exceed one hundred (100) square**
20 **feet in area.**

21 **(9) Wall signs may only be illuminated if the wall does not face a Single- or Two-Family**
22 **residential use.**

23 **(10) The combined total area of all walls signs shall not exceed what is permitted**
24 **for the building based upon Table 1310.12 (a)(9):**

Table 1310.12 (a)(9)	
Building Frontage	Maximum Wall Sign Area
Up to 39 lineal feet of building frontage	15 percent of building façade area Maximum size of 50 square feet
40 feet to 99 feet of lineal building frontage	15 percent of building façade area Maximum size 150 square feet
100 feet or more of lineal building frontage	15 percent of building façade area Maximum size 200 square feet
Building façade area calculated by 15 feet in height x building width	

(b) Multi-Tenant Buildings

- (1) Each business that occupies part of and has a direct entrance on the front wall of the building shall be permitted one (1) wall sign, the allowable square footage shall be based upon Table 1310.12 (a)(9) and determined by the linear footage of the front wall of the building that the business occupies.**
- (2) Businesses that occupy a corner suite are permitted one (1) sign on the front wall and one (1) sign on the side wall of the building where the business is located. The allowable square footage for a sign on the side wall of the building is limited to one-half (0.5) of the square footage that is permitted for the business on the front wall of the building or fifty (50) square feet, whichever is greater.**
- (3) Multi-tenant buildings may have one (1) multi-tenant wall sign on the rear facade of the building that is occupied by businesses. The allowable square footage for a sign on the rear of the building shall be the same as, and shall not be deducted from, what is permitted for the businesses on the front or side walls of the building.**

(4) Businesses that do not occupy any part of the frontage of the building shall be permitted one (1) sign, not exceeding ten (10) square feet in area on the front wall of the building, near the entrance for which the business can be accessed.

1310.13 FREESTANDING SIGNS

(a) S-C, MX-C, MX-1, MX-2, DT-2, IND-1, IND-2, IND-3, INST-1 & INST-2 Zoning Districts.

(1) One (1) freestanding sign per parcel of land is permitted. One (1) additional sign may be permitted on a corner parcel that is more than five (5) acres in size and has frontage along and direct access to two (2) non-local roads, if both signs are not oriented towards and clearly visible from the same road.

(2) Sign shall be set back at least six (6) feet but not more than fifteen (15) feet from the property lines abutting a public right-of-way.

(3) A freestanding sign may be set back up to thirty (30) feet from property lines abutting a public right-of-way if approved by the Zoning Administrator based on dimensional restraints of the property or building placement.

(4) Sign shall not exceed twenty-five (25) feet in height and one hundred twenty (120) square feet in area.

(5) Any sign set back less than ten (10) feet from the property line shall not exceed six (6) feet in height and thirty-two (32) square feet in area.

(6) No freestanding sign shall be erected on a vacant parcel.

(b) MX-3, DT-1, DT-3, R-AR, MFR and R-MX Zoning Districts.

(1) One (1) freestanding sign shall be permitted on each parcel of land containing a non-residential use, a mix of residential and non-residential uses or a multiple family residential use with more than twenty (20) residential units. One (1) additional sign may be permitted on a corner parcel that is more than five (5) acres in size and has

frontage along and direct access to two (2) non-local roads, if both signs are not oriented towards and clearly visible from the same street.

(2) Sign shall only be permitted on parcels that have frontage on and shall be oriented towards a non-local street.

(3) Sign shall not exceed six (6) feet in height and thirty-two (32) square feet in area and shall be setback at least six (6) feet from property lines abutting a public right-of-way on parcels that are less than one (1) acre in size.

(4) Sign shall not exceed ten (10) feet in height and sixty (60) square feet in area and shall be setback at least ten (10) feet from property lines abutting a public right-of-way on parcels that are more than one (1) acre in size.

(5) No freestanding sign shall be erected on a vacant parcel.

(c) Institutional Uses.

(1) Institutional uses in the S-C, MX-C, MX-1, MX-2, MX-3, DT-1, DT-2, DT-3, IND-1, IND-2, and IND-3, zoning districts shall be subject to the same sign regulations as all other uses within said districts.

(2) In all other zoning districts, one (1) freestanding sign shall be permitted on parcels that are at least one-half (0.5) acre in size, have at least one (1) property line abutting a non-local street and contain an institutional use in active operation. One (1) additional sign may be permitted on a corner parcel that is more than five (5) acres in size and has frontage along and direct access to two (2) non-local streets, if both signs are not oriented towards and clearly visible from the same street.

(3) One (1) freestanding sign per entrance to the site along a non-local street shall be permitted for institutional uses in all zoning districts that are more than ten (10) acres in size, as long as the signs are separated by at least one hundred (100) feet.

(4) Sign shall not exceed six (6) feet in height and thirty-two (32) square feet in area and shall be setback at least six (6) feet from property lines abutting a public right-of-way on parcels that are less than one (1) acre in size.

(5) Sign shall not exceed ten (10) feet in height and sixty (60) square feet in area and shall be setback at least ten (10) feet from property lines abutting a public right-of-way on parcels that are more than one (1) acre in size.

(d) Multi-Tenant Signs

(1) Signs shall be permitted in the SC, MX-C, MX-1, MX-2, IND-1, IND-2, IND-3, INST-1, and INST-2 zoning districts.

(2) One (1) sign per parcel of land is permitted. One (1) additional sign may be permitted on a corner parcel, at least five (5) acres in size, with frontage along two (2) non-local streets if both signs are located near a primary entrance to the site and are not oriented towards or clearly visible from the same street.

(3) Sign shall not exceed twenty-five (25) feet in height and two hundred (200) square feet in area.

(4) Sign shall be setback at least ten (10) feet but no more than thirty (30) feet from the property lines abutting a public right-of-way.

(5) A business that is accessed from an adjacent multi-tenant site may, with expressly written permission from the sign owner, advertise its business on the multi-tenant sign but will then not be entitled to an additional freestanding sign on the parcel of land occupied by the business.

(e) Signs that are located interior to a school campus, hospital campus, park, multiple-family development, or multi-tenant commercial development may exceed the number of signs allowed herein, provided that such signs are not clearly legible from any public street.

- (f) A business whose building and associated parking lot(s) covers multiple parcels that are not combined but are immediately adjacent to one another and are associated with the same establishment shall not be permitted more than one (1) freestanding sign.**

1310.14 WINDOW SIGNS

- (a) Window signs shall not exceed twenty (20) percent of the area of the window from which the sign can be seen from the exterior of the building. All mounting hardware and equipment shall be concealed from the exterior view of the building. In the case of multi-pane windows, the surface area of the window shall be the combined surface area of the individual panes.**

1310.15 AWNING/CANOPY SIGNS and VEHICLE SERVICE STATION CANOPY SIGNS

- (a) Awning/canopy signs.**

(1) Signs, on awnings or canopies located above entrances to a building intended to provide shelter or installed as an architectural element, shall count towards the allowable number and square footage of wall signage permitted for the business in the building that it relates thereto.

(2) A sign may extend up to five (5) feet vertically above the flat roof of a canopy. If the sign is limited to the address or the name of the building, it shall not count towards the wall signage limitations. In no case shall the sign exceed forty (40) square feet in area.

(3) Electronic Message Center signs are not permitted on awnings or canopies.

(4) Only awnings or canopies on the first-floor story of the building may contain signs.

(5) The sign area shall not exceed what is permitted for wall signage for the building, or fifty (50) percent of the awning or canopy surface on which it is displayed, whichever is less.

(6) All awnings or canopies shall be subject to the architectural standards set forth in Section 1246.04.01 (d) of the Zoning Ordinance.

(b) Motor Vehicle service station canopy signs.

(1) One (1) sign is permitted on each side of the canopy.

(2) No part of the sign shall extend above or below the canopy and must be flat mounted against the canopy.

(3) Signs shall not exceed twenty-five percent (25%) of the area of the side of the canopy to which it is attached.

(4) Signs on canopies shall not count towards the allowable number of wall signs for the building, whether or not it is attached thereto.

(5) EMC signs are permitted.

1310.16 PROJECTING SIGNS

Projecting signs are permitted in all non-residential zoning districts for each business occupying a building subject to the following provisions:

(a) One (1) sign per business. Businesses on corner parcels that occupy a part of the first-floor building walls, may have one (1) projecting sign facing each public street. First floor businesses that have a customer entrance at the rear of the building may have one (1) projecting sign on the rear building wall.

(b) Sign shall not exceed sixteen (16) square feet in area or a maximum projection from the building wall of four and one-half (4.5) feet.

(c) Where a projecting sign is located on the corner of a building and is used in lieu of one (1) permitted wall sign, the area of the projecting sign may exceed sixteen (16) square feet and shall be deducted from the total allowable wall sign area for the building establishment. Such signs shall be visible from at least two (2) directions.

(d) Sign shall have a minimum vertical clearance of ten (10) feet from the bottom edge of the sign to the ground or sidewalk, or fifteen (15) feet if overhanging an alley.

(e) Signs on the front building wall(s) shall be located within fifteen (15) feet of the ground directly below the sign. Signs on the rear building wall shall be located within twenty (20) feet of ground directly below the sign.

(f) There shall be a minimum separation distance of eight (8) feet between projecting signs.

1310.17 NEIGHBORHOOD ENTRANCEWAY SIGNS

Signs that identify the name of a subdivision, condominium development, or neighborhood organization recognized as being active by the City of Lansing Department of Neighborhoods, Arts, and Citizen Engagement, may be located within the public right-of-way and shall be subject to the following:

(a) Review, approval, and issuance of permits from the Public Service Department and the Building Safety Office are required prior to installation of a sign. A plan showing the proposed location of the sign, a rendering of the sign showing the content, materials and all dimensions and a plan for appropriate landscaping around the base of the sign shall be submitted along with the permit applications.

(b) The sign subject matter must be related solely to identifying the name of the subdivision, according to the recorded plat thereof, the name of the condominium according to the recorded master deed, or the name of the neighborhood organization/association recognized as being active by the Department of Neighborhoods, Arts, and Citizen Engagement, or its successor.

(c) Sign shall not exceed six (6) feet in height and fifty (50) square feet in area and shall not be internally illuminated or contain a changeable message center of any kind.

(d) One (1) sign on each side of the roadway at the primary entrance(s) or one (1) sign within a boulevard at the primary entrance(s) of the subdivision, condominium development or

1 designated neighborhood association/organization may be permitted. The primary entrances
2 where such signs may be located must be at the intersection of a street entering the area to
3 which it is identifying and a non-local street, unless otherwise approved by the Public Service
4 Department.

5 (e) Signs may be located at no more than two (2) primary entrances to the subdivision,
6 condominium development, or neighborhood association/organization area that it identifies.

7 (f) The sign, land, and landscaping around the sign must be retained in ownership by the City.
8 All construction, maintenance, or repair, however, shall be the responsibility of the
9 homeowners or condominium association or the neighborhood organization/association.

10 (g) Appropriate insurance and indemnity policies protecting the City against liability must be
11 provided and maintained.

12 (h) The City retains the right to remove the sign and the landscaping if it is not being properly
13 maintained or if it necessary to perform roadway, sidewalk, or utility construction/repair, or
14 for any reason at all.

15 1310.18 VARIANCES and APPEALS

16 (a) The Board of Zoning Appeals shall hear and decide requests for variances and appeals
17 regarding a decision or determination made by the Zoning Administrator related to the
18 provisions of this Chapter. Requests made to the Board of Zoning Appeals are subject to all
19 of the requirements, procedures, and evaluation criteria established by [Chapter 1274](#) of the
20 Zoning Ordinance.

21 (b) To prevent signs exceeding the dimensions allowed in this Chapter from conflicting with
22 business, residential and public land uses, no new freestanding signs exceeding the
23 dimensions allowed in this Chapter shall be constructed, and no existing signs shall be rebuilt
24 in excess of their existing dimensions, within the City of Lansing, unless approved by the
25 Board of Zoning Appeals based upon a determination that removal and replacement of such

1 **an existing sign is necessary to accommodate new development on the site upon which it is**
2 **located.**

3 **(c) In making its decision, the Board must find that the proposed development is consistent with**
4 **the zoning designation of the property and all applicable provisions of the Zoning Ordinance**
5 **as well the goals and objectives of the City's current Master Plan and the future land use**
6 **plan being advanced therein.**

7 **(d) Appeals pertaining to the structural features of a sign shall be made to the Building Board**
8 **of Appeals.**

DRAFT

1310.98 ISSUANCE OF MUNICIPAL CIVIL INFRACTION CITATIONS AND VIOLATION NOTICES

The Zoning Administrator, the Building Official and any of their designees are hereby designated as the authorized City officials to issue Municipal civil infraction citations (directing alleged violators to appear in court) or Municipal civil infraction violation notices (directing alleged violators to appear at the Municipal Ordinance Violations Bureau) as provided in Chapter 203 of these Codified Ordinances.

1310.99 PENALTY

Whoever violates any of the provisions of this chapter is responsible for a Municipal civil infraction and shall be subject to the civil fine provided in Section 203.06 of these Codified Ordinances, plus costs and other sanctions, for each infraction. Repeat offenses shall be subject to increased fines as provided in Section 202.99(c)(2).

Section 3. All ordinances, resolutions or rules, parts of ordinances, resolutions, or rules inconsistent with the provisions are repealed.

Section 4. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 5. This ordinance shall take effect on the 30th day after enactment, unless given immediate effect by City Council, and shall expire December 31, 2032.

"If you would've told me 10 years ago that I'd still be here and that we'd own the building, it's an achievement. It means there's some real long-term stability for the organization, which is what I've been building to this whole time," said Lansing's co-op director Aaron Fields, who co-founded the all-volunteer nonprofit with a group of friends in March 2013. On Saturday (Sept. 21), Fields will sign the final mortgage check and officially pay off the co-op's building at 1715 E. Kalamazoo St., and the public is invited to celebrate from noon to 4 p.m. with free food, shop tours, bingo and live music. The co-op's monthly "alley cat" bicycle scavenger hunt will start at 2 p.m.

Last week, one of the co-op's windows was smashed with a rock. While Fields is hopeful the window will be repaired by this weekend, he's not too concerned about it. "I'm a little annoyed, but I imagine it was someone who wasn't even thinking about it, seconds ahead of what they were doing," he said. "We put up a post on Facebook to help repair the window, and the community responded."

Fields said that over the past 10 years, the co-op has given away "at least 700" children's bicycles during its annual holiday bike drive and has repaired a few thousand bikes with community members. Looking ahead to the next decade, he'd like to see the organization continue its steady growth.

"Now that we've got a good place in the community, we have the opportunity to do other things, like expand classes and make some capital improvements," he said.

WILLIAMSTOWN TOWNSHIP Board Meeting September 11, 2024

Synopsis

The Williamstown Township Board held a regular meeting on Wednesday, September 11, 2024 at 7:00 PM with Supervisor Bloomquist, Clerk Cleveland, Treasurer Cuthaw, Trustee Duffy, Trustee Eyster, and Trustee Steinberg present. The Board approved the following:

- Consent Agenda
 - Budget Amendments
 - Legal Counsel Engagement
 - BS&A cloud program and training to replace all current BS&A financial programs
- The next regular Board meeting will be at 7:00 PM on Wednesday, October 9, 2024 in the Community Room of the Township Hall, 4990 Zimmer Rd., Williamstown. Visit williamstownmi.gov for the latest agenda, documents, and updates. Phone (517) 655-3193. Robin A. Cleveland, Township Clerk

CITY OF LANSING SUMMARY OF ADOPTED ORDINANCE # 1323

Lansing City Council adopted an Ordinance of the City of Lansing, Michigan, to repeal and replace the existing signs ordinance, being Part 14, Title 4 of the Lansing Codified Ordinances in its entirety, with Part 13, Title 2, regulating the size, location, and character of signs and sign structures on property in Lansing.

Effective date: October 9, 2024

Notice:

The full text of this Ordinance is available for review at the City Clerk's Office, 9th Floor, City Hall, Lansing, Michigan. A copy of the full text of this Ordinance may be obtained from the City Clerk's Office, 9th Floor, City Hall, Lansing, Michigan at a fee determined by City Council.

Chris Swope, Lansing City Clerk, MMC/MIPMC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope

CP#24-657

Cracked Pot Introducton - Friendly pottery-throwing competition among Cracked Pot Studio Tour artists. Free, open for public viewing. 6-10 p.m. Art Unlimited, 4692 Okemos Road, Okemos. cracked-potstudio.com.

Cruise to Holt - Weekly cruise-ins every Friday night at the Holt Farmers Market parking lot. 5-8 p.m. 2150 Cedar St., Holt. holtfarmersmarket.org.

Dan Dan Laird at the Peanut Barrel - 8 p.m. 521 E. Grand River Ave., East Lansing. 517-351-0608. peanutbarrel.com.

Diane Sanderson Bookend Gallery Display - Diane has a love of animals and nature, which is well-represented in her photography. Stop in and enjoy her work! Noon-4 p.m. Haslett Library, 1590 Franklin St., Haslett. cadl.org/about/our-locations/haslett.

Fitness Over 50! Exercise Group - The Meridian Township Parks and Recreation Stretch and Flex Exercise group exercises at Central Park Pavilion, 9-10 a.m. 5161 Marsh Road, Okemos. meridian-50plus.com.

Harry Hill High School Alumni Meet & Greet - Appetizers and cash bar. Attire is casual/Harry Hill apparel. 6-10 p.m. Buddies Grill, 2040 N. Aurelius Road, Holt. eventbrite.com/o/harry-hill-reunion-committee-88374490183.

Joel Ellis Art Display - Original works of art by Joel Ellis are on display through September and October in the Okemos Library's Community Room, 9 a.m.-8 p.m. 4321 Okemos Road, Okemos. 517-347-2021. joelellisart.blogspot.com.

Michigan Bluesfest - Open-air festival with three stages. We showcase diverse styles of blues, attracting musicians from across the state and around the world. 5 p.m.-1 a.m. Turner Street, Old Town. micharts.org/about/bluesfest.

North Duster at Lansing Shuffle - 7 p.m. 325 Riverfront Drive, Lansing. 517-940-4365. lansingshuffle.com.

Off the Leage at Mash Bar - 9 p.m. 212 Albert Ave., East Lansing. 517-858-2100. mashbar.net.

Parkinson's Exercise: Movement for Vitality - Free group class for people with Parkinson's and their caregivers. 1 p.m. Michigan Athletic Club, 2900 Hannah Blvd., East Lansing. To register, call 517-364-8888. lpsg.org.

Parlour for Littles at ALIVE - You and your little one will learn to safely maneuver obstacles using the whole body. Build strength, balance, focus and problem-solving skills after listening to related stories. Ages 3-6. 10 a.m. 800 W. Lawrence Ave., Charlotte. myalive.com.

Peace Pole Planting Ceremony - A pole stating "May peace prevail on Earth" in 12 languages will be permanently "planted" on the MSU campus. Musicians will perform. 11:30 a.m. Meet behind MSU International Center near Red Cedar River. peacequestigreaterhansing.org.

Peace Vigil - All are welcome. Bring peace-related signs if you would like. Noon-1 p.m. Michigan Capitol, 100 N. Capitol Ave., Lansing. peacequestigreaterhansing.org.

assemble the same 500-piece puzzle first. Prizes for first, second and third places. Registration req. 10 a.m. Charlotte Community Library, 226 S. Bostwick St., Charlotte. charlottelibrary.org.

Comedy Through the Looking Glass - Host Nick Leydorf, headliner Sam Rager and opener Dave Wellfare. 9 p.m. Looking Glass Brewing Co., 115 N. Bridge St., Dewitt. lookingglassbrewingcompany.com.

Cornbread & Beans Takeover - Comedy show with a quick live podcast to wrap up the evening. Host Jacqui Marpa, headliner Rob Jenkins, opener Ken Witzgall. 8 p.m. Country Creek Reception Hall, 5589 N. Michigan Road, Dimondale. countrycreekreceptionhall.com.

Cracked Pot Studio Tour - Self-guided tour of nine Greater Lansing studios. Enjoy demonstrations, meet the artists and buy directly from the pottery and ceramics. 10 a.m.-5 p.m. cracked-potstudio.com.

Diane Sanderson Bookend Gallery Display - Diane has a love of animals and nature, which is well-represented in her photography. Stop in and enjoy her work! Noon-2 p.m. Haslett Library, 1590 Franklin St., Haslett. cadl.org/about/our-locations/haslett.

Geach at the Green Door - 8:30 p.m. 2005 E. Michigan Ave., Lansing. 517-482-6376. greendoorlive.com.

Eddie Kroos/End of I - Christian hard rockers Eddie Kroos and special guest End of I invite you to a free, all-ages show. Enjoy refreshments, door prizes and giveaways! Doors 6:30 p.m., show 7 p.m. 719 E. Cesar E. Chavez Ave., Lansing. eddiekroos.com/deadmanlansing.

Electronics Recycling & Coat Collection Day - In addition to recycling electronics, Meridian Cares will accept new and gently used coats, snow pants and boots for its annual coat drive. 9 a.m.-1 p.m. Meridian Mall, 1982 W. Grand River Ave., Okemos. meridian.mi.us.

Fall Craft Show - Shop from 30 crafters and concession booths! 10 a.m.-4 p.m. St. Therese Catholic Church, 102 W. Randolph St., Lansing. 517-487-3749. facebook.com/StThereselansing.

Free Brush and Yard Waste Drop-Off - 8 a.m.-noon. Delhi Publicly Owned Treatment Works, 5961 McCue Road, Holt. 517-599-3874. delhitownshipmi.gov.

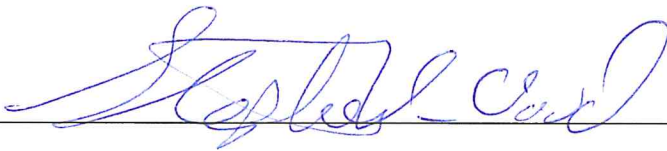
Game Night - Bring your favorite game to share, whether it's a tabletop RPG, a card game, a board game or something else. You're also welcome to bring food and beverages. 5-8 p.m. Keys to Manifestation, 809 Center St., Lansing. manifestlansing.com.

Harry Hill High School Alumni Reunion - All graduation classes welcome! Buffet, cash bar and live music. Attire is business casual. 6-11 p.m. Michigan Athletic Club, 2900 Hannah Blvd., Lansing. eventbrite.com/o/harry-hill-reunion-committee-88374490183.

AFFIDAVIT OF PUBLICATION

I, Stephen Underwood, am a resident of Lansing, County of Ingham, State of Michigan, and do hereby certify, swear, or affirm, that I am competent to give the following declaration based on my personal knowledge, unless otherwise stated, and that the following facts are true and correct to the best of my knowledge: That the attached advertisement – **CP#24-657 – City of Lansing, Summary of Adopted Ordinance #1323** – was published Wednesday, September 18, 2024, and that City Pulse satisfies the requirements of 1963 PA 247 MCL 691.1051.b

WITNESS my signature this 18th day of September 2024



Signature of Declarer

State of Michigan
County of Ingham

This instrument was acknowledged before me on September 18, 2024

By Stephen Underwood



Berl Schwartz, Notary Public

My commission expires January 24, 2025

Ordinance #1323

An ordinance of the City of Lansing, Michigan, to repeal and replace the existing signs ordinance, being Part 14, Title 4 of the Lansing Codified Ordinances in its entirety, with Part 13, Title 2, regulating the size, location, and character of signs and sign structures on property in Lansing.

THE CITY OF LANSING ORDAINS:

Section 1. That Part 14, Title 4 of the Lansing Codified Ordinances, is hereby repealed in its entirety

Section 2. That in its place, **Part 13, Title 2** of the Codified Ordinances of the City of Lansing, Michigan, be and is hereby enacted to read as follows:

PART 13, TITLE 2

CHAPTER 1310 SIGNS

1310.01 INTENT AND SUBSTITUTION

(a) This chapter is intended to:

- (1) Provide guidance on sign display in limiting the allowable number, size, and placement of signs to protect the public health, safety, and welfare of the City of Lansing.
- (2) Eliminate visual clutter and distractions to protect and improve traffic and pedestrian safety.
- (3) Protect and enhance the community's aesthetic quality and the character and appearance of the City of Lansing.
- (4) Provide standards for the maintenance and repair of signs and establish procedures for enforcing the provisions of this Chapter.

1310.02 APPLICABILITY

This chapter shall apply to all persons, businesses, and associations owning, occupying, or having control/management of any premises located within the city limits of the City of Lansing.

All new, reconstructed, altered, or relocated signs within the city limits shall comply with the provisions of this Chapter. Any sign already erected as of the effective date of this chapter which is rendered nonconforming by the provisions of this chapter or subsequent amendments hereto, shall be subject to the restrictions and regulations contained herein.

1310.03 DEFINITIONS

ABANDONED SIGN. A sign advertising a business, activity or product which remains on the premises for more than six (6) consecutive months after the business, activity, or product to which it is related to ceased active operation on the premises.

ABANDONED SIGN STRUCTURE. A structure which supported a sign and remains on the premises for more than twelve (12) consecutive months after it ceased to support a lawful sign for a business, activity, or product that has ceased active operation on the premises.

ANIMATED SIGN. A sign or display that uses movement or the appearance of movement using patterns of lights, changes in color or light intensity, computerized special effects, video displays, or through any other method.

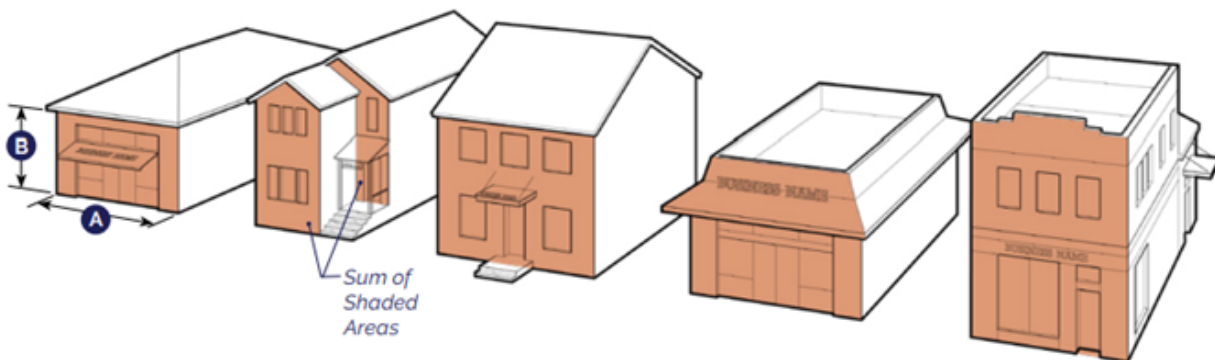
AREA. The entire area of a sign within the limits of writing or pictorial representation together with any frame, other material, or color forming an integral part of the display, but excluding the necessary supports or uprights on which such sign is attached. The area shall be determined by measuring from the outside edge of the frame, material, or color forming the sign. If the sign has no backing, but a wall or canopy is used as the background, a square or rectangle shall be formed around the text or symbols, and those dimensions will be used to compute the area. When a sign has two (2) or more faces, the area of all faces shall be used in determining the total area of the sign.

BANNER SIGN. A temporary sign, as further defined herein, made of cloth, paper, fabric, or other flexible materials, either with or without a supporting framework.

BUILDING FAÇADE. All exterior sides of a building.

BUILDING FRONTAGE. The front of a building facing a right-of-way. In the case of a corner lot, or in the case of a building covering an entire block a building may have more than one frontage. In the case of a multi-tenant building, the frontage of a building or side containing the main entrance directly to that area of the building that the business occupies. For a parcel with more than one (1) line abutting a right-of-way, the building frontage that is used to calculate the allowable wall signage is the one which is intended to be the front wall of the building either by entranceway or another architectural feature. Where this distinction cannot be made, the smaller of the facades facing a right-of-way shall be used to calculate the allowable wall sign area.

[FIGURE 1]



ELECTRONIC MESSAGE CENTER. A sign capable of displaying words, symbols, figures, or images that can be electronically changed by remote or automatic means.

FREESTANDING SIGN. A self-supported sign on the ground by a base, foundation, pole, or brace, not attached to a building and intended to be permanently displayed on the property.

HEIGHT, CLEARANCE. For signs attached to a building or a support structure, the vertical distance measured from the lowest point of the natural grade directly below the sign to the lowest edge of the sign.

[FIGURE 2]



Vertical Clearance

HEIGHT, SIGN. The vertical distance measured from the natural grade directly below the sign to the highest point of the sign or sign structure to which it is attached.

ILLUMINATED SIGN. A sign or part thereof that incorporates fluorescent, neon, LED, or any other form of lighting, or one which is illuminated by an external source such as ground lights that shine directly on the sign.

INSTITUTIONAL LAND USE. Government buildings, schools, churches, hospitals, community centers, public parks, and recreational facilities, or any other public or quasi-public use permitted in the zoning district in which the institution is located.

LEGALLY NONCONFORMING SIGN. A sign which does not comply with one (1) or more of the requirements of this Chapter but was lawfully erected prior to its effective date.

LOCAL STREET. A street not designated as an arterial corridor, activity corridor, suburban corridor, prime connector, or neighborhood connector on the Form-Based Zoning Code Street Typology Map.

MULTI-TENANT SIGN. A sign that provides advertising for two (2) or more establishments that are completely separated from each other within a building, a series of buildings on the same parcel of land, or businesses on adjoining parcels of land that function as a single development with shared access and/or parking.

NEIGHBORHOOD ENTRANCEWAY SIGN. A sign located on property owned or controlled by the City that identifies the name of a subdivision, condominium development, or neighborhood organization recognized as being active by the City of Lansing Department of Neighborhoods, Arts, and Citizen Engagement.

PROJECTING SIGN. A sign, other than a wall sign, as defined in this Chapter, affixed to an exterior building wall with the exposed faces perpendicular to the plane of the wall.

PUBLIC SIGN. A sign, whether temporary or permanent, erected in the public interest by or upon orders from the City of Lansing, Ingham County, State of Michigan, federal government or any agency thereof having appropriate jurisdiction, Public signs include traffic control signs, signs of historical interest,

and signs that communicate messages to the public involving safety matters or emergency situations, which signs may or may not be erected in the public right-of-way.

SIDEWALK SIGN. A portable 'A-frame' (Λ) or 'inverted-T' sign ($\perp$) comprised of two (2) separate panels or faces located on a public sidewalk.

SETBACK. The distance between a property line and the nearest edge of the sign.

SIGN. A device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol or writing to advertise, announce or identify the purpose of a person or entity, or to communicate information to the public.

SIGN STRUCTURE. Includes, but is not limited to a pole, base, or frame intended to be used for the support or display of a sign, regardless of whether the sign itself has been removed.

SUSPENDED SIGN. A sign that is suspended, hung, or connected to the underside of an awning, canopy, or horizontal building surface, and intended to be viewed by pedestrians on a non-public sidewalk at close range.

[FIGURE 3]



TEMPORARY SIGN. A sign, banner, inflatable, or other advertising device, with or without a structural frame, intended for a limited period of display.

TRAFFIC CONTROL SIGN. A sign used solely to direct traffic by identifying building and parking lot entrances/exits, service areas and traffic flow throughout the site.

UNSAFE OR DANGEROUS SIGN. Any sign or sign component, which becomes damaged, insecure, or in danger of falling.

UNLAWFUL SIGN. Any sign that was not lawfully erected or maintained whether prior to or since the adoption of this Chapter.

VACANT PARCEL. Any parcel or lot of record on which no building or structure exists thereon or is not legally occupied.

VEHICLE SIGN. A sign affixed to a parked vehicle or truck trailer which is located on a property primarily for display, rather than for transportation purposes.

[FIGURE 4]



WALL SIGN. A sign attached parallel to and extending not more than twenty-four (24) inches from the wall of a building. Painted signs, signs which consist of individual letters, cabinet signs, and signs mounted on the face of a mansard roof, shall be considered wall signs.

WINDOW SIGN. A sign located on a window or behind a window which is intended to be viewed from the outside. A window sign does not include blinds, shades or screens, or solid color backgrounds that may cover the window and do not display a sign as defined in this Chapter.

1310.04 LICENSING, PERMITS, AND FEES

- (a) **License Required.** No person shall engage in the business of, or perform the work of, installing, erecting, maintaining, repairing, or altering any sign without first obtaining a license therefor from the City Clerk. All such licenses shall automatically expire on April 30 of each year unless renewed. All applications for sign permits must be submitted by a duly licensed sign erector. Said license holder shall perform all work stipulated on the sign permit.
- (b) **Insurance Requirements for Licensees.** All licensees engaged in the installation, alteration, maintenance, repair, or erection of signs shall file with the City Clerk proof of a general liability insurance policy and enforcement which insures the licensee and the City against any liability imposed upon the licensee and/or the City arising out of the work performance for the signs. Such insurance shall provide for the payment to any person injured, or to another by reason of the death of any one person, to the extent of \$100,000.00, and for the payment of \$300,000.00 for injuries to or the death of more than one person, and for property damage in the amount of \$100,000.00.
- (c) **Permit Required.** Unless specifically exempt under this Chapter, no person shall erect, construct, relocate, or cause to be erected, constructed, relocated, or significantly altered, any sign, without first obtaining a sign permit with information required by the Building Safety Office. A separate, additional electrical permit is required for new electrical service or any changes to existing electrical service regardless of the size or exemption status of the sign. All signs exempted from permit shall be reviewed by the zoning administrator for compliance with this Chapter.

(d) All projecting signs extending over the public right-of-way, regardless of size or permit required, shall be licensed and placed on file with the Public Service Department.

(e) Permit Application. Each sign permit application shall require the applicant to provide the following information:

(1) The name, current address, and current telephone number of the applicant.

(2) The legal description or the permanent parcel number, and the address, of the parcel on which the activity is to occur.

(3) The location of the proposed sign relative to the property lines of the parcel.

(4) All points of ingress and egress on the subject parcel and on adjacent parcels if there are adjacent parcels within 60 feet of the proposed sign location or alteration, and the location of parking spaces, if any.

(5) A sign plan which includes the following information: location of sign on parcel, sign dimensions, sign message dimensions, height, width of building, parcel zoning district, and a sign sketch.

(6) Construction design information.

(7) Any other information which, in the determination of the Department, may be necessary to adequately review the proposal.

Sign permit applications, along with the appropriate nonrefundable fee, shall be submitted to the Building Safety Office on forms made available by the City. Upon receipt of a sign permit application, the Building Safety Office shall forward the application to the Planning Division for review and approval prior to the issuance of a sign permit. If it is discovered that the sign permit application contains any false information, the Building Safety Office may revoke the permit or deny the permit application, whichever is appropriate.

(f) Exceptions. No permits are required for the following signs or changes thereto:

(1) Signs that are less than ten (10) square feet in area.

(2) Exempt Signs listed in Section 1310.09 and Temporary Signs permitted by Section 1310.11.

(3) The changing of removable parts of an approved sign that is designed for such changes, or the repainting or reposting of display matter.

(4) The replacement of a sign face within an existing sign cabinet if it does not involve the replacement of any structural component of the sign.

These exceptions do not relieve the sign owner or the owner of the property upon which the sign is located from compliance with all other requirements of this Chapter regarding size, placement, erection, maintenance, removal, and disposal.

(g) Appeal Procedure. An appeal of any decision by the Zoning Administrator shall be made as follows:

(1) Appeals pertaining to the structural features or abandonment of a sign shall be made to the Building Board of Appeals.

(2) Square footage of sign area, setback requirements, message unit limitations and other dimensional requirements shall be made to the City Board of Zoning Appeals.

(3) All appeals shall be made within 30 days from the date of receipt of the decision, by the Zoning Administrator, that is being appealed.

An appeal fee shall be paid at the time of the filing of the appeal. The appeal application shall specify the particular grounds upon which the appeal is based and shall be signed by a party aggrieved, or his or her authorized representative. If a variance is sought, the appeal shall specify the requirements from which the variance is sought, and the nature and extent of such variance.

(h) **Inspection of Work Covered by Permit.** A person conducting or performing work covered by a permit required by this chapter shall notify the Building Safety Officer or their designee when such work has commenced, in accordance with the inspection schedule established by the Building Safety Office. Unless otherwise indicated, no person shall conceal any portion of such work until it has been inspected and approved by the Building Safety Officer or their designee. When required, a certificate of inspection will be issued. No electrical or illuminated sign shall be permanently operated before it has been inspected in accordance with the City Electrical Code.

(i) **Suspension or Revocation of Licenses and Permits.** The Director shall give notice, in writing, to the holder of a license or permit issued under this chapter of the reasons for any proposed suspension or revocation of such license or permit, which notice shall be served upon such holder at least five days before the time set for the hearing before the Building Board of Appeals. At the hearing, the licensee or permittee may appear, in person, or be represented by counsel, and may contest such suspension or revocation. For good cause shown at such hearing, the Building Board of Appeals may suspend or revoke any such license or permit.

(j) **Fees.** Permit, licensing, and appeal fees shall be established by resolution of the City Council and are nonrefundable.

1310.05 SIGN ILLUMINATION

(a) An electrical permit is required for new electrical service or any changes to existing electrical service regardless of the size or exemption status of the sign.

(b) The intensity of all lights used for the illumination of a sign shall be maintained at a level, and directed, positioned, or shielded to prevent:

(1) Glare onto adjacent properties;

(2) Interfering or impairing the vision of motorists or bicyclists traveling on a public right of way; and

(3) Competition for attention with other signs in the area.

1310.06 MAINTENANCE

(a) All signs, including those for which a permit is not required, shall be maintained in a safe and working condition. Signs with peeling paint, excessive rust, broken sign faces, bent cabinets or supports, or any other

structural or operational defect, including burned out light bulbs or tubes, shall be in violation of this Chapter.

1310.07 ENFORCEMENT

The Zoning Administrator, Building Official, or any of their designees are authorized to enforce this Chapter.

- (a) **Right of Entry.** Whenever it is necessary to make an inspection to enforce any of the provisions of this chapter, or whenever an authorized enforcing officer of the City has reasonable cause to believe that there exists on any building or upon any premises any condition or violation of this chapter which makes such building or premises unsafe, dangerous or hazardous, the authorized enforcing officer may enter such premises at all reasonable times to inspect the same or to perform any duty imposed upon the authorized enforcing officer by this chapter, provided that if such premises is occupied, the authorized enforcing officer shall first present proper credentials and request entry. If such premises is unoccupied, the authorized enforcing officer shall first make a reasonable effort to locate the owner or other persons having charge or control of the premises and request entry. If such entry is refused, the authorized enforcing officer shall have recourse to every remedy provided by law to secure entry.
- (b) **Unsafe, Dangerous, Unlawful, Abandoned Signs.** Unsafe, dangerous, unlawful, or Abandoned signs, as determined by the authorized enforcing officer, shall be immediately removed, or shall be made safe or lawful whichever is appropriate in accordance with all the provisions of this chapter, and laws of the State of Michigan. The authorized enforcing officer shall notify the property owner and/or other known responsible parties in writing of such condition and shall direct them to remove the sign in question or make immediate corrections, whichever is appropriate. Should the property owner and/or other known responsible parties fail to comply with such notice, the authorized enforcing officer shall take all action necessary to remove the sign or correct the unlawful or unsafe condition, including Court ordered enforcement. If ordered by a court, any cost incurred by the City in removing or making the sign safe shall be a lien against the real property on which the sign is located, and shall be reported to the City Assessor, who shall bill the property owner and/or other known responsible party and assess the cost against the property until paid. Any property owner and/or other known responsible party aggrieved by the determination of the authorized enforcing officer, may appeal the determination as provided in Section 1310.04(f).
- (c) **Legally Nonconforming Signs, Sign Structures.** Legally Nonconforming Signs or Sign Structures shall be immediately removed by the property owner and/or other responsible parties, consistent with standards for loss of legal nonconformity of [Chapter 1270](#). The authorized enforcing officer shall notify the property owner and/or other known responsible parties in writing of such condition and shall direct them to remove the sign or sign structure in question. Should the property owner and/or other known responsible parties fail to comply with such notice, the authorized enforcing

officer shall take all action necessary to remove the nonconformity, including pursuing Court ordered enforcement. If ordered by a court, any cost incurred by the City in removing the sign or sign structure shall be a lien against the real property on which the sign or sign structure was located, and shall be reported to the City Assessor, who shall bill the property owner and/or other known responsible party and assess the cost against the property until paid. Any property owner and/or other known responsible party aggrieved by the determination of the authorized enforcing officer, may appeal the determination as provided in Section 1310.04(f).

- (d) **Right-of-Way Signs.** Except as otherwise provided in [Chapter 1022](#), signs illegally placed in the public right-of-way may be removed and disposed of by the City, without notice to the owner of the property adjoining the right-of-way or the owner of the sign. The City may also issue a civil fine to the owner of the illegally placed sign(s).

1310.08 GENERAL SIGN PROVISIONS

- (a) Signs are permitted as an accessory use to a primary use. When the building on the premises containing the primary use is removed, all signs and sign structures located on the premises shall also be removed prior to finalization of the demolition permit.
- (b) Buildings in the DT-3 “Downtown Core” zoning district that are used for a public purpose and are owned or entirely occupied by the United States Federal Government, State of Michigan, or the City of Lansing and any of its agencies, departments or instrumentalities are exempt from the dimensional requirements of this chapter. The Director of the Department of Economic Development and Planning shall have sole authority to approve or deny signs for these agencies after reviewing the proposed signs' compatibility with the surrounding area and the intent expressed in this chapter.
- (c) **Location.**
- (1) Setbacks required by this Ordinance shall be measured from the property line adjoining a public right-of-way to the nearest edge of the sign.
 - (2) No freestanding sign shall be placed closer to any side or rear property line than five (5) feet.
 - (3) No sign, other than those installed by agencies of government or those authorized to be installed by such agencies with appropriate jurisdiction may be erected, or placed on public property, including rights-of-way.
 - (4) No sign may be installed in a location that obstructs the clear vision areas required by Section 1250.03.03 of the Zoning Ordinance or interferes in any way with the free use of any public right-of-way, public or private sidewalk, intersection, ingress or egress point, transit stop, parking space, drive aisle, driveway, building entrance, fire escape, or accessibility ramp.
 - (5) A plot plan depicting the clear vision area shall be provided with the sign permit application for a freestanding sign.

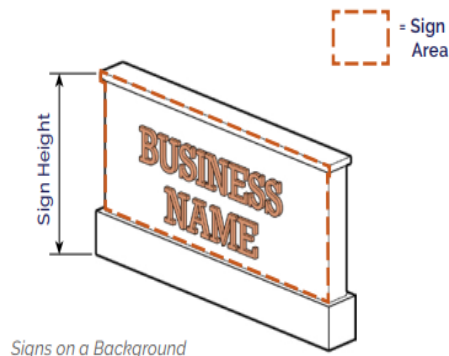
(d) Electronic Message Center (EMC).

- (1) All Electronic Message Center signs shall have automatic dimming controls, either by photocell or via software settings, in order to bring EMC lighting level at night into compliance with this chapter.**
- (2) EMC signs located within two hundred (200) feet of a residentially zoned property or property being used for residential purposes, shall not be illuminated between the hours of 11:00 pm and 6:00 am.**
- (3) To preserve open vistas, protect the historic integrity of, and enhance the visual cityscape of Downtown Lansing and the Michigan State Capitol Building, EMC signs in the DT-3 district shall be limited to 20 square feet in sign area.**
- (4) EMC signs in all commercial or special zoning districts, excluding DT-3, are limited to 32 square feet in sign area.**
- (5) No sign message shall blink, scroll, flash, or be animated.**
- (6) All messages shall remain static while being displayed but may instantly change once every eight (8) seconds or longer.**
- (7) Any EMC sign that is malfunctioning shall be turned off until such time that it is functioning properly.**

(e) Sign Area Measurements.

- (1) The entire area of the framework and background of the sign is calculated as sign area, including any material or color forming the sign face or background used to differentiate the sign from the structure against which it is placed.**

[FIGURE 5]



- (2) The sign area for a sign mounted on a building wall, awning, fence, or landscape wall is the area of a rectangle that encompasses each word or graphic element. Sign area does not include any supporting framework or bracing, unless it is part of the message or graphic element.**

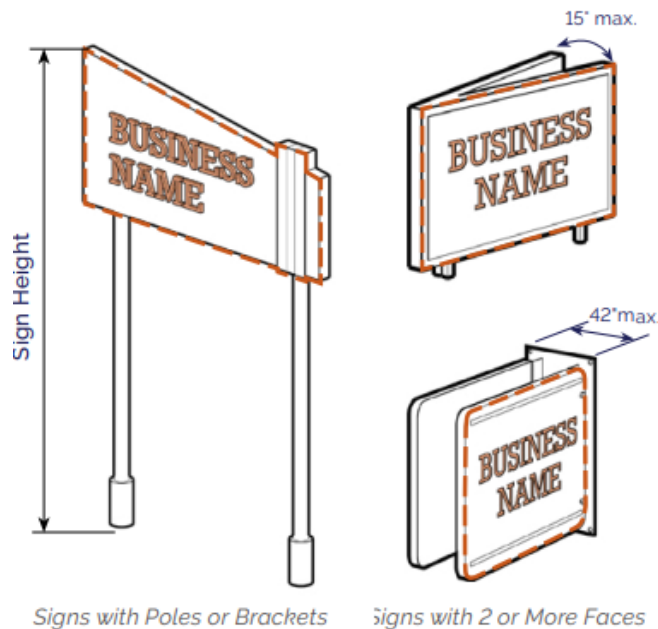
[FIGURE 6]



Individually Mounted Letters & Signs on an Awning

- (3) For signs that include a pole, pole cover, or bracket, the portion of the structure that is not an integral part of the display area shall not be included in the overall calculation of sign area provided no pole or pole cover exceeds two (2) feet in width.
- (4) If a sign has two (2) or more faces, the area of all faces is included in determining the area of the sign. However, if two (2) sign faces are placed back-to-back, or at an angle no greater than fifteen (15) degrees from one another so that both faces cannot be viewed from any point at the same time, the sign surface area shall be computed by the measurement of one (1) of the sign faces. In addition, sign faces that are part of the same sign structure shall not be more than forty-two (42) inches apart.

[FIGURE 7]



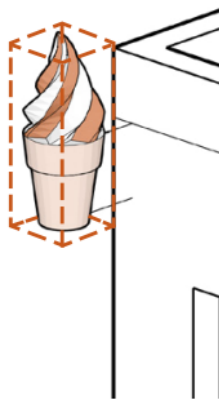
Signs with Poles or Brackets

Signs with 2 or More Faces

- (5) The sign area of Three-Dimensional, Free-Form, or Sculptural (nonplanar) signs is calculated as fifty (50) percent of the sum of the

area of the four (4) vertical sides of the smallest cube that will encompass the sign.

[FIGURE 8]



- (f) **Preservation of Required Landscaping.** No tree or shrub that was installed as part of an approved site or landscape plan for the property upon which it is planted, or which is otherwise required to comply with the requirements of the Zoning Ordinance, may be removed or trimmed to the extent that it may not survive, in order to accommodate a sign. Upon request, the Zoning Administrator may approve the relocation or replacement of plant materials, if it can be done in a manner that satisfies the requirements and the intent of the Zoning Ordinance regarding landscaping, screening, and buffering.

1310.09 EXEMPTION FROM PERMITTING

The following signs do not require a sign permit, but are subject to the applicable requirements of this chapter:

- (a) **Address Number Sign.** A sign that identifies the address of a property, structure, or establishment, provided it does not exceed four (4) square feet in area for buildings containing four (4) residential units or fewer and no other uses or sixteen (16) square feet in area for a building containing five (5) or more residential units or any non-residential uses.
- (b) **Public sign.** Public signs as defined by this Chapter and notices erected, authorized, or mandated by any governmental law, statute, ordinance, or signs that conform to the U.S. Department of Transportation, Federal Highway Administration's Manual on Uniform Traffic Control Devices and is installed for the purpose of directing or instructing traffic.
- (c) **Construction/Work Zone Signs.** Signs designating construction/work zones, signs warning people to keep out of certain areas due to hazardous conditions, and signs identifying the future development of the site for which the construction fence is erected may be affixed to the fence, subject to the following conditions:
 - (1) Shall not be in the public right-of-way unless the project involves permitted work in the public right-of-way or unless the sign is affixed to an authorized temporary fence or barricade around the construction/work zone area in the public right-of-way.
 - (2) Must be removed within five (5) calendar days upon completion of the project.

- (3) Signs are allowed on each frontage of the construction/work zone.
- (4) Shall not extend beyond the top or the ends of the support structure to which it is attached.
- (d) **Sidewalk Sign.** A two-sided, portable sign, placed directly outside of the establishment to which it relates, are allowed subject to the following conditions:
 - (1) A maximum of one (1) sidewalk sign is allowed per establishment per street frontage.
 - (2) Sign shall not exceed six (6) square feet in sign surface area per side and three (3) feet in height.
 - (3) Sign may be placed outside on the premises or public sidewalk during the business hours of the establishment to which it relates only and shall be stored indoors at all other times.
 - (4) Sign shall not interfere with ingress and egress to a building, parking lot or street; shall always maintain a minimum of five (5) feet of unobstructed sidewalk clearance; and shall not interfere with visibility at the intersection of any street or driveway.
 - (5) Sign shall not be illuminated, contain any electronic components, or have attached to it any balloons, streamers, banners, or other such materials.
 - (6) Sign may not be placed outdoors when high winds, heavy rain, or heavy snow conditions are present and may not interfere with any snow removal operations.
- (e) **Suspended Signs.** One (1) suspended sign up to six (6) square feet in area is permitted for each ground floor establishment. A minimum vertical clearance of at least eight (8) feet from the lowest edge of the sign to the finished grade directly below is required.
- (f) **Flags** that are not intended to solely draw attention to the site or any business/operation occurring thereon, shall be permitted on flag poles that are anchored into the ground, are at least twenty (20) feet but no taller than thirty-five (35) feet in height and not located in a public right-of-way.

1310.10 PROHIBITED SIGNS

The following signs and any other signs not specifically permitted by this Chapter are prohibited:

- (a) **Signs which are:**
 - (1) Abandoned signs, sign structures, or parts thereof.
 - (2) Animated signs using or indicating movement using lights or moving parts.
 - (3) Balloons, inflatables, pennants, streamers, spinners, or flags, and other objects which are used as signs.
 - (4) Banner signs extending on or over public property, except as authorized by the City, County, or State.
 - (5) Unlawfully installed or erected.
 - (6) Unsafe or capable of causing electrical shock.
 - (7) Using words or symbols which would tend to mislead or confuse vehicle operators. For example, "STOP", "LOOK", "DANGER".

- (8) Obstructing the view of, imitating, copying, purporting to be, or may be confused with any authorized official sign, traffic sign, traffic signal, or traffic control device.
- (9) Obstructing or impairing access to windows, doors, roofs, or other building openings necessary for fire escape.
- (10) In the public right-of-way, except as permitted and regulated elsewhere in these Ordinances.
- (11) Attached to trees, streetlights, traffic signs, utility poles, utility boxes, or standpipes.
- (12) Attached to any fence, wall, retaining wall, or accessory structure.
- (13) Vehicle Signs.
- (14) If attached to a building, project above the parapet or roof line, except as otherwise permitted and regulated by this Chapter.
- (15) Contain obscenity.

1310.11 TEMPORARY SIGNS

(a) In General:

- (1) Each non-residential use and each multiple family residential use with more than twenty (20) units is permitted one (1) temporary sign for up to thirty (30) calendar days, twice during a calendar year on the parcel of land where the business, agency, institution, or residential use to which the sign relates is in active operation.
- (2) Shall only be permitted on parcels that have at least one (1) property line abutting a non-local street and shall be oriented toward a non-local street.
- (3) A temporary freestanding sign shall not exceed thirty-two (32) square feet in area.
- (4) A temporary wall sign shall not exceed fifty (50) square feet in area.
- (5) Shall not be internally illuminated.
- (6) An additional temporary sign may be allowed per parcel when the parcel, building, or building suite to which the sign relates is being offered for sale or lease subject to the following restrictions:
 - a. Sign shall not be located in the public right-of-way.
 - b. One (1) sign is allowed per street frontage.
 - c. Sign shall not interfere with ingress and egress to a building, parking lot or street, shall always maintain a minimum setback of five (5) feet from a property line abutting a road right-of-way and shall not interfere with visibility at the intersection of any street or driveway.
 - d. Sign shall not exceed twelve (12) square feet in area and four (4) feet in height on residential parcels of land that have twenty (20) residential units or fewer or on parcels of land containing nonresidential uses that are less than one-half (0.5) acres in size.
 - e. Sign shall not exceed thirty-two (32) square feet in area and six (6) feet in height on residential parcels of land containing more

than (20) residential units or on parcels containing nonresidential uses that exceed one-half (0.5) acres in size.

f. Sign shall be removed within five (5) calendar days following the closing of the sale or lease.

(7) Additional temporary signs may be allowed per parcel leading up to and following an official local, county, state, or federal election or referendum subject to the following restrictions:

a. Sign shall not be located in the public right-of-way.

b. Sign shall not interfere with ingress and egress to a building, parking lot or street and shall not interfere with visibility at the intersection of any street or driveway.

c. Sign shall not exceed six (6) square feet in area or three (3) feet in height.

d. Sign shall be removed within ten (10) calendar days following the election to which the sign was associated.

(b) Temporary Freestanding Signs:

(1) Shall be subject to the site visibility requirements of Section 1250.03.03 of the Zoning Ordinance.

(2) Shall be setback at least ten (10) feet from a property line abutting a public right-of-way line.

(3) Shall not exceed six (6) feet in overall height.

(4) No temporary sign of any kind, except for sidewalk signs and construction/work zone signs as permitted and regulated by this Chapter, shall be allowed in the public right-of-way.

(5) Shall not be permitted on parcels of land in the DT-1 zoning district that are less than one-half (0.5) acres in size or have more than fifty percent (50%) of the total building area on the parcel in use for residential purposes.

(c) Temporary Wall Signs:

(1) Must be flat mounted against the wall of a building and properly affixed thereto.

(2) Shall not be placed above the first floor of the building, on a roof, or extend above the roofline of a building.

(3) Shall not be illuminated.

(d) Temporary Signs in Residential districts

(1) Temporary signs on parcels in residential zoning districts and on parcels used for single- or two-family dwellings in the DT-1 district are limited to three (3) feet in height and three (3) square feet in sign area.

(2) Temporary signs shall not be placed in the right-of-way or attached to a fence, structure, or residential building.

1310.12 WALL SIGNS

(a) In General:

(1) Wall signs shall be parallel to the building wall they are attached to and shall not project more than twenty-four (24) inches from the building wall. Wall signs may only extend up to thirty-six (36) inches beyond the wall of the building it is attached to in order to

accommodate a curved design or a sign that has depth through overlapping planes or varying plane thickness.

- (2) Wall signs shall not obstruct any door, window, fire escape, or ventilation system
- (3) Wall signs shall not extend above the top of a building wall or beyond the ends of the wall to which they are attached, except as otherwise permitted by this chapter.
- (4) Wall signs shall be located no higher on the building wall than twenty (20) feet from the finished grade of the wall to which it is attached.
- (5) One (1) sign shall be permitted on each of the four (4) walls facing different directions on:
 - a. Buildings being used for non-residential land uses.
 - b. Buildings with a mix of residential and nonresidential uses.
 - c. A multiple-family residential building containing more than twenty (20) units, except that no sign shall be permitted on a building wall that faces an adjoining parcel being used solely for residential purposes with less than twenty (20) units.
- (6) Each business that has a pedestrian or loading entrance on the rear of the building shall be permitted one (1) additional ten (10) square foot sign on the wall near that entrance to the building, for identification purposes only.
- (7) A wall sign may be attached to a mansard roof subject to all other requirements of this chapter.
- (8) In addition to wall signs, buildings that have at least six (6) stories above ground and are not used solely for residential purposes may have one (1) building identification sign on each of the four (4) walls of the highest floor of the building facing different directions. The building identification signs shall not exceed one hundred (100) square feet in area.
- (9) Wall signs may only be illuminated if the wall does not face a Single- or Two-Family residential use.
- (10) The combined total area of all walls signs shall not exceed what is permitted for the building based upon Table 1310.12 (a)(9):

Table 1310.12 (a)(9)	
Building Frontage	Maximum Wall Sign Area
Up to 39 lineal feet of building frontage	15 percent of building façade area Maximum size of 50 square feet
40 feet to 99 feet of lineal building frontage	15 percent of building façade area Maximum size 150 square feet
100 feet or more of lineal building frontage	15 percent of building façade area

	Maximum size 200 square feet
Building façade area calculated by 15 feet in height x building width	

(b) Multi-Tenant Buildings

- (1) Each business that occupies part of and has a direct entrance on the front wall of the building shall be permitted one (1) wall sign, the allowable square footage shall be based upon Table 1310.12 (a)(9) and determined by the linear footage of the front wall of the building that the business occupies.
- (2) Businesses that occupy a corner suite are permitted one (1) sign on the front wall and one (1) sign on the side wall of the building where the business is located. The allowable square footage for a sign on the side wall of the building is limited to one-half (0.5) of the square footage that is permitted for the business on the front wall of the building or fifty (50) square feet, whichever is greater.
- (3) Multi-tenant buildings may have one (1) multi-tenant wall sign on the rear facade of the building that is occupied by businesses. The allowable square footage for a sign on the rear of the building shall be the same as, and shall not be deducted from, what is permitted for the businesses on the front or side walls of the building.
- (4) Businesses that do not occupy any part of the frontage of the building shall be permitted one (1) sign, not exceeding ten (10) square feet in area on the front wall of the building, near the entrance for which the business can be accessed.

1310.13 FREESTANDING SIGNS

(a) S-C, MX-C, MX-1, MX-2, DT-2, IND-1, IND-2, IND-3, INST-1 & INST-2 Zoning Districts.

- (1) One (1) freestanding sign per parcel of land is permitted. One (1) additional sign may be permitted on a corner parcel that is more than five (5) acres in size and has frontage along and direct access to two (2) non-local roads, if both signs are not oriented towards and clearly visible from the same road.
- (2) Sign shall be set back at least six (6) feet but not more than fifteen (15) feet from the property lines abutting a public right-of-way.
- (3) A freestanding sign may be set back up to thirty (30) feet from property lines abutting a public right-of-way if approved by the Zoning Administrator based on dimensional restraints of the property or building placement.
- (4) Sign shall not exceed twenty-five (25) feet in height and one hundred twenty (120) square feet in area.
- (5) Any sign set back less than ten (10) feet from the property line shall not exceed six (6) feet in height and thirty-two (32) square feet in area.
- (6) No freestanding sign shall be erected on a vacant parcel.

(b) MX-3, DT-1, DT-3, R-AR, MFR and R-MX Zoning Districts.

- (1) One (1) freestanding sign shall be permitted on each parcel of land containing a non-residential use, a mix of residential and non-residential uses or a multiple family residential use with more than twenty (20) residential units. One (1) additional sign may be permitted on a corner parcel that is more than five (5) acres in size and has frontage along and direct access to two (2) non-local roads, if both signs are not oriented towards and clearly visible from the same street.**
- (2) Sign shall only be permitted on parcels that have frontage on and shall be oriented towards a non-local street.**
- (3) Sign shall not exceed six (6) feet in height and thirty-two (32) square feet in area and shall be setback at least six (6) feet from property lines abutting a public right-of-way on parcels that are less than one (1) acre in size.**
- (4) Sign shall not exceed ten (10) feet in height and sixty (60) square feet in area and shall be setback at least ten (10) feet from property lines abutting a public right-of-way on parcels that are more than one (1) acre in size.**
- (5) No freestanding sign shall be erected on a vacant parcel.**

(c) Institutional Uses.

- (1) Institutional uses in the S-C, MX-C, MX-1, MX-2, MX-3, DT-1, DT-2, DT-3, IND-1, IND-2, and IND-3, zoning districts shall be subject to the same sign regulations as all other uses within said districts.**
- (2) In all other zoning districts, one (1) freestanding sign shall be permitted on parcels that are at least one-half (0.5) acre in size, have at least one (1) property line abutting a non-local street and contain an institutional use in active operation. One (1) additional sign may be permitted on a corner parcel that is more than five (5) acres in size and has frontage along and direct access to two (2) non-local streets, if both signs are not oriented towards and clearly visible from the same street.**
- (3) One (1) freestanding sign per entrance to the site along a non-local street shall be permitted for institutional uses in all zoning districts that are more than ten (10) acres in size, as long as the signs are separated by at least one hundred (100) feet.**
- (4) Sign shall not exceed six (6) feet in height and thirty-two (32) square feet in area and shall be setback at least six (6) feet from property lines abutting a public right-of-way on parcels that are less than one (1) acre in size.**
- (5) Sign shall not exceed ten (10) feet in height and sixty (60) square feet in area and shall be setback at least ten (10) feet from property lines abutting a public right-of-way on parcels that are more than one (1) acre in size.**

(d) Multi-Tenant Signs

- (1) Signs shall be permitted in the SC, MX-C, MX-1, MX-2, IND-1, IND-2, IND-3, INST-1, and INST-2 zoning districts.
 - (2) One (1) sign per parcel of land is permitted. One (1) additional sign may be permitted on a corner parcel, at least five (5) acres in size, with frontage along two (2) non-local streets if both signs are located near a primary entrance to the site and are not oriented towards or clearly visible from the same street.
 - (3) Sign shall not exceed twenty-five (25) feet in height and two hundred (200) square feet in area.
 - (4) Sign shall be setback at least ten (10) feet but no more than thirty (30) feet from the property lines abutting a public right-of-way.
 - (5) A business that is accessed from an adjacent multi-tenant site may, with expressly written permission from the sign owner, advertise its business on the multi-tenant sign but will then not be entitled to an additional freestanding sign on the parcel of land occupied by the business.
- (e) Signs that are located interior to a school campus, hospital campus, park, multiple-family development, or multi-tenant commercial development may exceed the number of signs allowed herein, provided that such signs are not clearly legible from any public street.
- (f) A business whose building and associated parking lot(s) covers multiple parcels that are not combined but are immediately adjacent to one another and are associated with the same establishment shall not be permitted more than one (1) freestanding sign.

1310.14 WINDOW SIGNS

- (a) Window signs shall not exceed twenty (20) percent of the area of the window from which the sign can be seen from the exterior of the building. All mounting hardware and equipment shall be concealed from the exterior view of the building. In the case of multi-pane windows, the surface area of the window shall be the combined surface area of the individual panes.

1310.15 AWNING/CANOPY SIGNS and VEHICLE SERVICE STATION CANOPY SIGNS

- (a) Awning/canopy signs.

- (1) Signs, on awnings or canopies located above entrances to a building intended to provide shelter or installed as an architectural element, shall count towards the allowable number and square footage of wall signage permitted for the business in the building that it relates thereto.
- (2) A sign may extend up to five (5) feet vertically above the flat roof of a canopy. If the sign is limited to the address or the name of the building, it shall not count towards the wall signage limitations. In no case shall the sign exceed forty (40) square feet in area.
- (3) Electronic Message Center signs are not permitted on awnings or canopies.
- (4) Only awnings or canopies on the first-floor story of the building may contain signs.

- (5) The sign area shall not exceed what is permitted for wall signage for the building, or fifty (50) percent of the awning or canopy surface on which it is displayed, whichever is less.
- (6) All awnings or canopies shall be subject to the architectural standards set forth in Section 1246.04.01 (d) of the Zoning Ordinance.
- (b) Motor Vehicle service station canopy signs.
 - (1) One (1) sign is permitted on each side of the canopy.
 - (2) No part of the sign shall extend above or below the canopy and must be flat mounted against the canopy.
 - (3) Signs shall not exceed twenty-five percent (25%) of the area of the side of the canopy to which it is attached.
 - (4) Signs on canopies shall not count towards the allowable number of wall signs for the building, whether or not it is attached thereto.
 - (5) EMC signs are permitted.

1310.16 PROJECTING SIGNS

Projecting signs are permitted in all non-residential zoning districts for each business occupying a building subject to the following provisions:

- (a) One (1) sign per business. Businesses on corner parcels that occupy a part of the first-floor building walls, may have one (1) projecting sign facing each public street. First floor businesses that have a customer entrance at the rear of the building may have one (1) projecting sign on the rear building wall.
- (b) Sign shall not exceed sixteen (16) square feet in area or a maximum projection from the building wall of four and one-half (4.5) feet.
- (c) Where a projecting sign is located on the corner of a building and is used in lieu of one (1) permitted wall sign, the area of the projecting sign may exceed sixteen (16) square feet and shall be deducted from the total allowable wall sign area for the building establishment. Such signs shall be visible from at least two (2) directions.
- (d) Sign shall have a minimum vertical clearance of ten (10) feet from the bottom edge of the sign to the ground or sidewalk, or fifteen (15) feet if overhanging an alley.
- (e) Signs on the front building wall(s) shall be located within fifteen (15) feet of the ground directly below the sign. Signs on the rear building wall shall be located within twenty (20) feet of ground directly below the sign.
- (f) There shall be a minimum separation distance of eight (8) feet between projecting signs.

1310.17 NEIGHBORHOOD ENTRANCEWAY SIGNS

Signs that identify the name of a subdivision, condominium development, or neighborhood organization recognized as being active by the City of Lansing Department of Neighborhoods, Arts, and Citizen Engagement, may be located within the public right-of-way and shall be subject to the following:

- (a) Review, approval, and issuance of permits from the Public Service Department and the Building Safety Office are required prior to installation of a sign. A plan showing the proposed location of the sign, a rendering of the sign showing the content, materials and all dimensions and a plan for

appropriate landscaping around the base of the sign shall be submitted along with the permit applications.

- (b) The sign subject matter must be related solely to identifying the name of the subdivision, according to the recorded plat thereof, the name of the condominium according to the recorded master deed, or the name of the neighborhood organization/association recognized as being active by the Department of Neighborhoods, Arts, and Citizen Engagement, or its successor.
- (c) Sign shall not exceed six (6) feet in height and fifty (50) square feet in area and shall not be internally illuminated or contain a changeable message center of any kind.
- (d) One (1) sign on each side of the roadway at the primary entrance(s) or one (1) sign within a boulevard at the primary entrance(s) of the subdivision, condominium development or designated neighborhood association/organization may be permitted. The primary entrances where such signs may be located must be at the intersection of a street entering the area to which it is identifying and a non-local street, unless otherwise approved by the Public Service Department.
- (e) Signs may be located at no more than two (2) primary entrances to the subdivision, condominium development, or neighborhood association/organization area that it identifies.
- (f) The sign, land, and landscaping around the sign must be retained in ownership by the City. All construction, maintenance, or repair, however, shall be the responsibility of the homeowners or condominium association or the neighborhood organization/association.
- (g) Appropriate insurance and indemnity policies protecting the City against liability must be provided and maintained.
- (h) The City retains the right to remove the sign and the landscaping if it is not being properly maintained or if it necessary to perform roadway, sidewalk, or utility construction/repair, or for any reason at all.

1310.18 VARIANCES and APPEALS

- (a) The Board of Zoning Appeals shall hear and decide requests for variances and appeals regarding a decision or determination made by the Zoning Administrator related to the provisions of this Chapter. Requests made to the Board of Zoning Appeals are subject to all of the requirements, procedures, and evaluation criteria established by [Chapter 1274](#) of the Zoning Ordinance.
- (b) To prevent signs exceeding the dimensions allowed in this Chapter from conflicting with business, residential and public land uses, no new freestanding signs exceeding the dimensions allowed in this Chapter shall be constructed, and no existing signs shall be rebuilt in excess of their existing dimensions, within the City of Lansing, unless approved by the Board of Zoning Appeals based upon a determination that removal and replacement of such an existing sign is necessary to accommodate new development on the site upon which it is located.

(c) In making its decision, the Board must find that the proposed development is consistent with the zoning designation of the property and all applicable provisions of the Zoning Ordinance as well the goals and objectives of the City's current Master Plan and the future land use plan being advanced therein.

(d) Appeals pertaining to the structural features of a sign shall be made to the Building Board of Appeals.

1310.98 ISSUANCE OF MUNICIPAL CIVIL INFRACTION CITATIONS AND VIOLATION NOTICES

The Zoning Administrator, the Building Official and any of their designees are hereby designated as the authorized City officials to issue Municipal civil infraction citations (directing alleged violators to appear in court) or Municipal civil infraction violation notices (directing alleged violators to appear at the Municipal Ordinance Violations Bureau) as provided in Chapter 203 of these Codified Ordinances.

1310.99 PENALTY

Whoever violates any of the provisions of this chapter is responsible for a Municipal civil infraction and shall be subject to the civil fine provided in Section 203.06 of these Codified Ordinances, plus costs and other sanctions, for each infraction. Repeat offenses shall be subject to increased fines as provided in Section 202.99(c)(2).

Section 3. All ordinances, resolutions or rules, parts of ordinances, resolutions, or rules inconsistent with the provisions are repealed.

Section 4. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 5. This ordinance shall take effect on the 30th day after enactment, unless given immediate effect by City Council, and shall expire December 31, 2032.



Chris Swope

Lansing City Clerk

September 6, 2024

Members of the Lansing City Council
10th Floor City Hall
Lansing, MI 48933

Dear Councilmembers:

The Minutes from the Meetings of the following Boards, Commissions, and Authorities of the City of Lansing were placed on file in the City Clerk's Office and are available for review in the City Clerk's Office and at the following website: [Agendas & Minutes | Lansing, MI - Official Website \(lansingmi.gov\)](https://www.lansingmi.gov/agendas-minutes)

<u>BOARD NAME</u>	<u>DATE OF MEETING</u>
Historic District Commission	July 8, 2024
Human Relations Community Services Board	July 23, 2024
Brownfield Board of Directors	August 2, 2024
Economic Development Corp Board of Directors	August 2, 2024
Lansing Tax Increment Finance Authority	August 2, 2024
Planning Commission	August 7, 2024

If my staff or I can provide further assistance or information relative to the filing of these minutes, please contact us at 483-4133.

Sincerely,

Chris Swope, MMC/MiPMC
Lansing City Clerk

Lansing City Clerk's Office
Ninth Floor, City Hall, 124 W. Michigan Ave., Lansing, MI 48933-1695
517-483-4131 □ 517-377-0068 FAX
www.lansingmi.gov/clerk □ city.clerk@lansingmi.gov



LANSING CITY COUNCIL

FY25 GRANT INFORMATION FORM

(Required for all grant applications and acceptances)

PREFERRED REFERRAL DATE: - 9/9/2024

GRANT NAME: - Restoring Roots, Greater Lansing Urban and Community Forestry Program

GRANT AGENCY: - USDA

ASSISTANCE LISTING (CDFA): - 10.727

DEPARTMENT: - Public Service

CONTACT NAME: - Lori Welch

CONTACT PHONE: - 517-483-4599

GRANT PERIOD START: - 1/1/2024

GRANT PERIOD END: - 7/12/2029

APPLICATION DATE: - 5/28/2024

AWARD DATE: - 9/3/2024

TOTAL AMOUNT: - \$5,000,000

ADMINISTRATIVE COST RECOVERY AMOUNT: - \$448,632

SUMMARY OF GRANT PURPOSE AND ALLOWABLE USES:

Funds will be used for tree planting and maintenance, community engagement, work force development and educational pathways, holistic management of existing canopy, and demonstration of the use of urban wood waste in a nail-laminated timber project in Lansing.

PROJECTED ACCOUNT CODE DETAIL (OBJECT MINIMUM):

Account	Description	Amount
702000	Salaries	\$257,700
715400	Fringe	\$107,982
961743	Community Engagement Firm	\$224,000
	Tree Planting	\$1,095,232
	Lansing Board of Water & Light	\$1,415,065
	Lansing School District	\$990,800
	Michigan State University Forest Carbon and Climate Program	\$154,441
	Michigan State University Nail Laminated Timber Program	\$306,148
961600	Sub Grant Admin Costs	\$448,632
		\$5,000,000

MATCHING FUNDS ACCOUNT CODE DETAIL (IF APPLICABLE):

Account	Description	Amount
N/A		

Resolution #2024-###

By the Committee of the Whole
Resolved by the City Council of the City of Lansing

WHEREAS, The Inflation Reduction Act contains funding under the authority of Cooperative Forestry Assistance Act, P.L. 95-313 as amended, 16 USC 2105 and Public Law 117-169; and,

WHEREAS, USDA has awarded a grant to the City of Lansing in a sum not to exceed Five Million dollars (\$5,000,000) to provide funding to the City of Lansing for Urban and Community Forestry; and,

WHEREAS, the Urban & Community authority typically requires a 1:1 match, however match has been waived under the provision of Public Law 117-169 and based on assurance from the Cooperator that 100% of the work and funding will benefit disadvantaged communities; and,

WHEREAS, the City of Lansing received a draft award agreement from USDA on September 3, 2024 requesting a partially executed award letter by Tuesday, September 10 in order to ensure full execution prior to the end of the Federal Government's fiscal-year end to guarantee availability of funding; and,

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby accepts the USDA Grant, subject to the terms of the grant agreement.

BE IT FINALLY RESOLVED, the Administration is authorized to create appropriate accounts and to make the necessary operating transfers for the expenditure and control of the balance of the grant funds, and to execute any necessary agreements upon approval as to form by the City Attorney.

Resolution #2024-###

By the Committee _____
Resolved by the City Council of the City of Lansing

WHEREAS, the Mayor has made the appointment of Julie Vandenkoorn as a City of Lansing Member of the Capital Area District Library Board for a term to expire April 15, 2028; and

WHEREAS, the nominee has been vetted by the Mayor's Office and meets the qualifications as required by the City Charter; and

WHEREAS, the Committee _____ took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Julie Vandenkoorn as a City of Lansing Member of the Capital Area District Library Board for a term to expire April 15, 2028.

Resolution #2024-###

By the Committee _____
Resolved by the City Council of the City of Lansing

WHEREAS, the Mayor has made the appointment of Jonathan Smith as an At-Large member of the Lansing Entertainment and Public Facilities Authority Board of Commissioners for a term to expire June 30, 2025; and

WHEREAS, the nominee has been vetted by the Mayor's Office and meets the qualifications as required by the City Charter; and

WHEREAS, the Committee _____ took affirmative action.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, hereby, confirms the appointment of Jonathan Smith as an At-Large member of the Lansing Entertainment and Public Facilities Authority Board of Commissioners for a term to expire June 30, 2025.

CHANGES MADE FROM 'APPROVED 1-1-22' FOR SECOND AMENDMENT DRAFT – Table Version

Page	Section	Proposed Section	Proposed Language
6	1240.04.02 Definitions		[new] BOARDING HOUSE. A structure in which lodgers rent a room for extended periods of time and share common areas of the house such as kitchens, bathrooms, and lounging rooms, and where some services such as meals, laundry, and cleaning may be offered. A Boarding House must have staff on-site or on-call for 24 hours a day.
7	1240.04.02 Definitions		BUILD-TO LINE. The building line to which a building must be constructed. as measured from the property line. When a front parking lot is present on site, the Build to Line is measured from the rear edge of the parking lot, including the sidewalk used to access the building. Similar to setback, a build to line runs parallel to the right of way and is established to create a generally consistent building line along a street. The build to line designates the specific location or range within which the front building line must be located.
8	1240.04.02 Definitions		CAMPGROUND. Any area of land containing recreation facilities, and which may contain cabins, tents, recreational vehicles, shelters, or accommodations used for either overnight camping or day camp purposes, or otherwise designed for seasonal or other temporary recreational stays.
8	1240.04.02 Definitions		CHILD CARE/RESIDENTIAL CARE FACILITIES (c) Family day care home (six seven or fewer children less than 24 hours per day): (d) Group day care home (seven eight to 12 14 children less than 24 hours per day): A private home in which more than six eight but not more than 12 14 children are given care and supervision...
10	1240.04.02 Definitions		[new] CONSUMER GOODS DELIVERY. A business that warehouses retail goods for sale and direct delivery to customers, but does not allow walk-in customers.
10	1240.04.02 Definitions		[new] COTTAGE COURT. A grouping of at least three, but no more than six, dwelling units oriented around a shared street, access drive, or internal courtyard. Subject to the requirements of Subsection 1250.04.07.
11	1240.04.02 Definitions		DWELLING, MULTIPLE. A structure or portion of a structure which contains three or more dwelling units, including fraternities and sororities.
11	1240.04.02 Definitions, 1250.02.05 Keeping of Animals 1254.01.10 Striping		DWELLING, ONE SINGLE -FAMILY [FBC reads 'one-family' only three times, but "single-" 31 times]
14	1240.04.02 Definitions		FRONTAGE TYPES: Stoop: A stoop is a small, elevated landing space above the sidewalk level which provides entry into the building. Stoops may must be covered or uncovered and may project beyond the building setback line towards the right-of-way.
17	1240.04.02 Definitions		[new] HOUSING COOPERATIVE. A group of individuals connected by membership in an incorporated cooperative, sharing occupancy and control of a dwelling and who live together as a housekeeping unit that share common areas of the house such as kitchens, bathrooms, and lounging rooms. A Housing Cooperative

CHANGES MADE FROM 'APPROVED 1-1-22' FOR SECOND AMENDMENT DRAFT – Table Version

			shall be subject to the requirements of Section 1250.02.11. Different cooperative models with persons living in separate dwelling units not sharing common kitchen and bathroom facilities shall not be subject to the requirements of Section 1250.02.11, but shall follow all other applicable provisions of this Zoning Ordinance.
18	1240.04.02 Definitions		LODGING FACILITY. Building(s) or part of a building, where by prearrangement transient or extended-stay guests are provided a sleeping room and a bathroom in return for payment. A lodging facility has staff on-site or on-call 24 hours a day and may include but is not limited to, a boarding or rooming house , hotel, motel or motor lodge, or hostel.
23	1240.04.02 Definitions		OUTDOOR STORAGE: The keeping, in an unroofed area, of any goods, junk, junk vehicles , materials, merchandise or vehicles for sale, in the same place for more than twenty four (24) hours.
26	1240.04.02 Definitions		[new] ROOMING HOUSE. A single-family detached dwelling which is owner-occupied and serves as the principal residence of the owner, in which up to three lodgers rent rooms for extended periods of time and share common areas of the house such as kitchens, bathrooms, and lounging rooms.
29	1240.04.02 Definitions		UPPER FLOOR STEP BACKS. For the elevation adjacent to a residential district, (R-1 through R-6, R-2, R-3, and R-MX) the floors above the second third story shall be tiered-back so that the highest point of the building is setback from the adjacent residential district a distance at least equal to the height of the building. [Changed in all Commercial and Special zoning districts]
30	1240.04.02 Definitions		YARD 1. "Front yard" means a yard extending across the full width of a lot between the front lot line of the structure containing the principal use and the front lot lines.
31	1242.01 Establishment of Districts		(a) <i>Commercial/Mixed-Use Zones</i> S-C Suburban Commercial MX-C Mixed Use Urban Corridor MX-1 Mixed Use Neighborhood Center MX-2 Mixed Use Community Center MX-3 Mixed Use District Center DT-1 Urban Downtown Edge DT-2 Urban Flex DT-3 Downtown Core (b) <i>Residential Zones</i> R-1 Suburban Residential R-2 Suburban Residential R-3 Suburban Residential R-4 Urban Edge Residential R-5 Urban Edge Residential R-6A Urban Residential R-6B Urban Residential MFR Multi-Family Residential

CHANGES MADE FROM 'APPROVED 1-1-22' FOR SECOND AMENDMENT DRAFT – Table Version

			R-MX Mixed Residential R-AR Residential Adaptive Reuse (c) <i>Special District Zones</i> IND-1 Suburban Industrial IND-2 General Industrial IND-3 Urban Industrial INST-1 Suburban Institutional INST-2 Urban Institutional [district names changed in all district chapters]
34 & 98	1243.02 (b)(1) Commercial Mixed-Use Districts: Administration & 1245.02 (b)(1) Special Districts: Administration		(1) Types of Incentives. To promote redevelopment and stimulate reinvestment in the City, the Planning Office may grant additional flexibility or development options approve modifications to the site layout requirements when where one or more of the Recognized Benefits, listed below, are provided. The following incentives may be granted: a. Dimensional Flexibility Modifications. Flexibility may be granted of the minimum Modifications to the maximum lot coverage, building frontage, or setbacks. provided the resulting layout will not negatively impact nearby residences. b. Additional Building Height. The maximum building height may be increased by one additional story. c. Reduced Minimum Parking. Reduced parking may be allowed permitted consistent with Section 1254.01.04.
38-43	1243.03		Table 1243.03 Commercial Mixed-Use Districts Allowable Use Table (see document text)
44-45	1243.04	Removed	[Removal of SC Suburban Commercial District]
48	1243.04 MX-C Urban Corridor 1243.05 MX-C Urban Corridor and Site Layout Requirements	1243.04 MX-C Urban Corridor	Required Upper Floor Step-backs when adjacent to R-1 through R-3 and R-MX districts (see pg. 29) Build-to Line: 3. A setback equal to the average setback of the buildings to be retained within the block face of the more active street type. The applicant shall provide a map with those measurements. [Removed from all commercial districts] [new] 3. An additional 50' setback for a single-loaded bay of parking or 70' of setback for a double-loaded bay of parking as permitted. Allowed Surface Parking Locations: On-Street Parking On-site: Side, or rear yard; Single-loaded bay of front yard parking only on Suburban and Arterial Corridors Double-loaded bay of front yard parking only on Suburban Corridors
51-52	1243.06 MX-1 Mixed-Use Neighborhood Center	1243.05 MX-1 Neighborhood Center	C. Required Upper Floor Step-Backs — when adjacent to R-1 through R-6 districts [removed because three stories is the height limit] Entrances: [removed because language was no different from entrance requirement of 1246 Architectural Standards]

CHANGES MADE FROM 'APPROVED 1-1-22' FOR SECOND AMENDMENT DRAFT – Table Version

			(c) Parking: Allowed Surface Parking Locations Prime & Neighborhood Connector: On-street, Side or Rear yard Neighborhood Connector: Side or Rear yards
54-56	1243.06 MX-2 District Center 1243.07 MX-2 Mixed-Use Community Center	1243.06 MX-2 District Center	(a) Building Massing: (a) Maximum Height: 80', 6 stories Arterial Corridor Suburban Corridor Activity Corridor 60', 5 stories Prime Connector Neighborhood Connector 40', 3 stories [district merge with MX-3 which has 6 story max. The only parcels that were along a prime/neighborhood connector were the side streets of Holmes Rd (Logan Square) and Cedar/Jolly. Few were near residential and residential homes are still protected by building step-backs and screening req.] Minimum Setback from adjacent R-1 through R-6 R-3 and R-MX districts - 1. 25' 10'; and 2. 6' opaque screen-wall / fencing along edge of residentially zoned or used property Maximum Lot Coverage – 80% 100%
57-58	1243.08 MX-3 Mixed-Use District Center	Removed	[REMOVED MX-3 Mixed-Use District Center district]
59	1243.09 DT-1 Urban Edge	1243.07 Downtown Edge	
62	1243.10 DT-2 Urban Flex	1243.08 Downtown Flex	(a) Building Massing: Minimum Height – 25', 1-story 2 stories. 1 story may be approved upon written approval of Zoning Administrator based on singular nature of proposed land use
68-69	1244.02 General Development		(a)(2) [new] The setback along the secondary front property line on corner lots may be reduced to 10 feet or the average setback of the principal buildings in the block face along the secondary street, whichever is greater. (a)(3) [new] The front yard setback of a principal residential building may be increased to 30 feet on all non-local street types. (b) [new] A dwelling shall be a minimum of 20 feet in width. (b) c) On lots 40 feet or greater in width, it shall contain a core area of living space of at least 24 feet by 24 576 square feet in size and shall have a minimum internal height of seven and one-half feet. For single-family dwellings on lots less than 40 feet in width, it shall contain a core area of living space of at least 20 feet by 20 400 square feet in size and shall have a minimum internal height of seven and one-half feet. (d) [new] The depth of a Single- or Two-Family Dwelling shall not exceed two and one half (2.5) times the width of the front wall of the building containing the main entrance. [relist former subsections (c) and (d) as (e) and (f) respectively]

CHANGES MADE FROM 'APPROVED 1-1-22' FOR SECOND AMENDMENT DRAFT – Table Version

70	1244.04 Residential Permitted Uses		Table 1244.04 Residential Districts Allowable Use Table [see document text]
74-75	1244.05.03 R-1 Site Layout Requirements		(b) Building Placement: Minimum Front Setback – 20'; or The average setback on block face Minimum Lot Size – 6,000 5,000 square feet Lot Width – min., max. – 60' 50' min, 200' max Lot Depth – min, max – 100' min, 200' max Maximum Lot Coverage – Total Impervious Surfaces 55% 60%, Building Coverage 40% 45% (c) Parking: Garages - Rear. Garages may be attached but may not project in front of the front building facade. Side entry garage preferred. Garages may be unattached in the side or rear yard, or attached to the principal building, but in no instance shall a garage project in front of the front building wall of the principal building.
77-78	1244.06.03 R-2 Site Layout Requirements		(b) Building Placement: Minimum Lot Size – 5,000 4,000 square feet Lot Width – min., max. – 50' 40' min, 100' max Lot Depth – min, max – 100' min, 175' max Maximum Lot Coverage – Total Impervious Surfaces 55% 60%, Building Coverage 40% 45% (c) Parking: Garages - Rear. Garages may be attached but may not project in front of the front building facade. Side entry garage preferred. Garages may be unattached in the side or rear yard, or attached to the principal building, but in no instance shall a garage project in front of the front building wall of the principal building.
80-81	1244.07.03 R-3 Site Layout Requirements		(a) Building Massing: Maximum Dwelling Units per lot – 1 6 (b) Building Placement: Front Setback – Lesser of 20' or the average setback on block face. 50' maximum [new] Minimum Side Setback (with building of 5 or 6 units) – 10' each side [new] Minimum Lot Size per dwelling unit (with building of 5 or 6 units) - Efficiency: 2200 sq. ft. 1-bdrm: 2600 sq. ft., 2 bdrm: 3000 sq. ft., 3+ bdrms: 3800 sq. ft. Lot Width – min., max. – 40' – 150' 100' Lot Depth – min., max. – 100' – none (c) Parking: Garages - Rear. Garages may be attached but may not project in front of the front building facade. Side entry garage preferred. Garages may be unattached in the side or rear yard, or attached to the principal building, but in no instance shall a garage project in front of the front building wall of the principal building.

CHANGES MADE FROM 'APPROVED 1-1-22' FOR SECOND AMENDMENT DRAFT – Table Version

82-87	1244.08 R-4, 1244.09 R-5, and 1244.10 R-6 Residential	Removed	[Removed R-4, R-5, and R-6 Residential districts]
88 91 94	1244.11 MFR Multi Family Residential 1244.12 R-MX Mixed Residential 1244.13 R-AR Adaptive Reuse Residential	1244.08 1244.09 1244.10	
101- 105	1245.03 Special Districts		Table 1245.03 Special Districts Allowable Use Table [see document text] (d) All materials stored within 20 30 feet of a fence shall not exceed the height of the fence. (e) [new] Noise, odors, smoke, fumes, or dust generated on the site by any digging, excavating, manufacturing, loading or processing operation must be confined to the site and controlled to prevent any nuisance or hazard.
107- 109	1245.05.02 IND-1 Site Layout Requirements		(a) Building Massing: Maximum Height – 45' 60' (b) Building Placement: Front Setback – (Activity Corridor) Min. 5', Max. 20'. (All other street types) Min. 5', Max. 30'. An additional 50' setback for a single-loaded bay of parking or 70' setback for a double-loaded bay of parking as permitted. (Arterial corridor, Neighborhood connector, Local street) – Min 25'. (Suburban corridor, Prime Connector) – Min. 25' (including 20' landscape greenbelt) Minimum Setback from adjacent and across the street Residential Districts – Whichever is greater: Double the setback in adjacent residential district 35' ; or Equal to building height (c) Parking: Allowed Surface Parking Locations – One single-loaded bay in front; Side or rear parking allowed. Side or Rear yard; One double-loaded bay of front yard parking allowed except on Activity Corridor street type.
110- 113	1245.05 IND-2 1245.06 IND-3	Removed Removed	[REMOVED IND-2 and IND-3 Industrial districts]
115- 116	1245.07 INST-1	1245.05	(b) Building Placement: Front Setback - 30' max. (Activity Corridor) Min. 5'; Max. 20'. (All other street types) Whichever is Greater: A: The established average setback along block face; or B: Equal to the required setback of the adjacent residential district [new] Minimum Lot Size per Dwelling Unit – Efficiency: 1200 sq. ft. 1-bdrm: 1300 sq. ft., 2 bdrm: 1500 sq. ft., 3+ bdrms: 2200 sq. ft.

CHANGES MADE FROM 'APPROVED 1-1-22' FOR SECOND AMENDMENT DRAFT – Table Version

			Maximum Lot Coverage – 75% 100%
117	1245.08 INST-2	Removed	[REMOVED INST-2 Institutional district]
120-121	1246.04.01 General Architectural Standards		[new] (a)(1)c. Where compliance with the build-to line requirements would conflict with other provisions of this Chapter, the Zoning Administrator shall consider the following in determining which provision shall be applied so that the intent of the zoning district in which the property is located is met: - Conflicts with rights-of-way, underground utilities, or established easements. - Section 1250.03.03: Sight Visibility at Corners and Driveways. - The Required Corner Massing stated in the zoning district, if applicable. - Subsection 1252.06 (b)(1), the landscaping requirement between the public sidewalk and the front parking lot, if front yard parking is allowed. - Subsection 1254.01.07 (b)(4), the sidewalk requirement of seven feet in width where abutting a parking area.
122-128	1246.04.01 General Architectural Standards		(c) Stoops and Front Porches: (c)(2) All required front porches and stoops shall be completely covered by a roof. [new] (c)(5) Front porches and stoops made of wood must be finished with stain or paint. (f) Windows. (1) Glass shall be clear, with light transmission at the ground first story of at least 90 percent and for the upper stories 75 percent (modification as necessary to meet any applicable building and energy code requirements). (2) Ground First story windows of buildings with a principal commercial or retail use may not be made opaque by window treatments (excepting operable sunscreen devices within the conditioned space), window coverings, or window wraps. [new] (3) First story windows of buildings without a principal commercial or retail use at the storefront level may be covered by opaque window treatments or wraps. Signs on window coverings or wraps shall not exceed 20% of the window to which it is attached or covering. [new] (g) Materials. (1) No tarp, cloth, plastic covering, or other flexible or non-structural material shall be affixed to any structure or used to create an enclosure, privacy screen, or barrier except for materials that are designed, intended, manufactured and are being used for awnings, canopies, or sunscreens. [new] (h) Building Articulation. These regulations are intended to encourage walkable environments by creating visually interesting buildings with human scaled details and proportions. The following regulations apply to any building greater than 30 feet wide. (1) Horizontal articulation (e.g., base, belt courses, cornice lines, entablatures, friezes, awnings or canopies, changes in materials or window patterns, recessed entries, or other architectural treatments) is required to help distinguish the first floor or podium from upper stories.

		(2) Vertical articulation is required to visually break up the massing of the front and corner facades into building segments no greater than 30 feet in width. Vertical articulation may be satisfied through the use of architectural features such as bays, columns, pilasters, mullions, or regular repetition of window patterns. On corner lots, the material and articulation of the primary facade shall extend a minimum of one segment up to 30' in length along the secondary street. (3) Variation in color or design of siding or cladding materials shall not be used to meet the required vertical or horizontal articulation. (4) Variation in color or design of siding or cladding materials shall not extend across multiple segments and floors. (5) A building's first floor primary façade may feature recesses along the Build-to Line only to accommodate additional landscaping, public seating, or a pedestrian plaza.
126-130	1246.04.02 Residential Building Types	(a) Clear Height (3) Ground First Floor Finish Elevation Above Below Sidewalk finished grade - minimum 18" with stairs. ADA accessible units with ramp access permitted with approval. Where the first floor is occupied by a lobby, office, or common space and no dwelling are located on the first floor along the front of the building, then the first floor may be at the same finished grade as the sidewalk. (b) Porches and Stoops. Each residential unit with a separate entrance shall include a stoop of not more than 5' deep and 6' wide (not including steps or ramp) or a porch between 7' and 9' deep that projects no more than 7' into the front setback and with a width of not less than 65 percent of each unit with a separate entrance. Where the first floor is occupied by a lobby, office, or common space and no dwelling are located on the first floor along the front of the building, then a stoop or porch is not required. (1) The primary entrance to a residential building shall be located on the first floor along the front wall of the building. (2) The primary entrance to a residential building that leads directly to a residential unit shall have a covered porch with a depth of at least seven (7) feet but no more than nine (9) feet, that extends across at least 65 percent of the width of the front wall of the building or unit. (3) The primary entrance to a multi-family building shall have a covered porch or stoop at least five (5) feet in depth and six (6) feet in width. (4) A porch or a stoop is not required where the first floor of a residential building is occupied by a lobby, office, or common space, and no dwelling is located along the front of the building. (5) A porch shall not project more than seven (7) feet into the required front setback. (6) The zoning administrator may permit modifications to these standards to accommodate innovative designs that comply with the intent of this section and the placemaking guidelines set forth in the Comprehensive Plan. (c) Building Access - At least one entry must face onto and connect to the primary public or private street, or for sites containing multiple units the internal drive used for access. Secondary entries permitted from the side or rear. Maximum recessed entry of 5 feet.

CHANGES MADE FROM 'APPROVED 1-1-22' FOR SECOND AMENDMENT DRAFT – Table Version

			(g) Building Articulation: (1) Primary Facade Articulation – Walls over 30' in length must include design articulation, windows or recesses (2) Primary Facade Ground Floor Articulation – Ground floors shall be differentiated from the floors above by a horizontal expression line such as a string course, change in material or textures, awnings or canopies, or sign band. (h) Required Open Space (Outside of Frontage and setback areas.) – Private space. Minimum 100 square feet per unit. Minimum dimensions 10' x 10'. Private open space may be accommodated by balconies, decks, or terraces. (h) Attached garages shall not project closer to a public or private street, or internal drives used for access for sites containing multiple dwelling units thereto, than the building wall(s) of the unit facing a street or drive.
133	1246.04.03 Commercial / Mixed-Use Building Types		(e) Building Articulation Primary Facade Articulation – Walls over 30' in length must include design articulation, windows or recesses. Primary Façade First Floor Articulation – First floors shall be differentiated from the floors above by a horizontal expression line such as a string course, change in material or textures, awnings or canopies, or sign band.
135	1246.04.04 Industrial Building Types		
146	1250.02.03 Temporary Buildings, Structures, Uses, and Events		[new] (a)(1)c. Temporary construction structures may be on-site up to 30 days prior to the start of a building's construction and must be removed within 30 days following the completion of a building's construction. In the event construction is not progressing meaningful toward completion or paused indefinitely, all temporary construction-related buildings or materials including but not limited to storage structures and equipment, except for perimeter safety fencing, shall be removed within 30 days following the delivery of written notice from the Zoning Administrator.
148	1250.02.04 (Reserved)	Removed	[REMOVED reserved section numbers that will not be used. Subsequent sections renumbered]
153	1250.02.10 Medical Marihuana (Reserved)		
158	1250.02.11 Housing Cooperative	New	[new] (a) Housing Cooperative as defined in this Ordinance must submit their approved incorporation filing to the Zoning Administrator. (b) No more than two residents allowed per 70 square feet of bedroom space in a dwelling. (c) No portion of the dwelling shall be licensed as or used as a Short-Term Rental.

CHANGES MADE FROM 'APPROVED 1-1-22' FOR SECOND AMENDMENT DRAFT – Table Version

			(d) A property manager, owner, or resident must be listed as the responsible party for the dwelling with the City and serve as a point of contact to address any complaints.
159	1250.03.02 Supplementary Height Regulations		(b) Roof-mounted Solar Energy Systems on a building or accessory structure may exceed the allowable height limit of the district by up to 48 36 inches.
160	1250.04.01 Accessory Buildings and Structures, and Attached Garages		Zoning Requirements of this Subsection shall not apply to Accessory Dwelling Units.
161	1250.04.01 Accessory Buildings and Structures, and Attached Garages		(a) In General, Applies to All districts [new] (7) Attached garages shall not project closer to a public or private street or internal drives used for access for sites containing multiple dwelling units, than the building wall(s) of the unit facing a street or drive.
166	1250.04.03 Exterior Lighting		(b) Lighting Standards [new] (4) Maintenance a. All freestanding poles, building-mounted lighting, light fixtures, and light bulbs must be maintained in a proper state of repair and free from hazardous conditions.
174- 177	1250.04.06 Fences and Hedges		(c) Limitations. (1) Front Yard. a. No fence or hedge shall exceed a height of three (3) feet within a front yard, unless otherwise permitted herein. (c)(1)d. A fence within the front yard of a residentially zoned or used property may be erected or maintained to a height above three (3) feet, but not to exceed a height of four (4) feet, if the fence meets all of the following requirements: (c)(1)e. [new] A fence within the front yard of a commercial, industrial, or institutional zoned or used property, or a residential property with more than 20 units, may be erected or maintained to a height above three (3) feet, but not to exceed a height of six (6) feet, or eight (8) feet for industrially zoned or used properties, if the fence meets all of the following requirements: The fence consists of at least 75 percent of open spaces uniformly distributed along its surface above a height of three feet. Vision through the fence is not materially obstructed from any angle so as to obstruct the view of vehicular traffic on adjacent streets or public ways or of pedestrian traffic on adjacent sidewalks. The fence is made only of wrought iron or other material resembling a wrought iron fence. (c)(1)f. Fence types including uncoated chain-link, wire, cyclone, livestock, event or crowd control, snow fencing and fences made of flexible materials, or similar fences are prohibited in front yards in all non-industrial zoning districts.

		(c)(1)h. [new] A fence must be securely anchored into the ground in accordance with the fence design and shall not include materials not designed, intended, or manufactured for residential properties including but not limited to plywood, scrap wood, scrap metal, or construction materials; cattle gate fencing; or chicken wire fencing. (d) Materials (1) Fences shall be constructed of one or more of the following materials: Chain-link, treated wood, brick, poured concrete, wrought-iron, vinyl or similar material that is approved by the Zoning Administrator. (d) Materials (2) Barbed wire on fences may be utilized in the IND-1 Industrial district only upon the written request of the applicant and written approval by the Zoning Administrator. Approval of such request shall be based on demonstrated need, safety and reasonableness. Under no circumstances will any fence six (6) feet in height or less, within ten (10) feet of a public sidewalk, or within 30 feet from a neighboring parcel which has a residential use, be permitted to use barbed wire. Barbed wire shall not extend more than three (3) vertical feet above the top of the fence. (d) Materials [new] (5) No materials including, but not limited to, plywood, scrap wood, scrap metal, construction materials, tarp, cloth, plastic covering, or other flexible material shall be affixed to a fence or used to create a fence, barrier, or privacy screen.
178	1250.04.06 Fences	(g) Repair or Removal; remedies of City. The Department of Economic Development and Planning may order repaired or removed the repair or removal of any fence which is hazardous to the health or safety of the community. that does not comply with the provisions of Section 1250.04.06 (c) and (f) shall be utilized as the basis for making such decision. Upon finding a fence which is a health or safety hazard, the Department shall adhere to the following process: in accordance with the following procedures: (1) The Department, upon finding a fence that is a health or safety hazard, shall notify the property owner of the problem in writing by mail or, if possible, in person. The property owner shall be given ten working days to resolve the identified problem. (1) Upon finding that a fence is in violation of the provisions of this Chapter, the Department shall issue a written notice to the owner of the property upon which the fence is located. The notice shall be sent by mail or delivered in person and shall: a. Include a description of the violation(s). b. Cite the applicable ordinance provisions. c. Specify a reasonable time period for correcting the violation(s). (2) If the health or safety hazard still exists after ten working days, the Department shall post the fence as being a health or safety hazard. A certified letter, return receipt requested, shall also be sent to the property owner notifying the owner of the health or safety hazard and of the actions necessary to correct the hazard and what the City will do if it is not corrected by a certain date. The owner shall be given 30 days to resolve the identified problem.

			(2) If the owner fails to comply with the notice within the specified time frame, the Department may issue a final notice following the same procedures as the first notice. (3) The Department shall re-inspect the property after 30 days. If the identified problem still exists, the Department shall have the fence, or that portion of the fence causing the problem, repaired or removed with the cost of such repair or removal being attached to the tax rolls for the property. (3) Failure to comply with the notice(s) shall result in issuance of a civil fine and/or issuance of a District Court citation requesting a court order of compliance.
179-180	1250.04.07 Cottage Courts	new	[new] General Requirements. All dwelling units within a Cottage Court as defined in Section 1240.02 shall comply with the requirements of Section 1244.02 in addition to the following requirements: (a) Permitted Districts. Cottage Courts shall be permitted in the R-3, R-MX, MFR, R-AR, and DT-1 zoning districts. (b) Number of dwellings. A cottage court shall have at least three (3), but no more than six (6) units that may be detached single-family dwellings or duplexes. (c) Orientation. The front wall and primary entrance to dwellings that are closest to the public street or private access drive must be oriented toward said street. All other dwellings must be oriented toward a street, alley, access drive, or courtyard or pathway. (d) Size. Each dwelling shall have at least 400 but no more than 1,200 square feet of living space. (e) Height. Each dwelling shall be a minimum of 15 feet in height but in no instance shall exceed 25 feet in height. (f) Front setback. No dwelling unit shall be located closer to a public street than the required setback of the zoning district in which the property is located. (g) Side and Rear setbacks. All dwellings shall have a minimum setback of ten (10) feet from each side property line and 20 feet from a rear property line. (h) Setbacks between dwellings. Detached dwellings shall be separated by a distance of at least ten (10) feet from every other dwelling. (i) Private outdoor area. Each dwelling shall have a minimum of 120 square feet of private outdoor space (e.g. patio, porch, deck, garden). (j) Maximum lot coverage. The ground floor area of all buildings shall not exceed 60% of the total lot area. The total amount of impervious surfaces shall not exceed 75% of the lot area. (k) Parking. (1) One (1) off-street parking space per unit is required. (2) All parking spaces must be accessed via an internal street or access drive and may be consolidated into one shared parking lot. (3) All shared parking areas within ten (10) feet of an adjacent residentially used property must be screened by a six (6) foot opaque fence, subject to the requirements of Section 1250.04.06. (l) Short-term rental restriction. No dwelling unit shall be utilized for a short-term rental.

212-216	1252 Landscaping	1252.04 Species [new] (b) At least 75% of trees required in the overall landscape plan shall be made up of native tree species as identified by EGLE or MSU Extension. (b) (c) The lack of use of native vegetation species with deep roots in rain gardens, bioswales, buffer areas, and other forms of naturalized landscaping to accomplish the goal of stormwater retention and filtration is encouraged may be cause for rejection of the landscape plan. 1252.06 Non-Residential Right of Way and Front Setback Planting (a) Street yard landscaping within the public rights-of-way [new] (2) The City, in consultation with the Public Service Department, may require street trees to be planted within the public right-of-way where they do not already exist. 1252.06 (b) Between sidewalk and parking (1) There shall be a landscaping setback area of at least eight (8) feet, and no greater than 20 feet, but in no case further than the average front setback of the block, between the edge of sidewalk and parking lot edge, which shall consist of lawn and landscape planting beds. 1252.06 (b)(3) Setback areas greater than 20 feet in depth must have at least one deciduous tree for every 30 feet of frontage or part thereof and a minimum of one shrub shall be planted for each ten lineal feet of frontage, or portion thereof. 1252.07 Parking Lot Landscaping (f) Each tree shall be provided with an open land area of not less than 150 square feet to provide area for infiltration and with a minimum diameter radius of 6 feet at the trunk of the tree for protection. If a sprinkled irrigation system is provided, the open land areas can be reduced to no less than 75 square feet. Tree plantings shall also be protected from automobiles with curbing or other suitable device that incorporate curb cuts or other openings and grading to capture stormwater. (g) All parking lots within ten (10) 20 feet of a residentially zoned or used property shall be screened by a buffer containing evergreen shrubs and trees, screen fence or screen wall (75 percent or more opaque and six (6) feet in height), or any combination thereof that forms a continuous visual buffer at the property line. [new] (i) Living grass lawn shall be planted within parking lot islands. [new] (j) To protect stormwater drains from debris, landscaping rocks and mulch must be properly contained on site and may only be installed as weed control directly around plants. Non-plant material shall not exceed 25% of the parking lot island surface area. 1252.08 Buffering and Screening (b) At least 1 tree for each 30 linear feet, or fraction of buffer area shall be provided along all front, side, and rear setback areas where they do not already exist.
220	1254.01.02 (Parking) Location; Expansion; Encroachments	[Table 1254.01.02 Permissible Off-Street Parking Lot Locations amended to reflect zoning district changes]

CHANGES MADE FROM 'APPROVED 1-1-22' FOR SECOND AMENDMENT DRAFT – Table Version

221	1254.01.02 Location; Expansion; Encroachments		[new] (d) Limits on parking expansion. Applies to properties in the MX-2 or DT-3 zoning districts and properties along an Activity Corridor street type. (1) When demolition of a building, lot combination of two or more properties, or lot split of a property has taken place, the expansion or increase of an off-street parking lot shall not extend into the front yard of a parcel. (2) The Zoning Administrator may waive the limitations hereof if the property owner can demonstrate that the intent of the zoning district is maintained.
226-227	1254.01.04 Factors to Permit a Reduction from the Amount of Parking Required		(c) Parking Reductions. The Zoning Administrator may permit a reduction of the required number of parking by up to 20 percent provided that a parking study is provided as noted in 1254.01.04 (d) below. spaces based upon one or more of the following: (1) Owner provides a parking study as noted in (d) below that shall provide documentation such as a parking study or traffic count taken from developments of a similar size and use which demonstrates that the amount of parking provided will be sufficient for the nature of the use as determined by the City Transportation Engineer to accommodate the needs of the proposed use(s) during peak demand. This shall include delivery needs, the number of employees in the largest shift, the number of residential units by bedroom count, and a projection of the maximum number of visitors to the site during its most active time. Such parking study shall be based upon publications of research and/or actual parking counts for the particular use. In such case, The city may require the owner to provide submit a program plan to provide for providing additional parking, up to the required amount of required parking if the actual parking needed exceeds the parking provided. (d) Parking Study. A parking study to support a parking reduction shall be prepared by a qualified professional based on methodologies of recognized parking organizations such as the Urban Land Institute or the Institute of Transportation Engineers.
231	1254.01.08 Surfacing		(b) An alternative surface, including, but not limited to, gravel, permeable or pervious materials may be approved by the Zoning Administrator, if circumstances exist which justify the alternative surface, and if the City Engineer believes the alternative surface will not result in an unreasonable amount of sediment being deposited in the sewers, and so long as the alternative surface is maintained in a dust-controlled condition.
235-236	1254.01.17 Front Yard Parking		[new] (a)(2) In no instance shall gravel, stone, blocks, pavers, or other similar materials be placed in front of the front building wall of a house to be used as a parking surface. (b) Driveways. (1) A driveway may not exceed 12 20 feet in width or the width of the opening to the garage to which it provides access within the front yard of a Single-Family or Two-Family residential property. A driveway may not exceed 12 20 feet in width for a residential property where the driveway is not required to provide two-way vehicular access to a parking lot that lawfully contains more than four parking spaces in the side or rear yard. (2) Each residentially zoned or used parcel is permitted one driveway via one curb cut.

		(3)b. A two-family dwelling with side-by-side units may be permitted two driveways after review and approval by the Zoning Administrator and the Department of Public Service. (4) In no instance shall a driveway extend in front of the front building wall of a residential building.
237	1254.02 Bicycle Parking	1254.02.01 Definitions: EXEMPT PROPERTY. Is property: 1. For which the Zoning Administrator, per Section 1254.01.04 (f), reduces or eliminates the off-street parking requirements of Table 1254.01.03; and 2. For which the property owner does not actually provide off-street parking. Non-exempt property in a DT-3 or MX-3 district is property: 1. For which the Zoning Administrator, per Section 1254.01.04 (f), reduces or eliminates the off-street parking requirements of Table 1254.01.03; and 2. For which the property owner does actually provide off-street parking. 1254.02.03 Bicycle Parking Guidelines. (a) To the extent feasible and unless otherwise provided by this chapter or the City of Lansing Bicycle Parking Guidelines promulgated by the Zoning Administrator, property owners are encouraged to conform to the APBP Guidelines, copies of which are available in the Planning Office and the City Clerk's Office. 1254.02.04 Short-Term Bicycle Parking Requirements Based on Land Use. (b) Short-term bicycle parking is not required on exempt property. On non-exempt property in a DT-3 or MX-3 district the property owner shall provide a number of short-term bicycle parking spaces that is at least five percent of the number of off-street parking spaces actually provided. (b)-(c) Except as otherwise provided in subsection (b), Property owners shall provide the following number of short-term bicycle parking spaces for the benefit of the corresponding specified structures: 1254.02.05 LONG-TERM BICYCLE PARKING REQUIREMENTS BASED ON EMPLOYMENT AND TRANSIT. (a) For purposes of this section, numbers resulting from the prescribed formulas shall be rounded up from one half to the next whole number in calculating the number of required long-term bicycle parking spaces. (b) Except as otherwise provided in subsection (c), in addition to any requirements imposed by Section 1254.02.04: (1) Property owners are not required to provide long-term bicycle parking spaces for the benefit of structures other than bus stations in which no more than 40 employees work at any given time. (2) Property owners shall provide two bicycle parking spaces for every 40 employees that work in a structure other than a bus station at any given time. (3) Property owners shall provide two bicycle parking spaces for every bus bay in a bus station. (c) Long-term bicycle parking is not required on exempt property. On non-exempt property in a DT-3 or MX-3 district, in addition to any requirements imposed by Section 1254.02.04, the property owner shall provide a

CHANGES MADE FROM 'APPROVED 1-1-22' FOR SECOND AMENDMENT DRAFT – Table Version

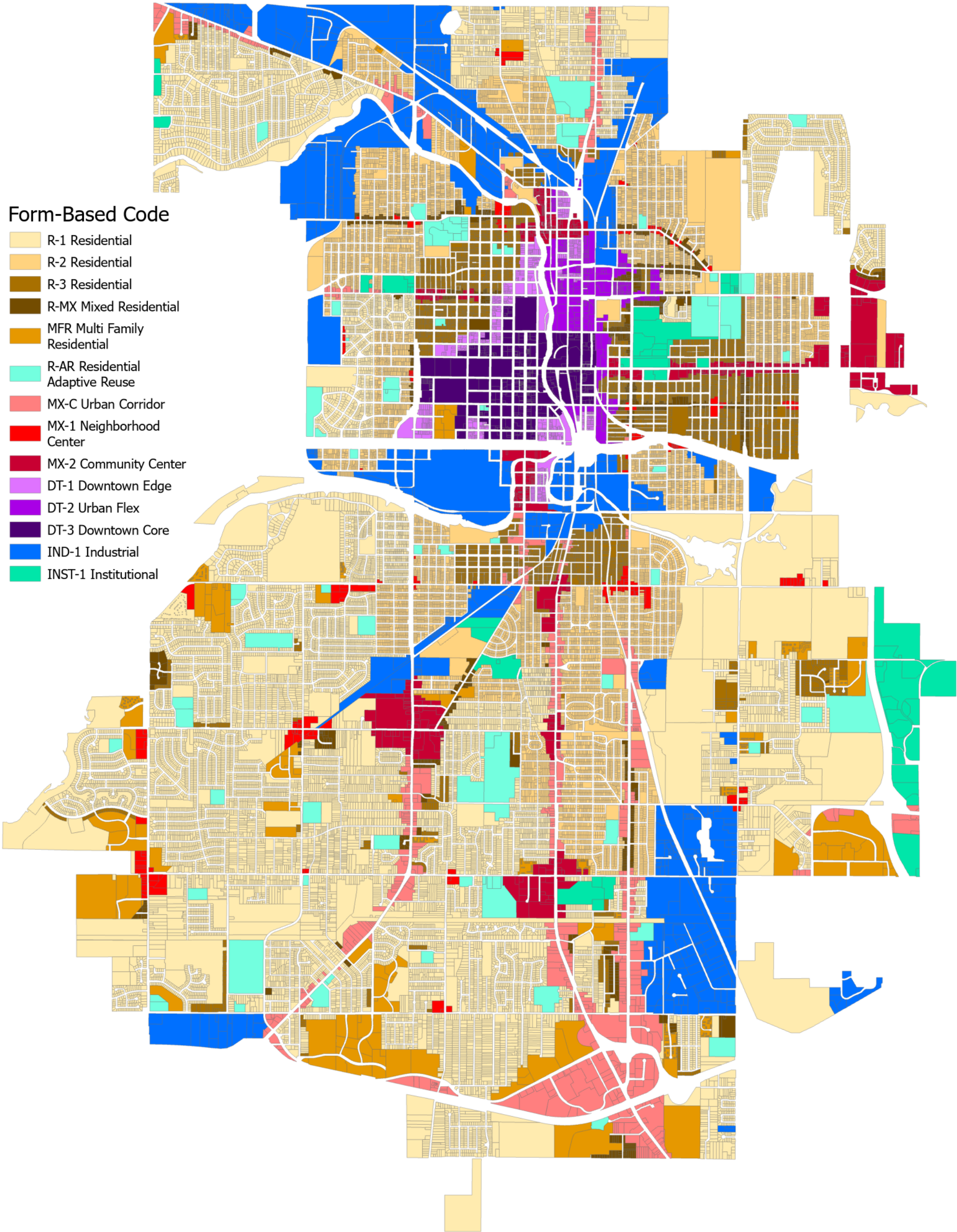
			number of long-term bicycle parking spaces that is at least five (5) percent of the number of off-street parking spaces actually provided.
248 & 274	1262 Special Land Use Permits and 1274 Zoning Amendments		[remove mention of City Clerk and clarify processes to conform with established norms. (City Clerk request)]
262	1270 Nonconformities		1270.01 Purpose and Intent [new] (e) Exempt Properties and Uses. Existing residential buildings with six (6) or fewer dwelling units and its accessory structures, that were lawfully constructed prior to the effective date of this ordinance, but do not conform to the zoning district or dimensional requirements of this Chapter shall have conforming status, and thus, may be restored or reconstructed in the event of damage or destruction caused by an act of nature or as is necessary to effectuate the removal or repair of a dilapidated or unsafe structure, subject to the following conditions: (1) Must be rebuilt or restored in compliance with current building code requirements. (2) May be rebuilt or restored to its original building massing, placement, and density level, unless, if being reconstructed, it can reasonably be brought into compliance with existing setback requirements. This determination shall be made by the Zoning Administrator and shall be based upon the size and configuration of the lot, the location of other structures on the subject property and adjoining properties, whether requiring compliance with a required setback would impede parking or access to a garage or would result in reducing the size of a structure below what is permitted or required under the provisions of this Chapter.
267	1272 Administration, Enforcement, and Penalty		1272.01 Enforcement By Planning Office, Code Compliance Office And Building Safety Office; Violations; Reviews [new] (c) The Planning Office, the Code Compliance Office, and the Building Safety Office are hereby authorized to conduct inspections beyond normal business hours as necessary to enforce the provisions of this Zoning Code, subject to compliance with all other provisions of this Section.
	multiple		[general revision of 'Planning Board' to 'Planning Commission']
	multiple		Minimum Setback from adjacent R-1 through R-3 and R-MX districts – 25' 10' (changed in all commercial and special zoning districts)
	multiple		[General removal or revision throughout document of zoning districts that are being removed or merged]

City of Lansing Form Based Zoning Code Map

Second Amendment DRAFT

Form-Based Code

- R-1 Residential
- R-2 Residential
- R-3 Residential
- R-MX Mixed Residential
- MFR Multi Family Residential
- R-AR Residential Adaptive Reuse
- MX-C Urban Corridor
- MX-1 Neighborhood Center
- MX-2 Community Center
- DT-1 Downtown Edge
- DT-2 Urban Flex
- DT-3 Downtown Core
- IND-1 Industrial
- INST-1 Institutional



The following letters and emails were received in support of amendments to the Form-Based Zoning Ordinance (Second Amendment) and/or an amendment to the Zoning Ordinance for rules that allow Accessory Dwelling Units (ADUs) in residential districts.

All letters were submitted to the Planning Commission at their June 4, 2024 and August 7, 2024 meetings.



May 20, 2024

Dear Council Member Kost,

Lansing's housing shortage situation needs your attention. A key way to address the shortage is to encourage the growth of a variety of housing options.

We need to encourage housing formats beyond the single-family dwellings—of which we have more than enough. Lansing needs to have diverse housing options for a diverse population. Great housing options include boarding houses, rooming houses, cottage courts, cooperative housing, and accessory dwelling units.

Accessory dwelling units have been specifically encouraged by the Biden administration, the Michigan statewide housing plan, and AARP. These have been added to zoning codes in at least 15 cities and villages in Michigan. These are a particularly good strategy to improve senior housing options.

Let's make it easier to gradually grow our housing stock in ways that gently densify our urban space.

I urge you to support the proposed zoning edits by the city planning office which clarify options for boarding houses, rooming houses, cottage courts, cooperative housing, and accessory dwelling units.

Thank you for your attention to this urgent matter. Please do not hesitate to contact me if you have any questions.

A handwritten signature in black ink, appearing to read "Joe Enerson".

Joe Enerson
Executive Director

May 21, 2024

Dear Members of the City of Lansing Planning Board,

We, ASPPIRE of Mid-Michigan, stand with the Shared-Use Housing Advocacy Network, a grass roots group of 40 people, are writing to support the zoning edits proposed by Lansing Planning staff and introduced to the Planning Board on May 8. For the past seven months, network members have come together to explore ways to address Lansing's housing needs. It is our shared belief that allowing, even encouraging, a greater variety of housing options will help mitigate Lansing's housing shortage.

We are delighted that the City Planning staff are proposing a set of zoning edits which clarify options and reduce zoning barriers for boarding houses, rooming houses, cottage courts, cooperative housing, and accessory dwelling units (ADUs). We fully support their proposals, with the following modifications:

1. Under Rooming Houses, allow up to 4 (instead of 3) lodgers in addition to the owner.
2. Allow Housing Cooperatives in residential districts (as opposed to limiting them to multi-family districts and commercial zones.)
3. Allow Cottage Courts in residential districts as opposed to limiting them to multi-family districts and DT-1. (All density related regulations would, of course, still apply.)
4. Regarding Infill housing- Remove (or revise) the minimum lot size per unit for 5-to-6 dwellings in R-3 and R-MX

Similar efforts to develop a more inclusive zoning code have taken place in many cities across the country, with largely successful outcomes. Indeed, over fifteen other Michigan cities have already enacted zoning changes to allow ADUs and other shared-use housing options. ADUs have been supported and encouraged by the Biden administration, the Michigan statewide housing plan, and AARP.

Let's make it easier to gradually grow our housing stock in ways that gently densify our urban space. Let's create diverse housing options for Lansing's diverse population.

We urge you to support the Planning staff's proposed zoning edits, with the modifications recommended by the Shared-Use Housing Advocacy Network.

Thank you for your attention to this important matter.

Sincerely,



Maria Peak, Executive Director
ASPPIRE
mpeak@asppire.org



Dear Members of the City of Lansing Planning Board,

We, members of Prospect PLACE Neighborhood, are writing to support the zoning edits proposed by Lansing Planning staff and introduced to the Planning Board on May 8. Prospect PLACE is a decades old and very active neighborhood group which includes several hundred households and businesses bordered by Shepard St. on the east, Holmes St. on the west, Michigan Ave. on the north and E. Kalamazoo St. on the south. Like neighborhoods throughout Lansing and the country, we have been challenged by a shortage of housing. It is imperative for the city to encourage a greater variety of housing options to help mitigate Lansing's housing shortage and to meet the needs of our neighbors. We have already benefitted greatly from the diversity of housing options in our neighborhood, which has much less traditional housing units than other neighborhoods in Lansing. This flexibility has allowed us to keep housing options more affordable for many in our community and has opened the doors for a great diversity of people to live here. We are an example of the benefits of allowing more flexibility in the housing market.

We are pleased that City Planning staff have proposed a set of zoning edits which clarify options and reduce zoning barriers for boarding houses, rooming houses, cottage courts, cooperative housing, and accessory dwelling units (ADUs). We fully support their proposals, as well as those additional modifications recommended by the Shared Housing Network, listed below:

1. Under Rooming Houses, allow up to 4 (instead of 3) lodgers in addition to the owner.
2. Allow Housing Cooperatives in residential districts (as opposed to limiting them to multi-family districts and commercial zones.)
3. Allow Cottage Courts in residential districts as opposed to limiting them to multi-family districts and DT--1. (All density related regulations would, of course, still apply.)
4. Regarding Infill housing- Remove (or revise) the minimum lot size per unit for 5-to-6 dwellings in R-3 and R-MX

Similar efforts to develop a more inclusive zoning code have taken place in many cities across the country, with largely successful outcomes. Indeed, over fifteen other Michigan cities have already enacted zoning changes to allow ADUs and other shared-use housing options. ADUs, in particular, have been supported and encouraged by the Biden administration, the Michigan statewide housing plan, and AARP.

Let's make it easier to gradually grow our housing stock in ways that gently densify our urban space. Let's create diverse housing options for Lansing's diverse population.

We urge you to support the Planning staff's proposed zoning edits, with the modifications recommended by the Shared-Use Housing Advocacy Network.

Thank you for your attention to this important matter.

Sincerely,

Ethan Schmitt

Neighborhood Leader of Prospect PLACE, signed with the approval of Prospect PLACE
Neighborhood.



refugee development center

May 23, 2024

Dear Council Members,

Let's make it easier to update our housing stock and address the housing shortage.

It is imperative that Lansing have diverse housing options for a diverse population with a variety of needs.

I urge you to support the proposed zoning edits by the city planning office which clarify options for boarding houses, rooming houses, cottage courts, cooperative housing, and Accessory Dwelling Units.

Thank you for your attention to this urgent matter.

Sincerely,

Erika Brown-Binion
Executive Director
Refugee Development Center
600 W. Maple St.
Lansing, MI 48906

David and Beverly Wiener
311 South Jenison Avenue
Lansing, Michigan 48915

May 24, 2024

Dear Council Member Jackson,

I have been following the discussion on shared housing led by Joan Nelson and shared by a number of people throughout the Lansing area. I have been convinced that the shared housing concept offers some humane ways to address the housing shortage and to encourage the growth of a variety of housing options.

As Joan's coalition has promoted: we need to encourage housing formats beyond the single-family dwellings—of which we have more than enough. *Lansing needs to have diverse housing options for a diverse population.*

Great housing options include boarding houses, rooming houses, cottage courts, cooperative housing, and accessory dwelling units.

Accessory dwelling units have been specifically encouraged by the Biden administration, the Michigan statewide housing plan, and AARP. These have been added to zoning codes in at least 15 cities and villages in Michigan. These are a particularly good strategy to improve senior housing options.

A better mix of housing options has many **benefits** for our community:

- It makes Lansing a more appealing place to live
- It offers a *competitive advantage* to Lansing compared to surrounding municipalities.
- It recognizes that people want options other than single family dwellings with lots
- It grows a sense of belonging and community
- It allows for families (and families of choice) to live closer together
- It invites homeowners to be part of the solution to rental shortages by offering options like boarding houses and rooming houses
- It enables homeowners to reduce the cost of their own housing by sharing it--it creates a new revenue stream for homeowners

As Joan's coalition says: "Let's make it easier to gradually grow our housing stock in ways that gently densify our urban space."

I ask that you support the proposed zoning edits by the city planning office which clarify options for boarding houses, rooming houses, cottage courts, cooperative housing, and accessory dwelling units.

Thank you for your attention to this important matter.



David Wiener

May 29, 2024

Dear Council Members,

Lansing's housing shortage situation needs your attention. A key way to address the shortage is to encourage the growth of a variety of housing options.

We need to encourage housing formats beyond the single-family dwellings—of which we have more than enough. *Lansing needs to have diverse housing options for a diverse population.*

Great housing options include boarding houses, rooming houses, cottage courts, cooperative housing, and accessory dwelling units.

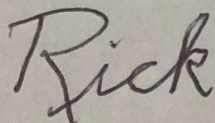
Accessory dwelling units have been specifically encouraged by the Biden administration, the Michigan statewide housing plan, and AARP. These have been added to zoning codes in at least 15 cities and villages in Michigan. These are a particularly good strategy to improve senior housing options.

Let's make it easier to gradually grow our housing stock in ways that gently densify our urban space.

I urge you to support the proposed zoning edits by the city planning office which clarify options for boarding houses, rooming houses, cottage courts, cooperative housing, and accessory dwelling units.

Thank you for your attention to this urgent matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Rick". The signature is stylized with a large, looped "R" and a cursive "ick".

Rick Kibbey

Joan Nelson
217 Rosamond St., Lansing, MI 48912
517-862-6918, joannelsonlansing@gmail.com

May 29, 2024

Dear Members of the Planning Board,

I write in support of the zoning edits proposed by the City of Lansing Planning Office which clarify options for shared-use housing. These options include boarding houses, rooming houses, cottage courts, cooperative housing, and accessory dwelling units.

Shared-use housing has been dramatically reduced by 20th-century planning and zoning decisions. I believe that this needs to be reversed, given that shared use housing offers options other than single-family homes to ensure that we can meet the housing needs of a diverse population. In Lansing, 83% of residential housing is zoned exclusively single-family —when only about 40% of households consist of a parent or parents and children under 18 years. Even in areas zoned multi-family, many parcels still feature only single-family homes.

This demographic mismatch of far more single-family homes than families ignores that people live in many different constellations and combinations these days. Further, many more folks live alone: In the 1890s, fewer than 5% of adults in America lived by themselves; today 28% do. Our rich mix of current urban residents requires diverse options for housing, including the five that are the focus of proposed changes that the Planning office presented to the Planning Board in early May.

A richer mix of housing options will bring many benefits to our community:

- It will make Lansing a more appealing place to live.
- It respects that people want options other than single family dwellings with lots.
- It allows for families (and families of choice) to live closer together.
- Options like boarding houses and rooming houses invite homeowners to be part of the solution to rental shortages.
- Rooming houses allow homeowners to reduce the cost of their own housing; by sharing it, they create a new revenue stream for themselves.
- It provides better options to seniors who can have private space as well as access to a support system and company.
- It provides affordable options.

While I support all five housing options under consideration, I feel particularly strongly about ADUs, or accessory dwelling units. Accessory Dwelling Units are another form of 19th and early 20th century shared-use housing that was once ubiquitous — carriage houses, lane houses, granny flats, additional houses built on farms, etc. And, like co-ops and boarding houses, ADUs have re-emerged over the last five years — in some places quite dramatically.

These small attachments or separate buildings have their biggest fan in AARP, which has worked with 17 cities and 10 states to craft pro-ADU legislation. On the AARP website, articles depict ADUs as a source of rental revenue for retirees, a space for a caregiver to live, or a smaller space to move into while renting out a larger house. Indeed, the increase in numbers of

down-sizing boomers choosing to live in an ADU with their children in the main house has sparked a whole new acronym: PIMBY, or Parents in My Back Yard.

Though compact, ADUs are more substantive than “tiny houses.” They are also often invisible from view, given that they are located behind the main dwelling. As noted by AARP, “ADUs offer a way to include smaller, relatively affordable homes in established neighborhoods with minimal visual impact and without adding to an area’s sprawl.”

In addition to communities which have had good outcomes with adding significant numbers of ADUs (South Bend, Indiana, Sacramento, California, and many more), at least 15 cities across Michigan see ADUs as a winning strategy to address serious housing shortages. These include Grand Rapids, Holland, Royal Oak, Ypsilanti, Traverse City, Kalamazoo, Ann Arbor, Manistee, Beulah and Oscoda. If approved by the City Council, Lansing could garner a competitive edge by becoming the first municipality in *mid*-Michigan to establish a process for adding an ADU to one’s property.

Note that all five housing options allow for private space, access to common space and a potential support system. They are, for many, less isolating and more sociable than a single-family house. We have plenty of single-family houses in our city, but not many of these other options.

Gradual, steady densification of the sort that would result from more shared use housing would also bring transit options, shops, restaurants, services, and more. Most important, this strategy would help to address the serious housing shortage in our City.

Thank you for your consideration of the Planning Department’s modest, though important recommendations. Let’s make it easier to gradually grow our housing stock in ways that gently densify our urban space.

Sincerely,

Fedewa, Andrew

From: Eastfield Chair <eastfield.neighbor@gmail.com>
Sent: Thursday, May 30, 2024 7:51 PM
To: Fedewa, Andrew
Cc: Margaret Tassaró; Jennie Gies; Pratap Sankar
Subject: [EXTERNAL] Zoning Code Edits, Please Support

Dear Andy,

I am writing on behalf of the Eastfield Neighborhood Association Board to express our support to make amendments to the zoning code to allow for more flexible housing options, including cooperative housing, boarding units, and AUDS (accessory, dwelling units).

This will benefit Lansing in that it:

1. Directly addresses the housing shortage (a nationwide crisis) by expanding options for people.
2. Recognizes and supports individuals with housing needs that do not fit the standard of single-family dwellings.
3. Encourages higher density and less sprawl, which is beneficial to business districts, individual's social connections, and environmental preservation.
4. Support seniors' housing needs, so that they can age in place and remain connected to the community.

This is not an untested recommendation. Cities across Michigan have adopted similar measures. Furthermore AARP champions AUDs as a way to address the housing needs of seniors.

We urge you to support the proposed zoning edits by the city planning office which clarify options for boarding houses, cooperative housing, and AUDS.

Thank you for your consideration and service to the city.

Take care,

Margaret Tassaró, President
Jennie Gies, Treasurer
Pratap Sankar, Secretary

Fedewa, Andrew

From: Joan Nelson <joannelsonlansing@gmail.com>
Sent: Friday, May 31, 2024 4:14 PM
To: Fedewa, Andrew
Subject: [EXTERNAL] Fwd: Shared Use Housing zoning GGC letter of support

Fyi

----- Forwarded message -----

From: **mc rothhorn** <mrothhorn@gmail.com>
Date: Friday, May 31, 2024
Subject: Shared Use Housing zoning GGC letter of support
To: tamera.carter@lansingmi.gov

Dear Council Member Carter,

Lansing's housing shortage situation needs your attention. A key way to address the shortage is to encourage the growth of a variety of housing options.

As a 20 year member of [Genesee Gardens Cohousing](#), I, and others in my community, can speak to the challenges of organizing ourselves to address collective housing needs. We need public policy that encourages housing formats beyond the single-family dwellings—of which we have more than enough. *Lansing needs to have diverse housing options for a diverse population.*

Great housing options include boarding houses, rooming houses, cottage courts, cooperative housing, and accessory dwelling units.

Accessory dwelling units have been specifically encouraged by the Biden administration, the Michigan statewide housing plan, and AARP. These have been added to zoning codes in at least 15 cities and villages in Michigan. These are a particularly good strategy to improve senior housing options.

Let's make it easier to gradually grow our housing stock in ways that gently densify our urban space.

I urge you to support the proposed zoning edits by the city planning office which clarify options for boarding houses, rooming houses, cottage courts, cooperative housing, and accessory dwelling units.

Cooperatively,

MC Rothhorn
& Marsha Parrot-Boyle
Genesee Gardens Cohousing

Fedewa, Andrew

From: David Ellis <davjefellis@gmail.com>
Sent: Wednesday, May 8, 2024 12:52 PM
To: Fedewa, Andrew
Subject: RE: [EXTERNAL] Zoning Update

Here's that better worded version with some things removed you helped out with.

Hi, I'm David Ellis, a resident of Downtown Lansing. I had seen the proposed zoning changes, and while I absolutely love many of the proposals, I do have some criticisms and additions I'd like to see made.

- I'd like to see minimum lot sizes for 5-6 unit buildings reduced substantially. For example, a sixplex of 6 single bedroom apartments with parking could fit comfortably on a 4,000 square foot property. I'd also like to see the R-3 zone have a maximum floor height increase from 2.5 to 3 stories to better accommodate these 3 floor sixplexes.
- For single family homes in R-2 and R-3 zones, I'd also like to see a large reduction in minimum lot size and an increase to lot coverage. Lot coverage will continue to ensure you don't have large homes on tiny lots, but the lower lot size would allow for much smaller starter homes. There's no need for a small 1,100 sqft home to sit on a 4,000 sqft lot.
- If possible, I'd like to see stronger restrictions put in place to properties with surface parking only in DT zones, particularly DT-3. A large parking lot is contrary to both the density goals of DT zones, and parking maximums as described in the code for these zones. I understand existing lots would be grandfathered in, but this would prevent future surface lots from being created, all while still allowing for actual parking garage structures that do better fit with density goals.
- I understand the purpose of mass breaking requirements, but I'd like to make sure they are as clearly written as possible, and maintain flexibility. I wouldn't want to see otherwise good buildings or certain architectural styles blacklisted due to the code.
- I'd like to see multi-family zoning be made as widespread as possible. I believe 6 units by right should be the rule, but I understand that's clearly a far off goal for now. I'd like to see at least some additional push for more widespread MF zoning types, or potentially a goal to increase it near major bus routes (within 5 minutes walk from stops, or ~1,200' for example).

This zoning code update makes some enormous strides to improving Lansing, but I want to ensure it goes as far as we can make it. I hope to see some of my concerns addressed and am excited to follow these plans.

Thank you!
David Ellis

Fedewa, Andrew

From: Abby Schwartz <aschwartz5858@gmail.com>
Sent: Sunday, June 2, 2024 10:44 PM
To: Fedewa, Andrew
Subject: [EXTERNAL] proposed zoning changes

Dear Mr. Fedewa,

Please share this message with the City of Lansing Planning Commission. Thank you.

Dear Members of the City of Lansing Planning Commission,

Lansing needs more safe and affordable housing. Opening up a variety of housing options is an important way to meet this need.

The City Planning staff has been proactive in proposing zoning edits which clarify options and reduce zoning barriers for boarding houses, rooming houses, cottage courts, in-fill, cooperative housing, and accessory dwelling units (ADUs). I fully support their proposals, with the following modifications:

1. Under Rooming Houses, allow up to 4 (instead of 3) lodgers in addition to the owner.
2. Allow Housing Cooperatives in residential districts.
3. Allow Cottage Courts in residential districts.
4. Infill housing should allow for 6 units rather than 4.

It is very important that all of these housing options become allowable, and indeed encouraged, in residential districts. Limiting these to other zones is contrary to the need to diversify options in our neighborhoods. Adhering to the other specifications for each option is sufficient to ensure these will suit neighborhoods.

Such inclusive zoning codes have been successfully carried out in many cities across the country. A note about ADUs, which have been prohibited in Lansing to date: these are an important part of the mix of housing options, particularly for an aging population. ADUs have been supported and encouraged by the Michigan statewide housing plan, AARP, and the Biden administration, and have been approved in at least 15 cities and villages in Michigan.

Let's make it easier to gradually grow our housing stock to gently densify our urban space. Let's create diverse housing options for Lansing's diverse population.

I urge you to support the Planning staff's proposed zoning edits, with the above suggested modifications.

Thank you kindly for your attention.

Sincerely,
Abby Schwartz
118 Shepard St,
Lansing, MI 48912

Fedewa, Andrew

From: Nancy McCrohan <nancymccrohan@gmail.com>
Sent: Saturday, June 1, 2024 12:05 PM
To: Fedewa, Andrew
Subject: [EXTERNAL] Message to City of Lansing Planning Board supporting zoning changes with modifications

Dear Mr. Fedewa, Please share this message with the City of Lansing Planning Board. Thank you.

Dear Members of the City of Lansing Planning Board,

Lansing's housing stock needs your attention. A key way to address the shortage is to encourage the growth of a variety of housing options.

The City Planning staff has been wonderfully proactive in proposing zoning edits which clarify options and reduce zoning barriers for boarding houses, rooming houses, cottage courts, in-fill, cooperative housing, and accessory dwelling units (ADUs). I fully support their proposals, with the following modifications:

1. Under Rooming Houses, allow up to 4 (instead of 3) lodgers in addition to the owner.
2. Allow Housing Cooperatives in residential districts.
3. Allow Cottage Courts in residential districts.
4. Infill housing should allow for 6 units rather than 4.

All the housing options should be allowable in residential districts. Limiting these to other zones is contrary to the need to diversify options in our neighborhoods. Adhering to the other specifications for each option is sufficient to ensure these will suit neighborhoods.

Such inclusive zoning codes have been successfully carried out in many cities across the country. A note about ADUs, which have been prohibited in Lansing to date: these are an important part of the mix of housing options. ADUs have been supported and encouraged by the Michigan statewide housing plan, AARP, and the Biden administration, and have been approved in at least 15 cities and villages in Michigan.

Let's make it easier to gradually grow our housing stock to gently densify our urban space. Let's create diverse housing options for Lansing's diverse population.

I urge you to support the Planning staff's proposed zoning edits, with the modifications noted.

Thank you kindly for your attention.

Sincerely,

Nancy McCrohan, City of Lansing resident and homeowner



123 W. Allegan St. Suite 500 | Lansing, MI 48933
1-866-227-7448 | Fax: 517-482-2784 | TTY: 1-877-434-7598
aarp.org/mi | miaarp@aarp.org | twitter: @aarpmichigan
facebook.com/aarp.michigan

June 3, 2024

Lansing City Council
124 W. Michigan Avenue - 10th Floor City Hall
Lansing, MI 48933
city.council@lansingmi.gov

Honorable Councilmembers,

We are writing on behalf of AARP Michigan in support of the Lansing Planning Department's proposed zoning changes to allow for the construction and use of Accessory Dwelling Units (ADUs) and related revisions to improve the supply of age-friendly housing for Lansing residents.

AARP is the nation's largest nonprofit, nonpartisan organization dedicated to empowering people aged 50 and over to choose how they live as they age. AARP has 1.25 million members in Michigan and over 11,000 members in Lansing.

AARP supports the availability of ADUs as an affordable, accessible housing option for people of all ages, but particularly for older adults seeking to age in place. ADUs are small houses or apartments that exist on the same property lots as a single-family residence but still provide separate living and independent quarters. ADUs can enable homeowners to provide needed housing for their parents, adult children or other loved ones.

Because they tend to be smaller and more affordable than single-family houses, they can be a good housing option for older adults who want to downsize but still live in a neighborhood setting. According to [AARP's 2021 Home and Community Preference Survey](#), nearly 60% of adults would consider living in an ADU, and nearly three-fourths of those polled said they would be interested in creating an ADU as a place for a caregiver to stay. We invite you to read more about why AARP supports ADUs in our online guide: [The ABCs of ADUs: A Guide to Accessory Dwelling Units](#).

Michigan is one of the most rapidly aging states in the nation, and AARP appreciates the steps that the City of Lansing has taken to date as an Age-Friendly Community. Adopting zoning changes to allow ADUs as a new option for Lansing residents and their families will further those efforts by facilitating a wider range of safe and accessible housing options.

Thank you for the opportunity to share these comments. If you have any questions or would like further information, we invite you to contact our State Advocacy Analyst, Jason Lachowski, at 517-455-9294 or jlachowski@aarp.org.

Respectfully submitted,

A handwritten signature in blue ink that reads "Paula D. Cunningham".

Paula D. Cunningham
State Director

A handwritten signature in blue ink that reads "Richard T. Howard".

Richard Howard
Associate State Director/ Community Outreach



Date Jun 3, 2024

Andrew Fedewa – City of Lansing, Department of Planning
316 N Capitol Ave #D1 Lansing, Michigan 48933

Andrew,

On behalf of the SWAG Advisory Board, I am writing to express our support for the Shared Use Housing Initiative. This project addresses critical housing needs in Lansing by increasing variety, affordability, and density, and by replicating successful models from other cities.

We appreciate the collaborative efforts with the Land Bank and other stakeholders and believe this initiative aligns with SWAG's mission of sustainable and inclusive community development. We are committed to supporting this project and contributing our resources and expertise.

The following SWAG Advisory Board members also endorse this initiative:

- *Olivia Vaden – Research & Policy Director, State of Michigan*
- *Jay West – President, Churchill Downs Community Association*
- *David Weiner, PhD – Treasurer, Southside Community Coalition*
- *Alexandra Bennett-Drake – Executive Director, Grassroots Giving*
- *Linda Appling – President, Lansing Eaton Neighborhood Association*

Please consider this letter as our formal endorsement. Should you need further assistance, do not hesitate to reach out.

Respectfully,

Paul Anderson

Community Development Specialist

SWAG Advisory Board

Southwestactiongroup1@gmail.com

Fedewa, Andrew

From: lynne stauff <balanceusboth@gmail.com>
Sent: Tuesday, June 4, 2024 9:39 AM
To: Fedewa, Andrew
Subject: [EXTERNAL] City of Lansing Planning Board re: Housing Zoning Edits

Dear City of Lansing Planning Board,

As a resident of Lansing, I support the Housing Zoning edits presented by the City of Lansing Planning staff. The zoning edits which clarify options and reduce zoning barriers for boarding houses, rooming houses, cottage courts, cooperative housing, and accessory dwelling units (ADUs). These edits encourage diverse housing options to help ameliorate Lansing's housing shortage.

Let's make it easier to gradually grow Lansing's housing stock in ways that gently densify our urban space. Let's create diverse housing options for Lansing's diverse population.

I urge you to support the Planning staff's proposed zoning edits, with the modifications recommended by the Shared-Use Housing Advocacy Network.

thank you,

Lynne Stauff
1724 Pingree St, Lansing, MI 48910
517-896-5566

Fedewa, Andrew

From: Rowan Price <rowan@spartan.coop>
Sent: Tuesday, June 4, 2024 12:49 PM
To: Fedewa, Andrew
Subject: [EXTERNAL] Zoning Edits Letter of Support - June 2024

Hey Andy!

I'm writing to communicate support for the zoning edits being presented later today, specifically the ones that SUHAN's earlier letter references, as well as to support that letter's proposed edits.

Following is the results of a little bit of research I did about ADUs around the state, for those concerned or interested:

I've done a fair bit of research into other cities' ADU codes, reading their relevant policies and trying to contact their planning staff to get a handle on how their policies regarding ADUs have changed and been received. I managed to find and read ADU policies for 20 Michigan municipalities, and between Dave Muylle and myself calling planners, we were able to speak with staff from four areas. (Dave got more callbacks than I did, credit where it's due!). The main conclusions that I came to in doing that research was that, while the main pushback cities experienced in allowing ADUs centered around concern that the new building type would significantly alter the density and character of neighborhoods, the actual number of ADUs permitted and/or built tends to be very small. Part of this is low demand (these things are new, strange, and expensive!), and part of it seems to be other barriers, either procedural or in the specifics of the code, that stop people from permitting or building ADUs.

If you have any questions, let me know! I still have my documentation and everything, and would be happy to share. We weren't able to get in contact with people from Grand Rapids, Ann Arbor, Kalamazoo, or Traverse City, but these cities all allow ADUs in their own way, and are probably the closest analogs in Michigan to Lansing- so I'd recommend getting in contact with their people if there is more to learn!

As far as Housing Cooperatives in residential zones goes, I have an inkling that a portion of our housing stock in those zones is better suited to being used as housing cooperatives than as single-family homes. Because of their size and design, as well as the cost of maintenance, big old houses like those in Cherry Hill that were mostly converted into apartments, that in other parts of the city may just be infeasible to use as single-family homes, and so may just be empty and/or red-tagged. It is my belief that allowing those buildings to be used as housing cooperatives (on par with the Spartan Housing Cooperative's Ferency house in EL, for example), is more consistent with their design capacity, and would allow more of our existing houses to be used and cared for.

In Cooperation,

Rowan Price



Ingham County Land Bank Fast Track Authority

3024 Turner Street • Lansing, Michigan 48906 • phone (517) 267-5221

May 31, 2024

Dear Council Member,

We all know that there is housing shortage and Lansing is not alone. This situation needs all of our attention, and the Land Bank supports further housing stock to help Lansing flourish. A key way to address the shortage is to encourage the growth of a variety of housing options.

We need to encourage housing designs beyond the single-family dwellings—of which we have more than enough. The City needs to have diverse housing options for a diverse population. Options could include boarding houses, rooming houses, cottage courts, cooperative housing, and accessory dwelling units.

Accessory dwelling units have been specifically encouraged by the Biden administration, the Michigan statewide housing plan, and AARP. These have been added to zoning codes in at least 15 cities and villages in Michigan. These are a particularly good strategy to improve senior housing options, as well.

The Land Bank is committed to supporting the City of Lansing's development and implementation of the proposed zoning edits. Let's make it easier to gradually grow our housing stock in ways that gently densify our urban space.

Thank you for your attention to this urgent matter.

Sincerely,

Roxanne L Case
Executive Director

INGHAM COUNTY LAND BANK FAST TRACK AUTHORITY

Creating place. Creating community. Creating opportunity.

Dear Members of the City of Lansing Planning Commission and Mr. Fedewa,

There is a notable gap between the housing needs of Lansing's residents and the sufficiency of its housing stock. One step in bridging this gap is to encourage a greater variety of housing options. Encouraging increased and regulated densification of Lansing will help to build stronger and more active neighborhoods which will continue to contribute to our communities. Ensuring that communities have appropriate access to housing and accompanying resources is paramount to the continued growth and success of the Capital City.

I support the City Planning department's proposed zoning changes to allow for the construction and use of Accessory Dwelling Units (ADUs).

ADUs are small houses or apartments on the same property lots as a single-family residence but still provide separate and independent living quarters. An ADU arrangement can help people to maintain their own space, save money, get help with daily activities, or provide needed housing for loved ones.

As a compact additional residence, ADUs provide "Hidden Density." ADUs provide an affordable, accessible housing option for people of all ages, and are especially useful for older adults seeking to age in place.

Cities all around the country are embracing ADUs to gently densify areas while addressing housing shortages. ADUs have been supported and encouraged by:

- The Michigan statewide housing plan
 - The plan recommends local zoning to encourage older adult housing options, such as ADUs. See [MI-Statewide-Housing-Plan_Final-112723.pdf \(michigan.gov\)](#)
- AARP, which has over 11,000 members in Lansing
 - ADU benefits include helping seniors age in place. See [ABCs of ADUs-web-singles-082222.pdf \(aarp.org\)](#)
 - According to AARP's 2021 Home and Community Preference Survey, nearly 60% of adults would consider living in an ADU. See [Where We Live, Where We Age: Trends in Home and Community Preferences \(aarpinternational.org\)](#)
- The Biden administration.
 - The *Biden-Harris Housing Plan* looks at ADU as a strategy for low- to moderate-income to develop an income stream.
- At least 20 cities and villages in Michigan have approved ADUs

Let's make it easier to gradually grow our housing stock to gently densify our urban space. Let's create diverse housing options for Lansing's diverse population.

Thank you kindly for your attention.

Sincerely,

Tirstan Walters

Fedewa, Andrew

From: sheryl.mase@gmail.com
Sent: Wednesday, July 3, 2024 8:13 PM
To: Fedewa, Andrew
Subject: [EXTERNAL] Housing code for Lansing

I encourage you and other city leaders to make it easy for resourceful residents to convert a spare bedroom to create a rentable suite or to construct a backyard ADU.

I am a resident of Lansing and also a senior and I agree with the article in the City Pulse by Joan Nelson (7/3-9/2024) that this is an issue that is solvable and can help the senior community.

Sheryl Mase
824 Newton
Lansing, MI. 48912

Fedewa, Andrew

From: Joann Neuroth <joannneuroth@icloud.com>
Sent: Wednesday, July 3, 2024 8:32 PM
To: Fedewa, Andrew
Subject: [EXTERNAL] Flexibility in residential housing options

I understand the Planning Commission is considering making it easier for resourceful residents to convert a spare bedroom to create a rentable suite or to construct a backyard ADU. I'm SO glad. We need more housing density and our Eastside homes are built to share. Please do all you can to expand flexibility. Thank you!

Fedewa, Andrew

From: J/M Patenge <john.patenge@sbcglobal.net>
Sent: Sunday, August 4, 2024 12:35 PM
To: Fedewa, Andrew
Subject: [EXTERNAL] August 7th commission meeting

We are writing to encourage Mr. Fedewa and the planning commission in allowing all ADUs and ACUs in our city.

All variety of options should be permitted so it can accommodate all income levels and housing needs. Options such as rooming houses, boarding houses, co-ops, cottage developments, accessory dwelling units, tiny houses and any other style.

We, as a community, need to be all-inclusive.
Everyone deserves a decent place to live and we should offer affordable opportunities.

Please submit our letter for the August 7th, 2024 meeting.
Thanks for your consideration.

Mary & John Patenge
126 West North Street
Lansing, MI 48906



ALAN FOX

Ingham County Treasurer

www.tr.ingham.org

afox@ingham.org

Ingham County Courthouse
P.O. Box 215
Mason, MI 48854-0215
(517) 676-7220

Veterans Memorial Courthouse
313 W. Kalamazoo Street
Lansing, MI 48933

August 5, 2024

Dear Members of the Planning Commission and Mr. Fedewa:

We have all felt the impact of the critical shortage of housing currently facing our region. As Ingham County Treasurer and as Chair of both the Ingham County Land Bank Fast Track Authority and the Housing Trust Fund Boards, I am committed to encouraging a variety of housing options to help bridge the gap between the housing needs of County residents and available housing,

We know that Ingham County residents benefit from having a diverse range of housing options available to them. As such, I support the City Planning department's proposed zoning changes to allow for the construction and use of accessory dwelling units (ADUs).

ADUs are small houses or apartments on the same property lots as a single-family residence but still provide separate and independent living quarters. An ADU arrangement can help people to maintain their own space, save money, get help with daily activities, or provide needed housing for loved ones.

As a compact additional residence, ADUs provide "Hidden Density." ADUs provide an affordable, accessible housing option for people of all ages, and are especially useful for older adults seeking to age in place.

Local governments around the country are embracing ADUs to gently densify areas and help address housing shortages. Ingham County has been closely involved in the State of Michigan's Statewide Housing Plan for the Capital region, which specifically recommends zoning to encourage older adult housing options such as ADUs. In addition, the AARP, the Biden administration, and at least 20 cities and villages in Michigan have approved ADUs.

I look forward to supporting efforts to gradually grow our region's housing stock and create diverse housing options for Lansing's diverse population.

Thank you kindly for your attention.

Sincerely,

Alan Fox
Ingham County Treasurer

Shared-Use Housing Advocacy Network

Dear Members of the City of Lansing Planning Board,

We, the Shared-Use Housing Advocacy Network, a grass roots group of 40 people, are writing to support the zoning edits proposed by Lansing Planning staff and introduced to the Planning Board on May 8. For the past seven months, network members have come together to explore ways to address Lansing's housing needs. It is our shared belief that allowing, even encouraging, a greater variety of housing options will help mitigate Lansing's housing shortage.

We are delighted that the City Planning staff are proposing a set of zoning edits which clarify options and reduce zoning barriers for boarding houses, rooming houses, cottage courts, cooperative housing, and accessory dwelling units (ADUs). We fully support their proposals, with the following modifications:

1. Under Rooming Houses, allow up to 4 (instead of 3) lodgers in addition to the owner.
2. Allow Housing Cooperatives in residential districts (as opposed to limiting them to multi-family districts and commercial zones.)
3. Allow Cottage Courts in residential districts as opposed to limiting them to multi-family districts and DT--1. (All density related regulations would, of course, still apply.)
4. Regarding Infill housing- Remove (or revise) the minimum lot size per unit for 5-to-6 dwellings in R-3 and R-MX

Similar efforts to develop a more inclusive zoning code have taken place in many cities across the country, with largely successful outcomes. Indeed, over fifteen other Michigan cities have already enacted zoning changes to allow ADUs and other shared-use housing options. ADUs, in particular, have been supported and encouraged by the Biden administration, the Michigan statewide housing plan, and AARP.

Let's make it easier to gradually grow our housing stock in ways that gently densify our urban space. Let's create diverse housing options for Lansing's diverse population.

We urge you to support the Planning staff's proposed zoning edits, with the modifications recommended by the Shared-Use Housing Advocacy Network.

Thank you for your attention to this important matter.

Sincerely,

Members of the Shared-Use Housing Advocacy Network

Fedewa, Andrew

From: Christopher GS <christopher.blue@gmail.com>
Sent: Wednesday, August 7, 2024 5:58 PM
To: Stachowiak, Susan; Fedewa, Andrew
Subject: [EXTERNAL] please support ADUs

Hello Planning Commission and Mr Fedewa,

I support the proposed zoning changes to allow for the construction of Accessory Dwelling Units (ADUs).

ADUs are a great way for the city to grow incrementally and allowing the city to develop slowly and naturally over time while allowing infrastructure to grow as well. These are also a way for single family housing (which is the majority of our city) to gently expand to ease the housing shortage.

ADUs are an important housing tool in a city's arsenal to allow for diverse populations. They are used in other cities, and are encouraged by the AARP which allows seniors to age in place.

Please vote to allow ADUs.

-christopher greene-szmadzinski
Lansing Resident
Scott Woods



City of Lansing

Form Based Zoning Code

CLEAN FBC AMENDMENT 2 DRAFT TO COUNCIL xx-xx-24

Lansing Planning Office
lansingmi.gov/planning
(517) 483-4066

Adopted 3/8/21
Effective 5/1/21
First Amendment 1/1/22
Second Amendment --/--/--
Page 243 of 604

ORDINANCE #

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO REPEAL AND REPLACE THE EXISTING ZONING ORDINANCE AND MAP, BEING PART 12, TITLE 6 OF THE LANSING CODIFIED ORDINANCES IN ITS ENTIRETY, EXCEPT FOR CHAPTER 1300 – MARIHUANA OPERATIONS, WITH A FORM BASED CODE AND ZONING MAP.

THE CITY OF LANSING ORDAINS:

Section 1. That Part 12, Title 6 of the Lansing Codified Ordinances, except for Chapter 1300 – Marihuana Operations, is hereby repealed and replaced as follows:

CHAPTER 1240 PURPOSE AND DEFINITIONS

1240.01 SHORT TITLE

This Title Six of Part Twelve of these Codified Ordinances shall be known and may be cited as the “Zoning Ordinance of the City of Lansing” or just the “Zoning Code.”

1240.02 ENABLING AUTHORITY

This Ordinance establishes comprehensive zoning regulations for the City of Lansing, and provides for the administration, enforcement, and amendment of those regulations, in accordance with the provisions of the Michigan Zoning Enabling Act (Public Act 110 of 2006), as amended, being M.C.L. 125.581, et seq., and the Michigan Planning Enabling Act (Public Act 33 of 2008), as amended, being M.C.L. 125.3801, et seq.

1240.02.01 APPLICABILITY

This Zoning Code applies only to real property within the corporate limits of the City of Lansing. It does not apply to any real property treated as part of the City of Lansing by virtue of an intergovernmental agreement pursuant to the Michigan Intergovernmental Conditional Transfer of Property by Contract Act (Public Act 425 of 1984) (a “425 Agreement”). Zoning for any real property subject to a 425 Agreement shall be governed by the terms of that 425 Agreement. Any Zoning classification in a 425 Agreement that pre-existed this Ordinance shall persist, notwithstanding such classification is no longer in this Ordinance.

1240.03 PURPOSE

The purpose and intent of this Zoning Ordinance is to:

- (a) Protect the public health, safety, general welfare and investment-backed expectations of property owners by ensuring some level of certainty in the land use pattern, arrangement and compatibility of uses.**
- (b) Be consistent with the Michigan Zoning Enabling Act.**
- (c) Implement the vision for development as specified in the Design Lansing Comprehensive Plan (“the Plan”).**
- (d) Maintain consistency with the development patterns of architecture, setbacks and intensity of development that are already in conformance with the Plan.**
- (e) Create incentives to encourage additional preservation and development quality than is required in this ordinance.**

1240.04 DEFINITIONS

1240.04.01 CONSTRUCTION OF LANGUAGE

The following rules of construction apply to the text of this Ordinance:

- (a) The particular shall control the general.**
- (b) In case of any difference of meaning or implication between the text of this Ordinance and any caption or illustration, the text shall control.**
- (c) The word “shall” is always mandatory and not discretionary. The word “may” is permissive, with the decision made by the Zoning Administrator or any other city staff noted, Planning Commission, City Council or Board of Zoning Appeals; as indicated.**
- (d) Words used in the present tense shall include the future and words used in the singular number shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.**
- (e) The word “building” includes the word “structure.” The word “build” includes the words “erect” and “construct.” A “building” or “structure” includes any part thereof.**
- (f) The phrase “used for” includes “arranged for,” “designed for,” “intended for,” “maintained for,” or “occupied for.”**

(g) The term “including” means “including, but not limited to” and the term “such as” means “such as, but not limited to” unless otherwise noted.

(h) The word “person” has the same definition as in Chapter 202 of the Codified Ordinances of Lansing.

(i) Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions or events connected by the conjunction “and,” “or,” “either...or,” the conjunction shall be interpreted as follows.

(1) “And” indicates that all the connected items, conditions, provisions or events shall apply.

(2) “Or” indicates that the connected items, conditions, provisions, or events may apply singly or in any combination (i.e. “or” also means “and/or”).

(3) “Either...or” indicates that the connected items, conditions, provisions or events shall apply singly but not in combination.

(j) The terms “abutting” or “adjacent to” include contiguous property along the lot lines of the subject site including those in another community. The first lot may be directly across a public right-of-way from the second lot.

(k) The word “days” shall mean calendar days and include all weekend days and holidays.

(l) Terms not herein defined shall have the meaning customarily assigned to them.

In an instance where graphics are used in the ordinance, text prevails over graphics, which are shown to assist the reader.

For ease of use, some terms are defined in the sections containing the regulations to which they apply.

1240.04.02 DEFINITIONS

As used in this Zoning Ordinance, unless otherwise provided:

ACCESSORY BUILDING OR STRUCTURE. A detached structure on the same lot with, and of a nature customarily incidental and subordinate to, a principal structure, and occupied or devoted exclusively to an accessory use.

ACCESSORY USE. A use which meets all of the following criteria:

1. It is clearly incidental to the principal use.

2. It is customarily found in connection with the principal use.

3. It is subordinate to the principal use.

4. It is located on the same lot as the principal use, except as otherwise permitted in this Zoning Code.

ADJACENT RESIDENTIAL DISTRICT. The residential district to which the majority of the subject site is contiguous, abutting or located directly across a public right-of-way.

ADULT CARE FACILITIES:

(a) **Adult Care Facilities, State-Licensed:** A facility for the care of adults, over eighteen (18) years of age, as licensed and regulated by the State under Michigan Public Act 218 of 1979, and rules promulgated by the State Department of Human Services, providing foster care to adults. It includes facilities and foster care homes for adults who are aged, mentally ill, developmentally disabled, or physically handicapped who require supervision on an ongoing basis, but do not require continuous nursing care. An adult foster care facility does not include nursing homes, homes for the aged, hospitals, alcohol or substance abuse rehabilitation center, or a residential center for persons released from or assigned to a correctional facility.

(b) **Adult Day-Care Facility:** A facility other than a private residence, which provides care for more than six (6) adults for less than twenty-four (24) hour period.

(c) **Adult Foster Care Family Home:** A private home with the approved capacity to receive six (6) or fewer adults to be provided with foster care for twenty-four (24) hours a day for five (5) or more days a week and for two (2) or more consecutive weeks. This may include adult day care for six (6) or fewer adults. The adult foster care family home licensee must be a member of the household and an occupant of the residence.

(d) **Adult Foster Care Large Group Home:** A private home with approved capacity to receive at least thirteen (13) but not more than twenty (20) adults to be provided supervision, personal care, and protection, in addition to room and board, for compensation, for twenty-four (24) hours a day, five (5) or more days a week, and for two (2) or more consecutive weeks. This may include adult day care for twenty (20) or fewer adults.

- 1 **(e) Adult Foster Care Small Group Home:** A private home with the approved capacity to receive more
2 than six (6) but not more than twelve (12) or fewer adults who are provided supervision, personal
3 care, and protection in addition to room and board, for twenty-four (24) hours a day, five (5) or
4 more days a week, and for two (2) or more consecutive weeks for compensation. This may include
5 adult day care for twelve (12) or fewer adults.
- 6 **(f) Adult Congregate Care Facility:** A private home with the approved capacity to receive more than
7 twenty (20) adults for twenty-four (24) hours a day, five (5) or more days a week, and for two (2) or
8 more consecutive weeks.
- 9 **(g) Convalescent or Nursing Home:** A structure with sleeping rooms, where persons are housed or
10 lodged and are furnished with meals, nursing and limited medical care.

ADULT USES. See definitions related to Adult Uses in [Section 1250.02.09](#).

ALLEY. Any dedicated public right-of-way affording a secondary means of access to abutting property.

ANIMAL HOSPITAL. A structure or lot where animals are given medical or surgical care or treatment.

APPLICANT. A person having a legal, equitable or leasehold interest in a lot, or a representative of such person, who is making a request pursuant to this Zoning Code.

ARCHITECTURAL ELEMENTS: Physical features that relate to building architecture and character such as, but not limited to:

[A] belt courses,

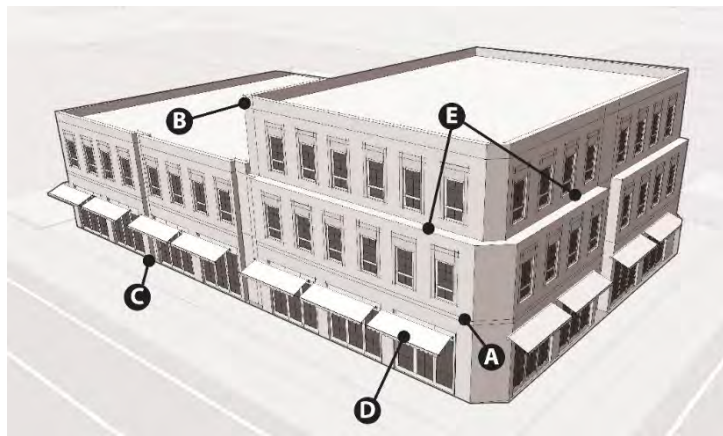
[B] cornices/moldings,

[C] columns or recesses,

[D] awnings/canopies, and

[E] step-backs; as depicted right.

[FIGURE 1]



ARTICULATION. Architectural variations in a building wall that accentuates details of the building design and can define a building base, middle and top, and variety along the facade. Horizontal and vertical articulation is achieved by using changes in architectural elements to promote varied front building lines and interesting, non-uniform and non-repetitive facade designs.

BAR. See “RESTAURANT: BAR/LOUNGE/TAVERN”

BASEMENT OR CELLAR. That portion of a structure between floor and ceiling which is partly below and partly above grade. A basement is so located that the vertical distance from grade to the floor below is

1 less than the vertical distance from grade to ceiling. A cellar is that portion of a structure between floor and
2 ceiling which is wholly or partly below grade and so located that the vertical distance from grade to the
3 floor below is equal to or greater than the vertical distance from grade to ceiling.

4 **BED AND BREAKFAST INN:** Any dwelling in which overnight accommodations are provided or offered
5 for transient guest for compensation, including provision for a morning meal only for the overnight guest
6 only. A bed and breakfast is distinguished from a motel in that a bed and breakfast establishment shall
7 have only one set of kitchen facilities, employ only those living in the house or up to one additional
8 employee, and have facade style that is compatible with surrounding homes.

9 **BEDROOM.** A room within a dwelling unit that meets the following criteria:

- 10 1. It is intended to be used, or is used, for sleeping purposes.
- 11 2. It contains a floor area of not less than seventy (70) square feet.
- 12 3. It is not the only room in the dwelling unit (e.g.: an efficiency dwelling unit).

13 **BERM.** An earthen mound designed to separate one area from another.

14 **BLOCK FACE.** The cumulative property on one side of a street exhibiting one of the following
15 characteristics:

- 16 1. The property lying between two intersecting streets or public rights-of-way;
- 17 2. The property lying between an intersecting street and railroad right-of-way, river or stream; or
- 18 3. The property lying between a public right-of-way, railroad right-of-way, river or stream and the
19 corporate boundaries of the City.

20 **BOARDING HOUSE.** A structure in which lodgers rent a bedroom for extended periods of time and share
21 common areas of the house such as kitchens, bathrooms, and lounging rooms, and where some services
22 such as meals, laundry, and cleaning may be offered. A Boarding House must have staff on-site or on-call
23 for 24 hours a day.

24 **BOUNDARY LINE.** The dividing line between zoning districts and / or subdivisions.

25 **BUFFER.** A land area that separates one land use from another. Such area may be landscaped and may
26 also contain a berm, fence or other screening material.

BUILDING. An independent structure having a roof supported by columns or walls, intended and/or used for shelter or enclosure of persons or chattels. When any portion of a structure is completely separated from every other part by division walls from the ground up, and without openings, each portion of such structure shall be deemed a separate structure. This refers to both temporary and permanent structures, and includes tents, sheds, garages, stables, greenhouses or other accessory structures. A building does not include such structures with interior areas not normally accessible for human use, such as gas holders, tanks, smokestacks, grain elevators, coal bunkers, oil cracking towers or similar structures.

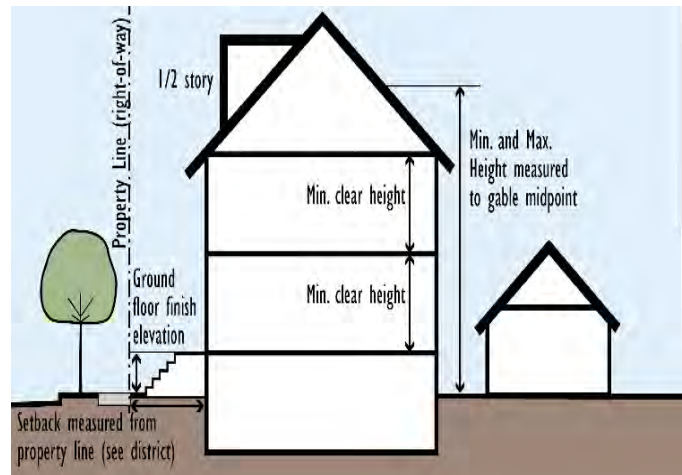
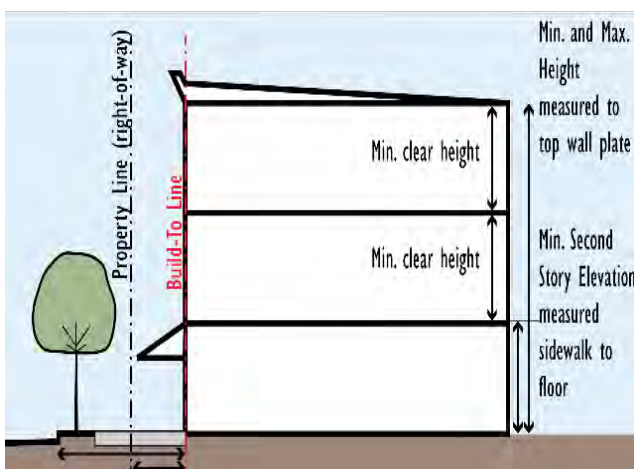
BUILDING CODE. The Stille-Derossett-Hale- Single State Construction Code Act, Act 230 Of 1972, known as the Michigan Building Code, with amendments, adopted by reference as part of these Codified Ordinances.

BUILDING FRONTAGE. The percentage of the building façade that adjoins the front setback or build-to line.

BUILDING HEIGHT. The vertical distance from the grade at the front of a structure to the highest point of the coping of a flat roof; the average height between the eaves and a ridge or to the deck line of a mansard roof; or the average height between the plate and ridge of a gable, hip or gambrel roof; in all cases, excluding minor projections such as finials, chimneys, vent pipes, aerals, or other appurtenance of similar scale.

BUILD-TO LINE. The building line to which a building must be constructed.

[FIGURE 2]



BUSINESS. An office, commercial or industrial use entered into for the purpose of financial gain, earning a livelihood or improving a person's economic conditions and desires.

CAMPGROUND. Any area of land containing recreation facilities, and which may contain cabins, tents, recreational vehicles, shelters, or accommodations used for either overnight camping or day camp purposes, or otherwise designed for seasonal or other temporary recreational stays.

CANOPY. An ornamental or roof-like structure which is fastened to a structure and used for protection.

CARPORT. An accessory structure used primarily to shelter private motor vehicles. A carport is attached to the principal structure and is completely open on not less than two sides.

CHILD CARE/RESIDENTIAL CARE FACILITIES:

(a) **Child Care Facility:** A facility for the care of children under eighteen (18) years of age, as licensed and regulated by the State under Michigan Public Act 116 of 1973 and the associated rules promulgated by the State Department of Human Services.

(b) **Child Care Centers, Nursery Schools, and Day Nurseries:** A facility, other than a private residence, receiving pre-school or school age children for group care for periods of less than twenty-four (24) hours a day, and where the parents or guardians are not immediately available to the child. It includes a facility which provides care for not less than two (2) consecutive weeks, regardless of the number of hours of care per day. The facility is generally described as a child care center, day care center, day nursery, nursery school, parent cooperative preschool, play group, or drop-in center. "Child care center" or "day care center" does not include a Sunday school conducted by a religious organization where children are cared for during short periods of time while persons responsible for such children are attending religious services.

(c) **Family day care home (seven or fewer children less than 24 hours per day):** A private home in which not more than seven minor children are received for care and supervision for periods of less than 24 hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage or adoption. It includes a home that gives care to an unrelated child for more than four weeks during a calendar year.

(d) Group day care home (eight to 14 children less than 24 hours per day): A private home in which more than seven but not more than 14 children are given care and supervision for periods of less than 24 hours a day unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage or adoption. It includes a home that gives care to an unrelated child for more than four weeks during a calendar year.

(e) Foster Family Group Home: A private home in which more than four but less than seven children, who are not related to an adult member of the household by blood, marriage, or adoption, are provided care for 24 hours a day, for four or more days a week, for two or more consecutive weeks, unattended by a parent or legal guardian.

(f) Foster Family Home: A private home in which one but not more than six minor children, who are not related to an adult member of the household by blood, marriage, or adoption, are given care and supervision for 24 hours a day, for four or more days a week, for two or more consecutive weeks, unattended by a parent or legal guardian.

CHURCH. A structure used to conduct a religious service, including, but not limited to, the usual accessory structures and uses, such as convents, rectories, parsonages, monasteries, gymnasiums and church halls.

See “PLACES OF WORSHIP.”

CLEAR HEIGHT. Within a structure, the distance between the floor and ceiling. For entrances and other external building features, the unobstructed distance from the ground to the bottom of the lowest element above.

CLINIC. An establishment where human patients who are not lodged overnight are admitted for examination and treatment by physicians, dentists, or similar professionals. A medical clinic may incorporate customary laboratories and pharmacies incidental to or necessary for its operation or to the service of its patients, but may not include facilities for overnight patient care or major surgery. A clinic includes, but is not limited to, a medical/drug testing facility and blood/plasma donation centers.

COMPREHENSIVE PLAN. A master plan described by Public Act 33 of 2008, as amended.

CONSTRUCTION. The putting together of materials to build a new structure or to restore, reconstruct, extend, enlarge or repair an existing structure. This definition does not apply to section 1250.06.

CONSTRUCTION, START OF. The first placement of permanent construction of a structure, other than a mobile home, on a site, such as the pouring of slabs or footings or any work beyond the stage of excavation. “Permanent construction” does not include land preparation, such as clearing, grading and filling; the installation of streets and/or walkways; excavation for a basement, cellar, footings, piers or foundations or for the erection of temporary forms; or the installation on the property of accessory structures, such as garages or sheds, not occupied as dwelling units or part of the main structure. For a structure, other than a mobile home, without a basement, cellar or poured footings, “start of construction” includes the first permanent framing or assembly of the structure or any part thereof on its piling or foundation. For premanufactured homes, “start of construction” means the affixing of the premanufactured home to its permanent site. For mobile homes within mobile home parks or mobile home subdivisions, “start of construction” is the date on which the construction of facilities for servicing the site on which the mobile home is to be affixed, including, at a minimum, the construction of streets, either final site grading or the pouring of concrete pads and the installation of utilities is completed.

CONSUMER GOODS DELIVERY. A business that warehouses retail goods for sale and direct delivery to customers, but does not allow walk-in customers.

CONTIGUOUS. Abutting.

COTTAGE COURT. A grouping of at least three, but no more than six, dwelling units oriented around a shared street, access drive, or internal courtyard. Subject to the requirements of Subsection 1250.04.07.

CUMULATIVE. Increasing or enlarging by successive addition through all points in time.

DAMAGED. An item that still functions as it was intended, but is missing parts or has parts that have suffered some degree of destruction.

DEPARTMENT. The Department of Economic Development and Planning, or its successor.

DETERIORATED. An item which still functions as it was intended, but is missing parts or requires substantial maintenance.

DEVELOPMENT AGREEMENT. A contract between a local jurisdiction and a property owner within the jurisdiction detailing a development plan for the property.

DRIVE-THROUGH (THRU) BUSINESS: A business establishment so developed that its retail or service character is wholly or partly dependent on providing a driveway approach and service windows or facilities for vehicles in order to serve patrons food and beverages in a ready-to-consume state from a drive-through window to patrons in motor vehicles. A drive-through restaurant may or may not also have indoor seating.

DRIVEWAY. That space specifically designated and used for the movement of motor vehicles, trailers, and watercraft to or from a parcel.

DUPLEX. See “DWELLING, TWO-FAMILY”.

DWELLING, MULTIPLE. A structure or portion of a structure which contains three or more dwelling units.

DWELLING, SINGLE-FAMILY. A structure designed and/or used exclusively for residential purposes for one family only and containing one dwelling unit.

DWELLING, TWO-FAMILY. An attached or semidetached structure used for residential occupancy by two families living independently of each other. Such dwelling is also known as a “duplex dwelling.”

DWELLING UNIT. A structure or a portion of a structure on a permanent foundation with one or more rooms, including a bathroom and complete kitchen facilities, which rooms are arranged, designed or used as living quarters for one family.

DWELLING UNIT, EFFICIENCY. A dwelling unit of not more than one room in addition to a kitchen and bathroom.

ELEVATION, SECONDARY. The building elevation built along the build-to line on the Secondary Frontage.

EMERGENCY SERVICES FACILITY. Includes, but is not limited to, public or private civil defense, ambulance or fire service.

EXCAVATION. Any breaking of ground, except for agricultural purposes, ground care and landscaping.

EXTENSION. An addition to the floor area of an existing structure, an increase in the intensity of a use, an enlargement of land area utilized by a specific use or an increase in the activity of a use.

FACADE, PRIMARY. The building elevation built along the build-to line on the Primary Frontage.

FAIR MARKET VALUE. An estimate of the actual worth of a lot, structure or combination thereof, which estimate is made by a licensed real estate broker or assessor experienced and qualified in the appraisal of real estate using appropriate appraisal techniques, as determined by the City Assessor.

FAMILY. "Family" means any one of the following (see also "family, functional" hereof):

1. An individual;
2. An individual or two or more persons related by blood, marriage or adoption, together with not more than two other persons as roomers; or
3. Two or more persons related by blood, marriage, or adoption, with not more than two of the unrelated persons as roomers.
4. "FAMILY, FUNCTIONAL" means a group of persons, but not more than three (3) adults, which group does not meet the definition of "family" above hereof, living in a dwelling unit as a single housekeeping unit and intending to live together as a group for the indefinite future. "Functional family" does not include a fraternity, sorority, club, hotel or other group of persons whose association is temporary or commercial in nature."

FENCE. Any wall (except a retaining wall), screen, partition or similar structure existing on a yard or parcel of land, which structure encloses land, divides land into distinct portions, separates contiguous properties, obstructs the passage of light or air into adjacent land or obstructs the vision of motorists on or near public roads. Barbed wire shall not be considered part of a fence for purposes of determining the height thereof.

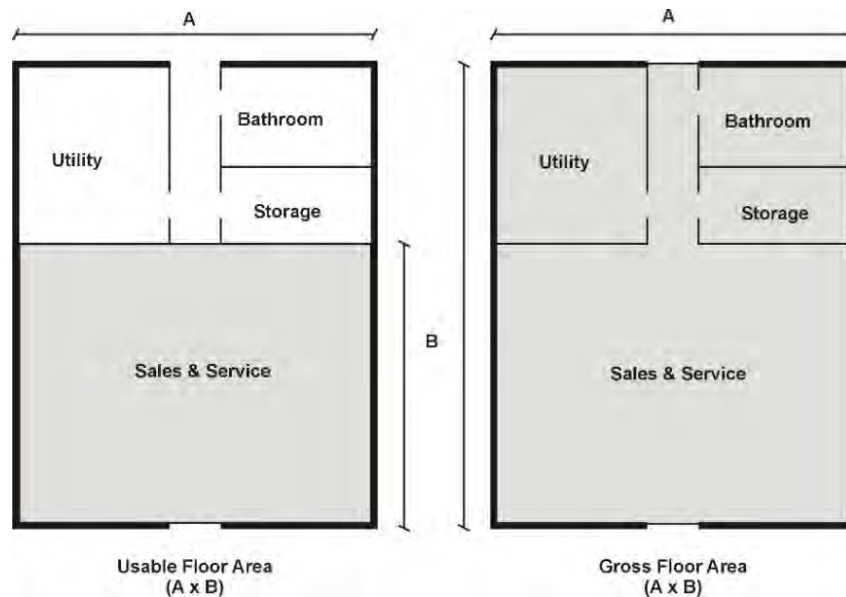
FENESTRATION. Openings in the building wall, including windows, doors and open areas. When measuring fenestration, framing elements (such as muntins) with a dimension less than one (1) inch are considered part of the opening.

FILLING. The permanent depositing or dumping of any matter onto or into the ground, except for agricultural purposes, ground care or landscaping.

FLOOR AREA. The sum of the horizontal areas of each story of a structure measured from the exterior faces of the exterior walls.

FLOOR AREA, USABLE. For the purpose of computing parking, that area used for or intended to be used for the sale of merchandise or services, or for use to serve patrons, clients or customers. Such floor area which is used or intended to be used for hallways, stairways, elevator shafts, utility or sanitary facilities or the storage or processing of merchandise shall be excluded from this computation of “usable floor area.” Measurement of usable floor area shall be the sum of the horizontal areas of each story of a structure measured from the interior faces of the exterior walls.

[FIGURE 3]



FOOTCANDLE. A unit of luminance amounting to one lumen per square foot.

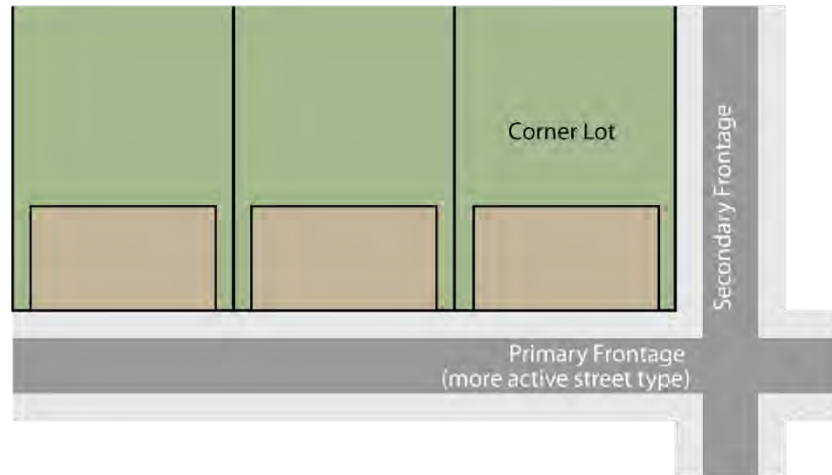
FRONTAGE. The front part of a property that faces the street, as measured in linear feet.

FRONTAGE, PRIMARY. The primary frontage applies to parcels that front on more than one street. The primary frontage shall be considered the property line that abuts the street that either:

1. Is envisioned to be the most pedestrian-oriented, according to the Street Typologies described in the Comprehensive Plan and defined in this ordinance (see “STREET TYPES”). In these cases the primary frontage should be considered the more active street type per the list in 1242.03.
2. Or, in the case where the above is not clear or where both streets are the same type, the applicant may decide which frontage is the primary, subject to Zoning Administrator’s approval.

FRONTAGE, SECONDARY. Applies to parcels that front on more than one street. The secondary property lines are those which are not the Primary Frontage (see “FRONTAGE, PRIMARY”).

[FIGURE 4]



FRONTAGE TYPES. The design for the front facade of a building type, as described below:

1. **Porch:** A porch is a frontage type applicable to lower density residential buildings and designed to provide covered, outdoor seating space for residents. Porches can project beyond the setback line towards the right-of-way and/or can wrap around the side of the building. An “enclosed porch” is surrounded on all sides by glass, screen, wood, brick, plastic, or other materials permitted by the Building Code. An “open porch” is one that is not enclosed.
2. **Stoop:** A stoop is a small, elevated landing space above the sidewalk level which provides entry into the building. Stoops must be covered and may project beyond the building setback line towards the right-of-way.
3. **Storefront:** A frontage type appropriate for the ground floor of commercial / retail buildings. Storefronts provide large windows with transparent views into the building interior. Awnings may be incorporated into the frontage design, projecting beyond the building setback line.
4. **Permanent outdoor seating:** An area that involves the sale or delivery of any prepared food or beverage for consumption in a defined area on the premises but outside of the building in which it is prepared. Examples of defined areas include a deck, patio, mall, garden, or balcony.

FUNERAL HOME. A structure used and occupied by a professional licensed mortician for burial preparation and funeral services.

GARAGE. An accessory structure for the storage of motor vehicles.

GARAGE, PRIVATE. An accessory structure which is used primarily for the parking of private motor vehicles operated as accessory uses. A private garage has access through an overhead door and has a hard-surfaced driveway leading to the structure from a property line.

GARAGE, PUBLIC. Any garage other than a private garage.

GARDEN. The growing of plants for human consumption, including berries, herbs, vegetables, seeds, or other similar products incorporated into, and used as food and flowers, but not including plants grown for commercial sale or purposes. Gardens that are accessory to a primary permitted use are allowed by right in all residential districts. Gardens that are the primary use of a lot are permitted in all residential districts, subject to compliance with all applicable standards of the Lansing zoning ordinances and sign ordinance, including, but not limited to setback, building height, placement and lot coverage, landscape, screening and buffering and sign restrictions; and also subject to all other applicable state laws and city ordinances, including, but not limited to noise and other nuisances as defined by city ordinance, except that vegetation as described in a defined garden may exceed eight inches (8") in height.

GARDEN STRUCTURE. A structure used for the purpose of enclosing a garden, including the incidental use and storage of gardening implements, machinery, equipment and appurtenances used in the onsite gardening activities. Garden structures are permitted in all residential districts, subject to compliance with setback, lot coverage, building height and all other applicable requirements of the zoning ordinance and building codes.

GARDENING. The growing of a garden or the act of working in a garden.

GOLF COURSE. A comparatively large, unobstructed acreage involving enough room over which to walk or ride, point to point, over a generally prescribed course, and to strive to send a ball long distances with variable accuracy, all without unreasonably endangering other players or intruding upon them.

GOVERNMENTAL ENTITY. The Federal Government, this State or any of its instrumentalities; a county, city, township, village, school district, community college district or community hospital district; any agency authorized to exercise a governmental function in a limited geographical area or other political subdivision; any instrumentality of one or more of such units; or any of such units and one or more other States or political subdivision of such States.

GRADE. The lowest point of elevation within the area between the exterior surface of the structure and the property line. If the property line is more than five feet from the exterior surface of the structure, “grade” means the lowest point of elevation between the exterior surface of the structure and a line five feet from the exterior surface of the structure.

GREEN BUILDING. A structure that uses practices and materials that are environmentally responsible and resource-efficient throughout a building’s life cycle, from siting to design, construction, operation, maintenance, renovation, and demolition. Although new technologies are constantly being developed to complement current practices in creating greener structures, the common objective is that green buildings are designed to reduce the overall impact of the built environment on human health and the natural environment by:

1. Efficiently using energy, water, and other resources
 2. Protecting occupant health and improving employee productivity
 3. Reducing waste, pollution and environmental degradation
- Greenhouse, commercial.** “Commercial greenhouse” means a glass or less than opaque enclosure which exceeds 150 square feet in floor area and is designed or used for the cultivation or protection of plants; or a glassed enclosure, regardless of size, designed or used for the cultivation or protection of plants for commercial purposes.

HEDGE. A dense row of low branching trees, shrubs, vines or other plants which encloses land, divides land into distinct portions, separates contiguous properties, obstructs the passage of light and air into adjacent land or obstructs the vision of motorists on or near public roads.

HOME OCCUPATION. A business conducted in a dwelling unit by a person with legal or equitable interest in the dwelling unit.

HOSPITAL. A health facility offering in-patient, overnight care and services for observation, diagnosis and active treatment of human patients with a medical, surgical, obstetric, chronic or rehabilitative condition requiring the daily direction or supervision of a physician.

HORIZONTAL MIXED-USE. See “MIXED-USE, HORIZONTAL”.

HOTEL: A building or part of a building, with a common entrance or entrances, in which the dwelling units or rooming units are used primarily for transient occupancy, and/or in which one or more of the following services are offered: maid service, furnishing of linen, telephone, secretarial or desk service, and bellboy service. A hotel may contain within it a restaurant or cocktail lounge, public banquet halls, or meeting rooms.

HOUSING COOPERATIVE. A group of individuals connected by membership in an incorporated cooperative, sharing occupancy and control of a dwelling and who live together as a housekeeping unit that share common areas of the house such as kitchens, bathrooms, and lounging rooms. A Housing Cooperative shall be subject to the requirements of Section 1250.02.11. Different cooperative models with persons living in separate dwelling units not sharing common kitchen and bathroom facilities shall not be subject to the requirements of Section 1250.02.11, but shall follow all other applicable provisions of this Zoning Ordinance.

INCENTIVE. Regulatory flexibility, reductions, or rewards that may be granted to a development or project that provides certain Recognized Benefits or elements that go beyond the minimum requirements. The level of Incentive granted is relative to the extent of the Recognized Benefit provided.

INTEGRATED PARKING. A feature of a building that utilizes a portion of the ground level for vehicle storage and parking.

INTENSITY OF USE. The amount of activity associated with a specific use. Intensity of use shall be determined by the Economic Development and Planning Department based on the following criteria:

1. Amount of vehicular traffic generated;
2. Amount of pedestrian traffic generated;
3. Noise, odor and air pollution generated;
4. Potential for litter or debris;
5. Type and storage of materials connected with the use;
6. Total residential units and density if residential; and
7. Total structure coverage and structure height on the parcel.

JUNK. Any of the following products which are stored in the open and which are damaged or deteriorated or are in such a condition that the product cannot be used for the purpose for which it was manufactured:

1. Machinery;
2. Appliances;
3. Merchandise with missing parts;
4. Scrap metal; and
5. Scrap materials, including, but not limited to, rags, paper or building materials.

JUNK VEHICLE. A vehicle which cannot be driven upon the public streets for reasons including but not limited to, being wrecked, abandoned, in a state of disrepair, or incapable of moving under its own power.

JUNKYARD. A lot used to store or process junk and junk vehicles.

KENNEL. The keeping on a lot for commercial purposes of four or more dogs, cats or other household pets which are more than six months old. Keeping includes, but is not limited to, boarding, breeding or training.

LOADING SPACE OR AREA. An off-street space on the same lot with a structure or group of structures for the temporary parking of a commercial vehicle while loading and unloading merchandise or materials, and having direct and unobstructed access to a public street or alley. "Unobstructed" does not preclude the use of security devices.

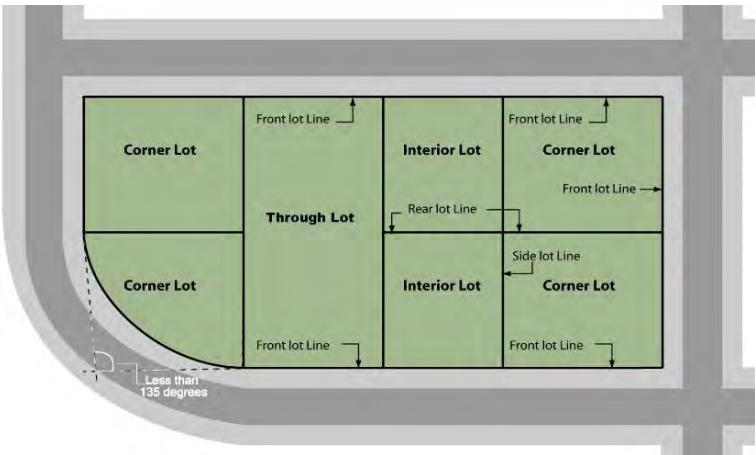
LODGING FACILITY. Building(s) or part of a building, where by prearrangement transient or extended-stay guests are provided a sleeping room and a bathroom in return for payment. A lodging facility has staff on-site or on-call 24 hours a day and may include but is not limited to, hotel, motel or motor lodge, or hostel.

LOT. A parcel of land consisting of one or more lots of record occupied or intended to be occupied by a principal structure or use and any accessory structure or by any other use or activity permitted on the parcel of land. Lot includes the open spaces and yards required under this Zoning Code and has its frontage on a public street or road either dedicated to the public or designated on a recorded subdivision plat. Corner, interior and through lots are described as follows:

1. **CORNER LOT.** A lot where the interior angle of two adjacent sides at the intersection of two streets is less than 135 degrees. A lot abutting upon a curved street is a corner lot if the radius of the

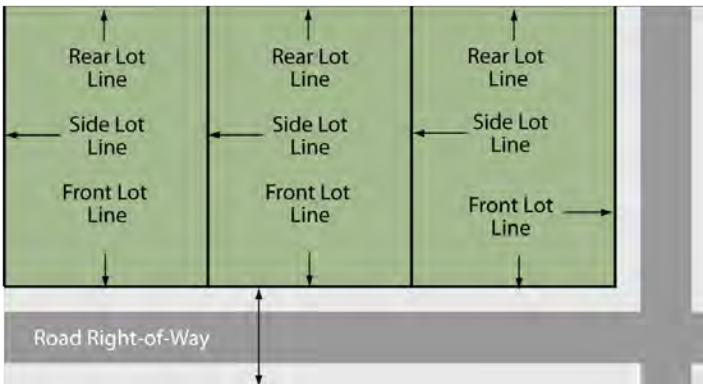
- 1 **arc is less than 150 feet and the tangents to the curve at the two points where the lot lines meet the**
- 2 **curve or the straight street line extended form an interior angle of less than 135 degrees.**
- 3 **2. INTERIOR LOT. A lot other than a corner lot.**
- 4 **3. THROUGH LOT. An interior lot having frontage on two more or less parallel streets.**

[FIGURE 5]



- LOT AREA.** Means the total horizontal area within the lot lines of the lot.
- LOT COVERAGE.** The part or percentage of lot area, not including right-of-way, occupied by buildings, structures and hard-surfaced parking areas.
- LOT DEPTH.** The horizontal distance between front and rear lot lines, measured along the median between the side lot lines.
- LOT LINE.** Any of the lines bounding a lot
- LOT LINE, FRONT.** The line separating a lot from the right-of-way line of a street.
- LOT LINE, REAR.** A lot line which is opposite the front lot line. In the case of a corner lot, the rear lot line may be opposite either front lot line, but there shall be only one rear lot line. In the case of a lot converging toward the rear, the rear lot line shall be an imaginary line parallel to the front lot line, not less than ten feet long and wholly within the lot.
- LOT LINE, SIDE.** Any lot line not a front lot line or a rear lot line.

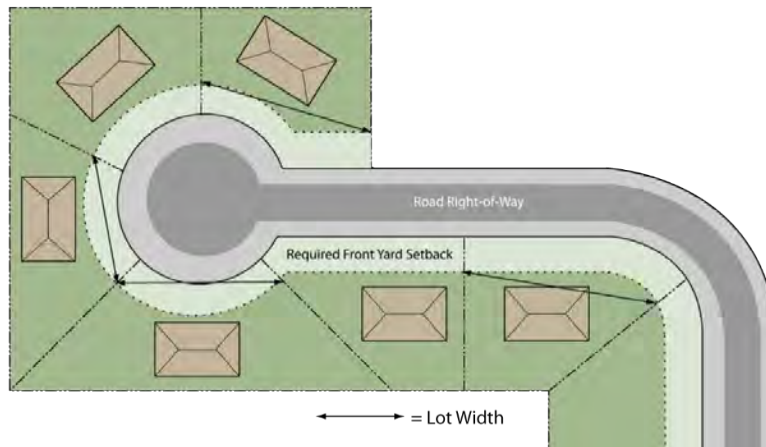
[FIGURE 6]



LOT OF RECORD. A parcel of land which is part of a subdivision, the dimension and configuration of which has been recorded on a map in the office of the Register of Deeds for the appropriate county, or a parcel described by metes and bounds in any instrument of conveyance recorded at the appropriate Register of Deeds.

LOT WIDTH. The horizontal distance from one side lot line to the opposite side lot line, beginning and ending where the side lot lines meet the required setback from the Front Lot Line.

[FIGURE 7]



LOW IMPACT DEVELOPMENT. Land development that uses nature, through preserving or recreating natural landscape features and minimizing effective imperviousness, to manage stormwater.

MAINTENANCE OF STRUCTURE. To keep up, to keep from change, to preserve, to hold or keep in any particular state or condition or to support what has already been brought into existence.

MID-RISE AND HIGH-RISE. A mid-rise or high-rise building is a medium-to large-size structure that can incorporate a mixture of uses and may often have integrated parking. Mid-rise buildings are typically 4-8 floors in height, and high-rise buildings are nine (9) or more floors in height.

MIXED-USE. A development that blends a combination of residential and nonresidential where those functions are physically and functionally integrated. Mixed-use development typically uses a combination of vertical and horizontal mixed-use development practices.

1. **MIXED-USE, HORIZONTAL.** Horizontal mixed-use refers to development patterns where uses within a development site or along a block are mixed along the extent of the building and/or development. Horizontal mixed-use can be combined with vertical mixed-use.

1 **2. MIXED-USE, VERTICAL.** Vertical mixed-use refers to development patterns where uses within a
2 building are mixed, often with retail or active commercial uses on the ground and lower floors, and
3 office or residential uses on the upper floors.

4 **MOBILE HOME.** A structure, transportable in one or more sections, which is built on a chassis and
5 designed to be used as a dwelling, with or without a permanent foundation, when connected to the required
6 utilities, and includes the plumbing, heating, air conditioning and electrical systems contained in the
7 structure.

8 **MOBILE HOME PARK.** A parcel or tract of land under the control of a person upon which three (3) or
9 more mobile homes are located on a continual, non-recreational basis and which is offered to the public for
10 that purpose regardless of whether a charge is made therefor, together with any building, structure,
11 enclosure, street, equipment, or facility used or intended for use incident to the occupancy of a mobile
12 home.

13 **MOTEL.** A series of attached, semidetached or detached rental units containing a bedroom and a
14 bathroom. A motel provides for overnight lodging which is offered to the public for compensation and
15 caters primarily to the public traveling by motor vehicle.

16 **MOTOR VEHICLE.** Motor vehicle means any self-propelled vehicle, whether operable or not, and
17 includes, but is not limited to, an automobile, bus, truck, pickup truck, truck tractor, van, motorcycle,
18 wrecker or construction equipment such as loaders/backhoes, bulldozers, rollers and forklifts.

19 **MOTOR VEHICLE REPAIR STATION.** A use where minor repairs (as defined in “Motor Vehicle Service
20 Station”) are performed and any of the following major repairs are performed: bumping, vehicle painting,
21 replacement of body parts and collision service, engine repair, engine rebuilding or replacement,
22 replacement of transmission or internal transmission parts, and rebuilding or reconditioning of motor
23 vehicles.

24 **MOTOR VEHICLE SERVICE STATION.** A use for supplying gasoline, oil and minor accessories at retail
25 directly to the customer and which performs minor repairs. “Minor repairs” means: engine tune up,
26 alternator or generator replacement, battery replacement, fan belt replacement, radiator hose
27 replacement, radiator repair or replacement, tire and strut repair or replacement, wheel balancing, oil

change, windshield repair or replacement, brake repair or replacement, muffler and exhaust system replacement, front end alignment, and automobile washing and detailing.

NONCONFORMITY. A use, structure or lot which does not conform with a use or dimensional provision or any combination of a use or dimensional provision of this Zoning Code, but which use, structure or land was lawfully established prior to the effectiveness date of such use or dimensional provision.

NONRESIDENTIAL USE. Any use not a residential use.

NURSERY. Any land used to raise trees, shrubs, flowers and other plants for sale or for transplanting.

NURSING HOME. See “ADULT CARE FACILITIES.”

OCCUPANT. A person who takes or enters upon possession of all or part of a building, parcel, or lot.

OFF-STREET PARKING FACILITY. An off-street parking surface lot or an off-street parking structure.

OFF-STREET PARKING STRUCTURE. A structure which provides for vehicular parking spaces, along with drives and aisles for maneuvering, so as to provide access for entrance and exit for the parking of two or more vehicles.

OFF-STREET PARKING SURFACE LOT. The use of an area for vehicular parking spaces, along with drives and aisles for maneuvering, so as to provide access for entrance and exit for the parking of more than two vehicles on the surface of a lot.

OFFICE. A structure in which a person transacts his or her business or carries on his or her stated occupation.

OPEN SPACE. The ground area, and the space above such ground area, which is unimpeded from the ground to the sky by any structure, except that the area may be used for landscaping, gardening or recreational purposes such as swimming, shuffleboard, tennis or similar uses. Parking lots and storage areas for vehicles and material shall not be considered as open space.

OPEN STORAGE. Any of the following items which are stored in the open and which are inoperable, damaged and/or deteriorated in such a condition that any such item cannot be used for the purpose for which it was manufactured, or is not reasonably associated with the principal use of the lot itself, including, but not limited to motor vehicles, machinery, appliances, motor vehicle parts; and other materials, including, but not limited to, metal, pipes, rags, papers or building materials.

OUTDOOR PLAY SPACE. The outside area on a lot reserved at a day care or group day care home for outside exercise, large motor skill development and play space of children.

OUTDOOR STORAGE: The keeping, in an unroofed area, of any goods, materials, merchandise or vehicles for sale.

PANELIZED STRUCTURE. A structure consisting of preconstructed units for walls, roofs, and floors, which may include structural framing, windows, doors, exterior finishes, interior wall finishes, installed wiring, plumbing and insulation, which is brought on-site and erected thereon on a permanent foundation.

PARCEL. A tract of land officially described and registered under one ownership.

PARKING SPACE. An area of defined length and width for the parking of motor vehicles. Such area shall be exclusive of drives, aisles or entrances giving access thereto.

PEAK HOUR PARKING DEMAND. The number of parking spaces required during the highest intensity of use.

PERIMETER LINE OR BOUNDARY LINE. The exterior limits of a lot.

PERSONAL SERVICE ESTABLISHMENT. Any premises or business in which collaborative creative workspace or services for persons are performed, including but not limited to “makerspace”, shoe repair, tailoring, beauty parlors, nail salons, tanning salons, or barbershops.

PLACES OF ASSEMBLY. Any structure wherein persons regularly gather for, entertainment, social, educational, or recreational activities, or political purposes including, but not limited to, theaters, fraternal organizations, community centers, and trade union halls.

PLACES OF WORSHIP. Any structure wherein persons regularly gather for religious activity including but not limited to churches, synagogues, mosques, and temples, and the usual accessory structures and uses, such as convents, rectories, parsonages, monasteries, and church halls.

PLANNED UNIT DEVELOPMENT. An office, residential, commercial, industrial or mixed complex developed as a single entity by one person, which complex contains more than one structure on a lot, not including accessory structures, and which is planned and developed as an integral unit in a single development operation according to the requirements of Chapter 1264.

PLOT PLAN. A diagram depicting the existing and proposed structures, lot lines, setbacks, parking areas and the location of any known wells.

PORCH. See “FRONTAGE TYPE”.

PREMANUFACTURED UNIT. An assembly of materials or products intended to comprise all or part of a building or structure, and that is assembled at other than the final location of the unit of the building or structure by a repetitive process under circumstances intended to ensure uniformity of quality and material content.

PRIMARY FACADE. See “FACADE, PRIMARY”.

PRIMARY FRONTAGE. See “FRONTAGE, PRIMARY”.

PRINCIPAL USE. The primary, major, main, leading, outstanding or chief use which a lot serves or is intended to serve.

PROBATE. “Probate” means the period of probate, as defined in Public Act 386 of 1998, as amended, being M.C.L. 700.1101, et seq.

PRODUCTION FACILITIES. Facilities for the production of consumer goods such as food, beverages, art, clothing, textiles, etc. and have a minimum of 20 percent floor area dedicated to retail sales.

PUBLIC UTILITY. Electric light and power companies, whether private, public, corporate or cooperative; gas companies; water, telephone, telegraph, oil, gas and pipeline companies; motor carriers; and all public transportation and communication agencies other than railroads and railroad companies.

REAL PROPERTY is a lot, plot or parcel of land recorded and located in the City of Lansing.

RECOGNIZED BENEFIT. The provision of certain elements or improvements that are desired by the City, as either expressed in the Comprehensive Plan or as stated in the zoning ordinance, or that go beyond the minimum requirements.

RECONSTRUCTION. The act of rebuilding a structure to meet the standards of the Building Code or Housing Code.

RECREATIONAL EQUIPMENT. A watercraft, vehicle, or other conveyance designed to be used primarily off of public streets and roads, and not regulated by the Michigan Vehicle Code, including by

way of example, but not limited to: snowmobiles; boats and boat trailers; jet skis, floats and rafts, including transportation equipment.

RECREATIONAL FACILITY. A structure or open space which provides activities including, but not limited to, swimming, racquet sports, exercise and fitness rooms or areas, or gymnasiums.

RECREATIONAL VEHICLE. A vehicle primarily designed and used as temporary living quarters for recreational, camping, or travel purposes, including a vehicle having its own motor power or a vehicle mounted on or drawn by another vehicle. This includes by way of example, but is not limited to: travel trailers; camp trailers; tent trailers; campers, pop-up campers, and pickup campers; folding tent trailers; and utility trailers.

REPAIR. To restore to a sound or good state after decay, injury, dilapidation or partial destruction.

RESIDENTIAL USE. A use all or part of a lot, parcel, or building as a single-family, two-family or multifamily residence, or residential child care facility, and accessory uses thereto.

RESTAURANTS: An establishment serving foods and/or beverages to a customer in a ready-to-consume state. The method of operation may be characteristic of a carry-out, drive-in, drive-through, fast food, standard restaurant, or lounge/tavern, or combination thereof, as defined below:

(a) **Restaurants with Outdoor Seating.** A use that involves the sale or delivery of any prepared food or beverage for consumption in a defined area on premises but outside of the building in which it is prepared. Examples of defined areas include an external deck, patio, mall, garden, balcony or sidewalk.

(b) **Carry-Out Restaurant.** A use that involves the sale of food, beverages, and/or desserts in disposable or edible containers or wrappers in a ready-to-consume state for consumption mainly off the premises. A carry out restaurant differs from a drive through restaurant in that a customer must park and walk up to the restaurant or an employee must exit the restaurant and deliver the food to a customer in a parked car.

(c) **Drive-In Restaurant.** A use that involves delivery of prepared food so as to allow its consumption within a motor vehicle while parked on the premise.

(d) Drive-Through Restaurant. A use that involves the delivery of prepared food to the customer within a vehicle, typically passing through a pass-through window, for consumption off of the premises.

(e) Standard Restaurant. A standard restaurant is a use that involves either of the following:

(1) The delivery of prepared food by waiters and waitresses to customers seated at tables within a completely enclosed building.

(2) The prepared food is acquired by customers at a cafeteria line and is subsequently consumed by the customers within a completely enclosed building.

(f) Bar/Lounge/Tavern. A bar, lounge or tavern is a type of restaurant that is operated primarily for the dispensing of alcoholic beverages. The preparation and sale of food or snacks to customers may be permitted.

RESTORATION. To put back into original or historic condition.

RESUMPTION. To begin the use of a nonconformity after it has been previously discontinued from use.

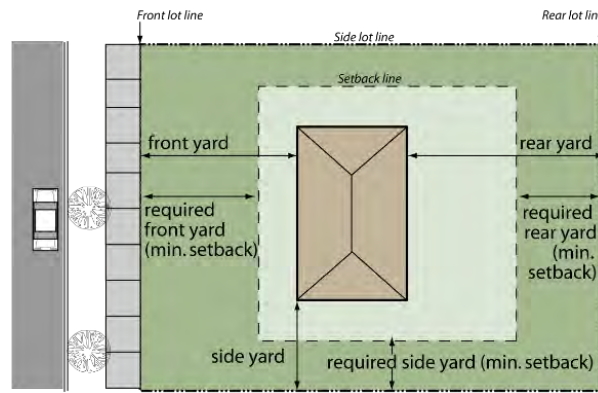
RETAIL STORE. An establishment which primarily serves the surrounding neighborhood and includes, but is not limited to, the following: limited service food store, drug store, hardware store, laundry or cleaners pickup, jewelry store, florist, gift shop, book store, clothing store, photographer, and bakery whose products are sold only on the premises.

ROOMING HOUSE. A single-family detached dwelling which is owner-occupied and serves as the principal residence of the owner, in which up to three lodgers rent rooms for extended periods of time and share common areas of the house such as kitchens, bathrooms, and lounging rooms.

SALVAGE YARD. A lot where any product, including, but not limited to, any of the following, is taken apart in such a way that the usable parts are separated from the unusable: motor vehicles, machinery, appliances, fixtures, goods, and merchandise.

SETBACK: The minimum horizontal distance measured from the lot line, as required under this ordinance, for the front, side, or rear property line as appropriate.

[FIGURE 8]



SHARED PARKING. A parking facility that serves two or more parcels of land or multiple uses under different ownership. A recorded shared parking agreement is generally used.

SHELTERED CARE FACILITY. A governmental or nongovernmental establishment having as its principal function the provision of supervision, personal care, and protection for more than six (6) adults, in addition to room and board, for up to 24 hours a day, five or more days a week and for two or more consecutive weeks, with or without compensation. "SHELTERED CARE FACILITY" includes, but is not limited to, emergency shelters, facilities for persons who are homeless, parolees, ex-offenders, aged, or developmentally or physically disabled, who may require supervision on an on-going basis but do not require continuous nursing care. A SHELTERED CARE FACILITY does not include any of the following:

1. A nursing home licensed under Article 17 of Public Act 368 of 1978, as amended, being M.C.L.A. 333.20101 to 333.22181;
2. A hospital licensed under Article 17 of Public Act 368; or
3. A hospital for the mentally ill or a facility for the developmentally disabled operated by the department of mental health under Public Act 258 of 1974, as amended, being M.C.L.A. 330.1001 to 330.2106.

SHOPPING CENTER. A grouping of two (2) or more business establishments developed in accordance to an overall plan and designed and built as an interrelated project. Buildings constructed on outlots shall not be considered part of the shopping center unless access and parking easements are provided.

SITE PLAN. A plan that conforms to the requirements contained in Chapter 1260.

SOLAR ENERGY SYSTEMS. The mechanical and utility equipment that converts sun energy into electricity using photovoltaics (PV) panels that are either ground-mounted, wall-mounted, roof-mounted, or part of a solar array.

STABLE. A structure used to keep horses for commercial purposes.

STOOP. See “FRONTAGE TYPES”.

STORAGE. The holding or safekeeping of goods to await the happening of some future event or contingency which will call for the removal of the goods.

STOREFRONT. See “FRONTAGE TYPES”.

STREET. A public thoroughfare, avenue, road, highway, boulevard, parkway, way, drive, lane or court which affords the principal means of access to abutting property.

STREET, PRIVATE. A street which is not public.

STREET TYPE. A classification or typologies for streets that considers the characteristics of vehicle travel (speed and volume), the street’s function in the transportation network (types of travel accommodated: through traffic, cross-town, connections to highways or local), the extent of pedestrian and bicycle accommodation, typical types of land uses served, the design context (block length, building setbacks), and access system design. In many cases, a streets classification may change as it traverses different zoning districts. The following street types are illustrated on the official Street Typology Map:

(a) **Expressway:** Restricted access divided Interstate and U.S. highways for motor vehicle use only that are typically under the jurisdiction of the State of Michigan or the Federal Highway Administration.

(b) **Non-Local Streets:**

(1) **Activity Corridor:** An arterial or Major Street that traverses an area that typically is designed to promote a multi-modal balance between vehicle, pedestrian and bicycle travel. Such streets may have more frequent traffic signals, a higher level of service of public transit, on-street parking, and more abundant locations for pedestrian crossings to encourage activity along the sidewalks.

(2) Prime Connector: Major collector streets that link higher class streets with local streets.

Prime Connector typically traverse residential districts and are designed for moderate traffic speeds and volumes, often with special design features to bicyclists.

(3) Suburban Corridor: A class of arterial or Major Streets that are similar in traffic function as Arterial Corridors, but typically are lined with more suburban style auto-oriented development with lower density and deeper setbacks.

(4) Arterial Corridor: Major Streets that, compared to most other types of streets, are designed to accommodate higher volumes of vehicle traffic and often are “cross town” routes that are, or may connect with, state trunklines or roads in adjacent communities. May also be referred to as Principal or Major Arterials.

(5) Neighborhood Connector: Minor residential collector streets that link local streets with higher classes of streets. Neighborhood Connectors are designed for lower traffic volumes and speeds to complement the character of the neighborhoods served. Dedicated bike facilities may be provided.

(c) Local Street: Lowest traffic streets providing access to residents. Lanes are typically unmarked with on-street parking and stop-controlled intersections.

STRUCTURAL ALTERATION. Any change in the supporting members of a building, such as bearing walls, columns, beams or girders, or any substantial changes in the roof and exterior walls.

STRUCTURE. That which is built or constructed, an edifice or building of any kind or any piece of work artificially built up or composed of parts joined together in some definite manner.

STRUCTURE, MINOR. A structure having a replacement cost of not more than \$5,000.00.

STRUCTURE, TEMPORARY. A structure which is located on a lot for less than one year, or, if the structure is connected with a construction activity on a lot, until the construction activity is completed.

SUBSTITUTION. To put in place of another.

TAVERN. See “RESTAURANT: BAR/TAVERN”

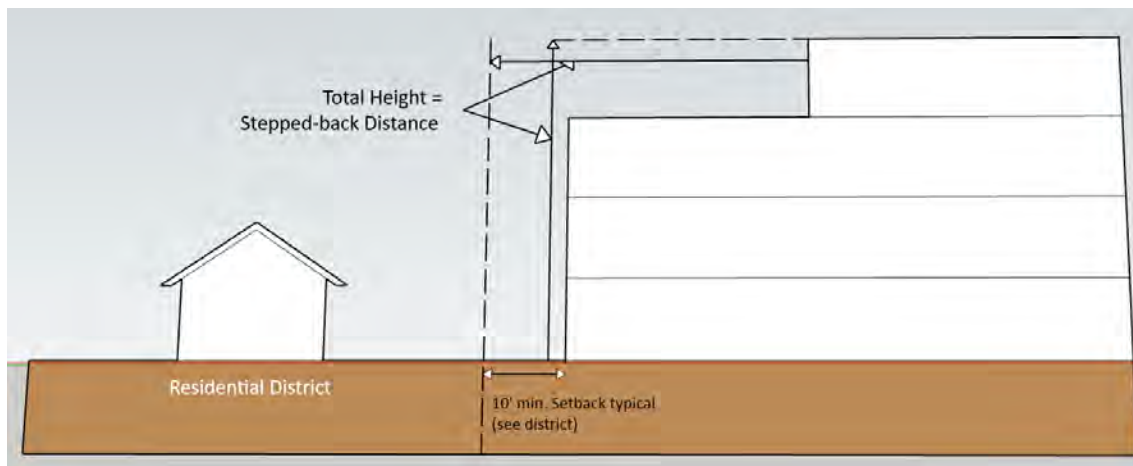
TEMPORARY USE. Any use that is not permitted as a principal use, accessory use or a conditional use in a zoning district, and which is limited in its duration.

TOWNHOUSE. A group of dwellings having party walls with each other and located side by side.

TRAILER. A vehicle with or without motive power, other than a pole-trailer, designed for carrying property or persons and for being drawn by a motor vehicle and so constructed that no part of its weight rests upon the towing vehicle. As defined in this code, trailer is not exclusive of recreational vehicle.

UPPER FLOOR STEP BACKS. For the elevation adjacent to a residential district, (R-1, R-2, R-3, and R-MX) the floors above the third story shall be tiered-back so that the highest point of the building is setback from the adjacent residential district a distance at least equal to the height of the building.

[FIGURE 9]



USE.

1. Any purpose for which a structure or lot may be designed, arranged, intended, maintained or occupied; or
2. Any activity, occupation, business or operation carried on in a structure or on a lot.

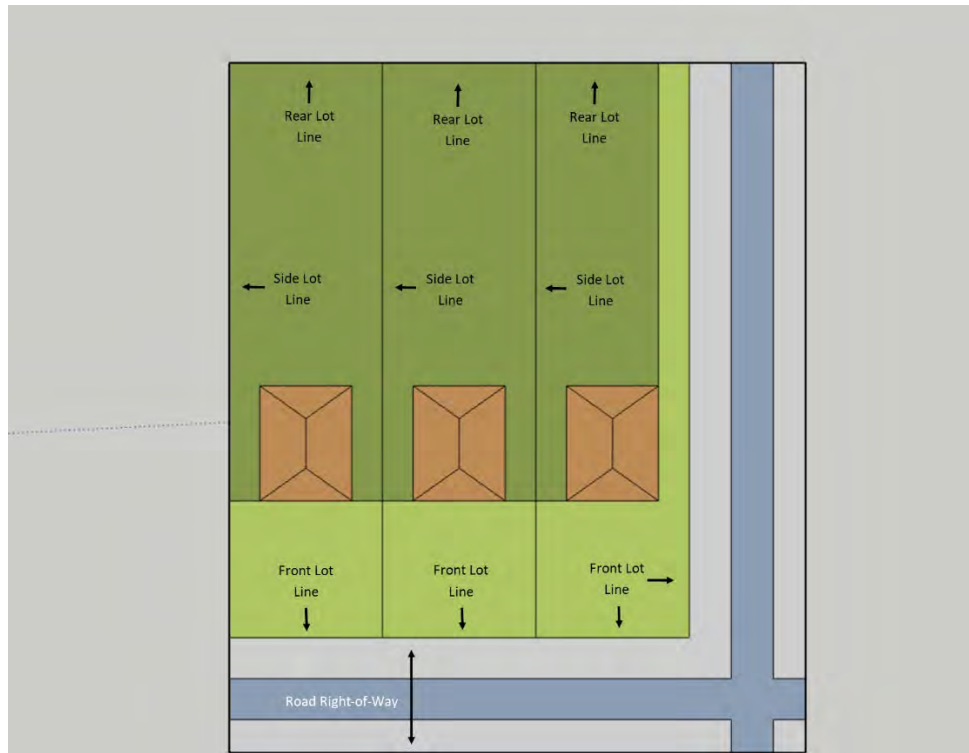
VERTICAL MIXED-USE. See “MIXED-USE, VERTICAL”.

YARD. A space on a lot with a structure, which space is unobstructed and unoccupied from the ground upward, except as occupied or obstructed as permitted in this Zoning Code.

1. “Front yard” means a yard extending across the full width of a lot between the front of the structure containing the principal use and the front lot lines.
2. “Rear yard” means a yard extending the full width of a lot between the rearmost structure containing the principal use and the rear lot line, the depth of which is the least distance between the rear lot line and the rear of the structure containing the principal use.

3. “Side yard” means a space within a lot between a side lot line and a structure containing the principal use or an attached accessory structure, whichever is closer to the side lot line. A side yard extends on each side of a lot from the end of the front lot line to the beginning of the rear lot line of the lot.

[FIGURE 10]



ZONING VARIANCE. A modification of the strict letter of this Zoning Code granted by the Board of Zoning Appeals when, by reason of exceptional conditions, the strict application of this Zoning Code results in peculiar, exceptional or practical difficulties or unnecessary hardship to the owner of the lot.

CHAPTER 1242 DISTRICTS GENERALLY AND ZONING MAP

1242.01 ESTABLISHMENT OF DISTRICTS

The City is hereby divided into the following zoned districts:

(a) *Commercial/Mixed-Use Zones*

MX-C	Mixed Use Urban Corridor
MX-1	Mixed Use Neighborhood Center
MX-2	Mixed Use Community Center
DT-1	Downtown Edge
DT-2	Urban Flex
DT-3	Downtown Core

(b) *Residential Zones*

R-1	Residential
R-2	Residential
R-3	Residential
MFR	Multi-Family Residential
R-MX	Mixed Residential
R-AR	Residential Adaptive Reuse

(c) *Special District Zones*

IND-1	Industrial
INST-1	Institutional

1242.02 OFFICIAL ZONING MAP

(a) The boundaries of the districts described in Section 1242.01 are established as shown upon the official Zoning Map of the City, which Map is incorporated by reference and made a part of this Zoning Code as if fully set out herein.

(b) The official Zoning Map shall be kept on file in the office of the Planning Office.

- (c) Whenever a district boundary is amended pursuant to Chapter 1276, the Planning Office shall, within thirty (30) days, make the correlative change in the official Zoning Map so as to reflect the change of the district boundary.
- (d) If a territory is annexed to the City, or comes under City jurisdiction for zoning purposes under 1984 PA 425, a map of the annexed or 1984 PA 425 territory shall be prepared by the Planning Office and shall be included as part of the official Zoning Map
- (e) If a street, alley or public way is vacated, it shall take the zoning of the land to which it is attached, pursuant to Section 227a of Public Act 288 of 1967, as amended, being M.C.L.A. 560.227a.
- (f) A conformed copy of the official Zoning Map shall be made available by the Planning Office to a person requesting a copy, if the person pays a fee set by Council, which fee covers costs involved in preparing the copy.

1242.03 STREET TYPOLOGIES

The Design Lansing Comprehensive Plan identified a hierarchy of street typologies that are codified in this ordinance and shown on the official Street Typology Map (in order from most active street type to least active):

(a) Non-Local Streets:

- (1) Activity Corridor**
- (2) Prime Connector**
- (3) Suburban Corridor**
- (4) Arterial Corridor**
- (5) Neighborhood Connector**

(b) Local Street

The Design Lansing Street Typologies map shall be used in conjunction with the zoning map to regulate street design and frontage character.

1242.04 INTERPRETATION OF DISTRICT BOUNDARIES

Where uncertainty exists with respect to the boundaries of any of the districts established in this Ordinance as shown on the zoning map, the following rules shall be applied:

- (a) **Centerline or Right-of-way of Streets.** Where district boundaries are indicated as approximately following the center lines of street or highway rights-of-way, street lines, or highway right-of-way lines, such center lines, street lines, or highway right-of-way lines shall be construed to be such boundaries.
- (b) **Parallel to Streets.** Where district boundaries are so indicated that they are approximately parallel to the center lines of streets or rail rights-of-way, such district boundaries shall be construed as being parallel thereto and at such distances there from as indicated on the zoning map. If no such distance is given, such dimension shall be determined by the use of the scale shown on the zoning map. The Official Zoning Map maintained by the City shall be used to determine such dimensions in the case of any multiple interpretations.
- (c) **Lot Lines.** Where district boundaries are so indicated that they approximately follow the lot lines, such lot lines shall be construed to be such boundaries.
- (d) **Waterways.** Where the boundary of a district follows, or terminates at, a stream, lake, or other body of water, the boundary line shall be deemed to be at the center line of such feature, or terminated at the limit of the adjacent jurisdiction unless otherwise indicated.
- (e) **Subdivisions.** Where the boundary of a district follows a subdivision boundary line, such boundary line shall be construed to be the district boundary line.
- (f) **Determination.** The Board of Zoning Appeals shall make a determination, upon written application or upon its own motion, in those situations where un-zoned property may exist, or where, due to the scale, lack of detail, or illegibility of the zoning map there is any uncertainty, contradiction or conflict as to the intended location of any district boundaries shown thereon or interpretation concerning the exact location of district boundary lines.

CHAPTER 1243 COMMERCIAL MIXED-USE DISTRICTS

1243.01 APPLICABILITY

- (a) The standards of this chapter shall apply to all proposed development within the zoning districts contained herein, and shall be considered in combination with the standards in [Chapter 1246](#) –

Architectural Standards and other applicable chapters of this zoning ordinance. If there is a conflict between any standards, the stricter standards shall apply.

- (b) **Exempt Expansions.** Changes of use to another permitted use or to increase parking to meet the minimum number of spaces required, building maintenance or façade changes that do not alter the building footprint or require site improvements, shall be permitted according to **Chapter 1260 – Site Plan Review**, provided that standards of other applicable city codes and ordinances are met.

1243.02 ADMINISTRATION

- (a) **Site Plan Review.** Applications shall be reviewed according to **Chapter 1260 – Site Plan Review**.

- (b) **Incentives.**

(1) **Types of Incentives.** To promote redevelopment and stimulate reinvestment in the City, the Planning Office may approve modifications to the site layout requirements when one or more of the Recognized Benefits, listed below, are provided. The following incentives may be granted:

- a. **Dimensional Modifications.** Modifications to the maximum lot coverage, building frontage, or setbacks provided the resulting layout will not negatively impact nearby residences.
- b. **Additional Building Height.** The maximum building height may be increased by one additional story.
- c. **Reduced Minimum Parking.** Reduced parking may be permitted consistent with **Section 1254.01.04**.

(2) **Recognized Benefits.** Additional building height or modifications may be granted during the project review when one or more of the following recognized benefits are provided:

- a. **Open Space.** Inclusion of five (5) percent open space above what may be required for the building type. Open space must meet the following standards to be counted toward the minimum requirement:

- 1. Open space may be public or private but must be accessible to the public along with employees or residents or visitors.

2. **Dimensions, grading and design of the open space shall provide usable area for seating, gathering, recreation or other activities.**
3. **Required open space shall not include wetlands, required setbacks, required landscape areas, water bodies, easements for private roads or overhead utilities, stormwater control facilities as required by [Chapter 1219](#), floodplain area or public right-of-way, provided that where additional public right-of-way is desired by the city, it may be included.**
4. **Required open space shall be functional provided to supplement public space along a sidewalk, provide pedestrian or greenway connections, pocket parks to serve nearby uses, located and designed to terminate views along streets, or otherwise provide an amenity that would not be provided in a project that just met minimum code requirements.**

- b. **Low Impact Development (LID, e.g. green roof, on-site stormwater retention). Use of alternative stormwater management design that may include green roofs, natural retention systems, porous pavement alternatives, or other energy or water conserving applications above and beyond the requirements of [Chapter 1219](#) - Post-Construction Stormwater Management.**
- c. **Provision for Mixed-Use. Proposals that include a mix of different but compatible use types within the same building, such as first-floor retail with offices or residential units on upper floors.**
- d. **Green Buildings. Significant use of sustainable building and site design features such as: water use reduction, water efficient landscaping, innovative wastewater technologies, low impact stormwater management, optimize energy performance, on-site renewable energy, solar heating, reuse/recycled/renewable materials, indoor air quality or other sustainable elements.**
- e. **Additional Landscape Elements. Exceeding minimum quantities or sizes required in Chapter 1252 – Landscaping with native species and larger caliper plantings. Or**

1 additional plantings or decorative fence or wall where needed to help reduce
2 impacts on neighboring properties.

3 f. **Pedestrian Amenities.** Provision of public plazas, walkways or pedestrian-oriented
4 features, such as street trees or benches beyond those required or enhancements to a
5 transit stop, such as a shelter, large pad size or similar improvements endorsed by
6 public transit authority.

7 g. **Shared Access.** Removal of a driveway or use of (not isolated remnant parcels) and
8 shared driveway for access from public streets. This may require an access
9 easement approved by the city attorney.

10 h. **Shared Public Parking.** See [Section 1254.01.04](#) Factors to Permit a Reduction from
11 the Amount of Parking Required

12 (c) **Permitted Modifications.** It is recognized that certain existing site conditions may prohibit full
13 compliance with this Section. The Director of Economic Development and Planning, or a designee,
14 is authorized to approve modifications to the standards of this Section, after considering the criteria
15 and standards below. Any request for relief from a required standard other than those listed below
16 shall be made through the variance procedures set forth in [Chapter 1274 – Board of Zoning](#)
17 [Appeals](#).

18 (1) **Criteria for Modification**

19 a. **Demonstration by the applicant that there is a unique situation with the property**
20 **that makes it impractical to fully comply with the standards herein.**

21 b. **The proposed development is consistent with the Design Lansing Comprehensive**
22 **Plan, as amended.**

23 c. **The proposed development is consistent with the Intent of the District.**

24 d. **The proposed modification will not prevent or complicate logical extensions of**
25 **streets, infrastructure, parking, open space, or development of adjacent properties.**

- e. The modification is the minimum necessary to allow reasonable development that is consistent with the intent of the Zoning Ordinance and the Design Lansing Comprehensive Plan.
- f. The proposed development will not impair public safety.
- g. The modification is not simply for convenience of the development.
- h. The design will not be detrimental to adjacent residential uses.

(2) Modification Standards

a. Height

- 1. Minimum and maximum height - up to ten (10) percent for any cumulative increase or decrease in building height.
- 2. Clear height – up to ten (10) percent.

b. Building Placement

- 1. Build-to Line – up to five (5) feet.
- 2. Build-to Line – up to the necessary distance to prevent building foundations from encroaching on the public right-of-way or established easements.
- 3. Street wall requirements – up to ten (10) percent of the height/fenestration/access gate requirements.
 - A. Upper floor step-backs – up to ten (10) percent.
 - B. Street wall/fence/screening requirements – up to ten (10) percent.

c. Architectural Regulations (per [Chapter 1246](#))

- 1. Windows (minimum and maximum fenestration percentage) – up to ten (10) percent.
- 2. Projections (stoops, porches, awnings, balconies) – up to ten (10) percent.
- 3. Required open space – up to ten (10) percent.
- 4. Entrances (maximum average spacing) – up to ten (10) percent increase in spacing.

(d) **Conditions and Phasing.** Where deemed necessary, the Zoning Administrator, or Planning Commission and Council for special uses, as applicable, may:

(1) Require a phasing plan that explains how new development and infrastructure, meeting the requirements of this section, will be constructed, and elements of the site not in compliance will be phased out over time. This may require temporary or permanent easements or commitments through a written agreement and performance guarantee.

(e) **Agreement.** The City may require a written agreement if flexibility is granted through incentive or to ensure compliance with conditions of approval. An agreement with the City shall be prepared in a form acceptable to the City Attorney that specifies the required improvements, commitments and obligations of the development. The agreement shall specify any recognized benefits provided by the developer, flexibility granted by the City, and maintenance provisions for all site improvement.

1243.03 COMMERCIAL MIXED-USE PERMITTED USES

In the Commercial Mixed-Use Districts, the following principal uses are permitted. Permitted uses shall be subject to site plan review. Conditional uses shall adhere to the Conditions noted in the Section referenced. Special Land Uses may be permitted by Council in accordance with the procedures and conditions described in [Chapter 1262 – Special Land Use Permits](#) if the conditions described in this section for each use are met, and if all Federal, State and local laws are met. Permitted and approved uses may be mixed both horizontally and vertically, subject to conditions and regulations in the district sections that follow.

P = PRINCIPAL PERMITTED C = CONDITIONAL USE S = SPECIAL LAND USE	MX-C	MX-1	MX-2	DT-1	DT-2	DT-3	Conditions
Commercial/Office							
Retail sales and Personal Services	P	P	P	C	P	P	Permitted on non-local streets. Permitted on local street only within 50' of a non-local street.
Professional/business offices	P	P	P	P	P	P	
Active / Recreational Commercial	P	P	P	C	P	P	1. Permitted on non-local streets. 2. Any facilities or operations held outdoors shall be set back a minimum of 50' from all property lines and shall be screened from view of all public rights-of-way and residential parcels of land by a six (6) foot-high opaque wood or vinyl fence, decorative screen wall or landscaped berm.
Animal Hospital	C	C	C	C	C	C	All operations must be completely enclosed in a soundproof building in such a way as to not produce any objectionable noises or odors at the lot lines
Bank	P	P	P	P	P	P	
Boarding House	C	C	C	S	C	C	1. Permitted on non-local streets. 2. Staff must be on-site or on-call 24 hours a day

Clean Form-Based Zoning Ordinance - Second Amendment

Clinic	C	C	C	C	C	C	At least one property line abutting and all points of ingress/egress directly to an arterial, suburban or activity corridor.
Consumer Goods Delivery	C		C				Not permitted on Activity Corridor street type.
Funeral Home	C		S		C	S	1. Assembly area for funeral procession shall be provided in addition to off-street parking requirements. 2. At least one property line abutting and all points of ingress/egress directly to an arterial, suburban or activity corridor.
Kennel, Animal Day Care	C	C	C		C		1. Structures must be setback at least 50 feet from each adjacent residential lot line. 2. Outside exercise run or treatment area must be located at least 100 feet from all lots lines and at least 300 feet from an adjacent residential lot line. 3. All operations must be controlled in such a way as to not produce any objectionable noises or odors at the lot lines.
P = PRINCIPAL PERMITTED C = CONDITIONAL USE S = SPECIAL LAND USE	MX-C	MX-1	MX-2	DT-1	DT-2	DT-3	Conditions
Laundromat, dry cleaner	P	P	P		P	P	
Lodging Facility	P	P	P	S	P	P	
Mobile Food Vending (Food trucks and carts)	C	C	C		C		See Section 1250.02.12
Nursery, commercial greenhouse	C				C		1. The outdoor storage of landscape materials, other than plants, shall be screened from view of all public rights-of-ways and residential parcels of land by a six (6) foot high opaque wood or vinyl fence, decorative screen wall or landscaped berm.
Parking facility	S	S	S	S	S	S	1. On Activity Corridors, the first floor of a parking structure shall have a minimum depth of 20 feet to be occupied by commercial uses permitted in the district. 2. Access drives shall be permitted on the ground level, provided they are collectively no more than 25% of the frontage. 3. The facade of the parking structure shall be integrally designed with the architecture of the overall building, utilize the same building materials, provide an architectural treatment at the top of the structure, such as a cornice, and have wall openings with proportions that comply with the fenestration requirements in Section 1246.04 4. New parking structures shall be designed with a upper story minimum clear height of 9'. 5. Parking Facilities shall conform with the requirements of Chapter 1252.
Restaurant, bar, tavern	C	C	C		C	C	Permitted on non-local streets. Permitted on local street only within 50' of a non-local street
Place of Assembly	C	C	C	S	C	C	1. At least one property line abutting an arterial, suburban, or activity corridor. 2. Methods to minimize the impact of potential excessive noise on adjacent residential properties are required.
Studio (dance, health, music, etc)	P	P	P	P	P	P	

Clean Form-Based Zoning Ordinance - Second Amendment

Drive-through, as accessory use	C	C	C	S	S		1. A drive-through business may have a front setback greater than the build-to line required in the zoning district only to accommodate a travel lane for safe and efficient interior circulation. 2. No parking is allowed in the front yard 3. The drive-through window shall be on the side or rear of the building. 4. Methods to minimize the impact of noise from outdoor speakers on adjacent residential are required. 5. The site will be adjacent to a Suburban Corridor, Arterial Corridor, Prime Connector, or Activity Corridor and all points of ingress and egress shall be directly onto one of the aforementioned street types. 6. Adequate waiting or standing areas for vehicles shall be provided on-site so that no vehicle is required to wait, stand, or be stored within a right-of-way, in accordance with the parking requirements of Chapter 1254.
Residential Uses							
Single-Family detached	C	C	C	P			Permitted only on local street
Two-Family dwelling				P	P		
Multi-Family dwelling	P	P	C	P	P	C	1. Dwelling units shall have a minimum living space of 400 square feet. 2. Ground floor multiple-family dwelling units not permitted on the frontage of Activity Corridor and Arterial Corridor street types.
P = PRINCIPAL PERMITTED C = CONDITIONAL USE S = SPECIAL LAND USE	MX-C	MX-1	MX-2	DT-1	DT-2	DT-3	Conditions
Bed and Breakfast			C	C	C		1. Must be the principal residence of the owner and the owner shall live on the premises when in operation. 2. Must provide one surfaced off-street parking spot per guest room in addition to standard parking for residence. In MX-2 parking requirements are not exempt under Section 1254.01.04(f)
Cottage Court, 3 to 6 buildings				C			See 1250.04.07
Housing Cooperative	C	C	C	C	C	C	See 1250.02.13
Rooming House				C			
Short-Term Rental				C			
Human Care Facilities							
Adult Day Care Facility				P	P		
Adult Foster Care (≤ 6)				P			
AFC small group home (≤ 12)				P	P		
AFC large group home (13-20)				S	S		
Child Care centers, preschools, and commercial day care	P	P	P	P	P	P	
Group Day Care Home (7-12 children, <24 hours/day)	C	C	C	C	C		1. The facility provides and maintains on the lot not less than 900 square feet of outdoor play space. 2. The use of the structure as a group day care home shall be clearly incidental to the principal residential use. 3. One person, other than a member of the family residing in the dwelling, may be employed, so long as that person is not the primary caregiver. 4. No change occurs in the outside appearance of the dwelling. 5. No signs are permitted. 6. The outdoor play space shall be fenced. This requirement can be waived by approval of the Planning Office if the specified outdoor area is common open space shared with other dwelling units.

Clean Form-Based Zoning Ordinance - Second Amendment

Sheltered Care Facility	S				S		1. At least one property line abutting a Major Arterial street type 2. The proposed Sheltered Care Facility shall be located more than 1,500 feet from an existing Sheltered Care Facility which provides care for more than six persons.
Institutional							
Hospital	C	C	C	C	C	C	Permitted on non-local street type
Library	P	P	P	P	P	P	
Museum				P	P	P	
Schools	P	P	P	P	P	P	
Park, open space, plaza	P	P	P	P	P	P	
Places of Worship	S	S	S	S	S	S	
Trade school	P	P	P	P	P	P	
Industrial							
Cleaning, processing, servicing, or repair of any product	P	C	C		P	C	1. At least one property line abutting an arterial, suburban, or activity corridor. 2. Methods to minimize the impact of potential excessive noise on adjacent residential properties are required.
P = PRINCIPAL PERMITTED C = CONDITIONAL USE S = SPECIAL LAND USE	MX-C	MX-1	MX-2	DT-1	DT-2	DT-3	Conditions
Logistics Terminal, Wholesale and Warehouse uses	S				S		1. All activities conducted and materials stored shall be within an enclosed structure so as to not produce any objectionable noise, vibration, smoke, dust, dirt, toxic or offensive odors or gases, or glare. 2. Methods to minimize the impact of excessive noise on adjacent residentially used properties are required.
Industrial: Assembly, Fabrication, Manufacturing, Production, and Recycling	C				C		1. All activities conducted and materials stored shall be within an enclosed structure so as to not produce any objectionable noise, vibration, smoke, dust, dirt, toxic or offensive odors or gases, or glare. 2. Methods to minimize the impact of excessive noise on adjacent residentially used properties are required.
Non-Hazardous Assembly, Fabrication, Production, and Manufacturing of consumer goods, with retail sales	C	C	C		C	C	
Motor vehicle repair station	C				S		1. All activities conducted and materials stored shall be within an enclosed structure so as to not produce any objectionable noise, vibration, smoke, dust, dirt, toxic or offensive odors or gases, or glare. 2. Methods to minimize the impact of excessive noise on adjacent residentially used properties are required. 3. No materials, junk, or junk vehicles shall be stored on-site except within an enclosed building.

Clean Form-Based Zoning Ordinance - Second Amendment

Vehicle sales, vehicle leasing, and other outdoor sales facility	C		S		S		1. The area of the lot on which the items displayed for sale are located shall be covered with Portland cement or asphaltic concrete. 2. Each point of vehicular ingress and egress to the lot shall be not less than 60 feet from the intersection of any two streets. 3. Any repair or refinishing which is done on the lot shall be done within the confines of an enclosed structure. 4. Any vehicles awaiting repairs must be stored in the side or rear yard and screened from the public right-of-way. 5. Lighting shall be confined within and directed onto the parking area only. 6. The area of the lot on which the items displayed for sale are located shall be at least eight (8) feet from all lot lines adjacent to the public right -of-way, excluding approved driveways, and any residentially zoned property. The buffer zone shall be landscaped, screened and buffered in accordance with the requirements of Section 1252.08. 7. No junk, junk vehicles, or inoperable vehicles shall be stored on-site except within an enclosed building.
Motor vehicle service station	C	C	C		C		1. For a building located on a corner lot, the secondary front facade may occupy no less than 50% of the frontage. The remainder of the frontage not occupied by the building shall be screened per the parking standards of the district. 2. The fueling pumps shall be located a minimum of 20 feet behind the build-to line. 3. The canopy over the fueling pumps shall have a roof with the same slope as the principal building. Canopy clearance should not exceed 14' from the ground to the bottom of the canopy. Maximum canopy height is limited to 20'. 4. One access per street frontage however a second access may be approved by city staff upon a finding that the additional access is essential for convenient access, and that the access is spaced adequately and designed to minimize conflicts per Section 1254.01.11. A secondary access drive is permitted for shared access with adjacent parcels. 5. Vehicle sales or leasing shall not be accessory to the principal use. 6. No materials, junk, or junk vehicles shall be stored on-site except within an enclosed building.
Research laboratory	P	S	P	S	P	P	
Self-Storage Rental	S						
Infrastructure	S	S	S	S	S	S	
Adult Business Uses	S						See 1250.02.11
Accessory Uses							
Solar Energy Systems	P	P	P	P	P	P	
Solar Energy Systems Storage	P	P	P	P	P	P	
Urban Agriculture	P	P	P	P	P	P	
Self-Storage Rental, as an accessory use	C				C		1. Permitted on non-local streets. 2. All activities conducted, and materials stored shall be within an enclosed structure. 3. Storage operations shall not exceed 50% of the principal building's gross floor area. 4. No storage activities or floor area shall be located along the primary frontage.

							5. No storage activities, operations, vehicles, or storage pods may be located on the exterior of the parcel.
--	--	--	--	--	--	--	---

1
2
3
4
5
6
7

- (a) Accessory uses customarily incidental to any of the above principal uses are allowed provided the Zoning Administrator may require additional parking or compliance with other standards upon a determination that such use may impact site operations beyond that of the Principal Use.**
- (b) All activities shall take place within a completely enclosed building unless otherwise indicated.**
- (c) All accessory materials shall be enclosed by a structure or a fence, which does not obstruct vision.**
- (d) All materials stored within 20 feet of a fence shall not exceed the height of the fence.**

1243.04 MX-C MIXED USE URBAN CORRIDOR

[FIGURE 11]



1243.04.01 MX-C INTENT

The purpose and intent of the MX-C Mixed Use Urban Corridor district is to provide for a vertical and horizontal mix of uses, typically with retail or commercial space on the ground floor and office or residential uses on upper floors. Development is characterized by buildings located closer to the street to promote walking and biking, and to create a character that is more “place” based than auto-oriented. However, in recognition of the Arterial and Suburban corridors that dominate the district frontages, this district is likely to contain some single-use buildings, so some variation in development is expected.

1 1243.04.02 **MX-C SITE LAYOUT REQUIREMENTS**
2 **[FIGURE 12]**



3

(a) BUILDING MASSING		
A. Minimum Height	16'	1 Story
B. Maximum Height	60'	5 Stories
See Section 1250.03.02 for height exceptions		
C. Required Upper Floor Step-Backs - when adjacent to R-1 through R-3 and R-MX districts	For the elevation adjacent to a residential district, the floors above the third story shall be tiered back so that the highest point of the building is setback from the adjacent residential district a distance at least equal to the height of the building.	

4 **[FIGURE 13]**



(b) BUILDING PLACEMENT	
D. Build-to-line	Five (5) feet as measured from the property line or rear edge of the front parking lot. The Zoning Administrator may approve: 1. A setback of ten (10) feet provided that the additional space is dedicated to outdoor seating and/or public art. 2. A setback of zero (0) feet from the inside edge of the sidewalk, provided that the existing or proposed sidewalk is at least ten (10) feet in width. 3. An additional 50' setback for a single-loaded bay of parking or 70' of setback for a double-loaded bay of parking as permitted.
E. Minimum Side Setback	0'
F. Minimum Rear Setback	10' building
Minimum Setback from adjacent R-1 through R-3 and R-MX districts	10'
G. Maximum Lot Coverage	80%
<i>See Section 1250.04.01 for placement of accessory buildings</i>	

1 **[FIGURE 14]**

2

(c) PARKING	
Allowed Surface Parking Locations	On-Street Parking On-site: Side, or rear yard; Single-loaded bay of front yard parking only on Arterial Corridors; Double-loaded bay of front yard parking only on Suburban Corridors
H. Front Parking Lot Setback / Screening	Property and Parking Lot Setback / Screening per Chapter 1252

I. Side & Rear Parking Lot Setback / Screening	
Required Parking Spaces	Parking per Ch. 1254; Section 1254.01.04 for parking reductions
Parking Incentives / Bonuses	Shared parking, cross-access, driveway removal
Loading Bays	Not permitted in front yard; see Section 1254.01.16 Truck turning templates and access to loading must be delineated on site plan

1

1243.05 MX-1 MIXED-USE NEIGHBORHOOD CENTER

[FIGURE 15]



1243.05.01 MX-1 INTENT

The purpose and intent of the MX-1 Mixed-Use Neighborhood Center district is to provide for a vertical and horizontal mix of uses, typically with retail or commercial space on the ground floor and office or residential uses on upper floors. Development is characterized by buildings located closer to the street to promote walking and biking, and to create a character that is more “place” based than auto-oriented. Development in this district needs to be appropriately scaled to adjacent residential areas.

1243.05.02 MX-1 SITE LAYOUT REQUIREMENTS

[FIGURE 16]



(a) BUILDING MASSING		
A. Minimum Height	16'	1 Story
B. Maximum Height	40'	3 Stories
See Section 1250.03.02 for height exceptions		
Required Corner Massing	When site is a corner lot, the primary and secondary frontages at the corner must be occupied by building elevations for the first 20 feet of each frontage from the corner	

1 [FIGURE 17]

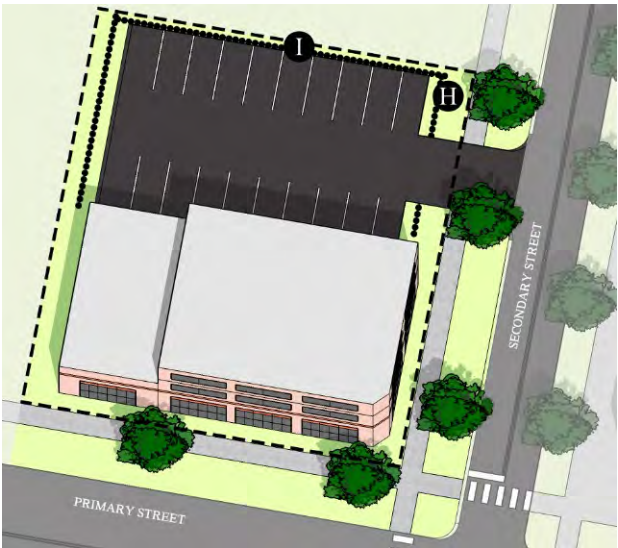


2

(b) BUILDING PLACEMENT	
D. Build-to-line	Five (5) feet as measured from the property line or rear edge of the front parking lot. The Zoning Administrator may approve: 1. A setback of ten (10) feet provided that the additional space is dedicated to outdoor seating and/or public art. 2. A setback of zero (0) feet from the inside edge of the sidewalk, provided that the existing or proposed sidewalk is at least ten (10) feet in width.
E. Minimum Side Setback	0'
F. Minimum Rear Setback	10' building
Minimum Setback from adjacent R-1 through R-3 and R-MX districts	10'
G. Maximum Lot Coverage	85%

See Section 1250.04.01 for placement of accessory buildings

[FIGURE 18]



(c) PARKING		
Allowed Surface Parking Locations	Suburban & Arterial Corridors:	Side or Rear yards; One row of parking in Front yard
	Prime & Neighborhood Connector:	On-street, Side or Rear yard
H. Front Parking Lot Setback / Screening I. Side & Rear Parking Lot Setback / Screening	Property and Parking Lot Setback / Screening per Chapter 1252	
Required Parking Spaces	85% of parking required per Chapter 1254	
	Section 1254.01.04 for parking reductions	
Parking Incentives / Bonuses	Shared parking, cross access, driveway removal	

1 **1243.06 MX-2 MIXED-USE COMMUNITY CENTER**

2 **[FIGURE 19]**



3
4 **1243.06.01 MX-2 INTENT**

5 **The purpose and intent of the MX-2 Mixed-Use Community Center district is to provide for both a**
6 **horizontal and vertical mix of uses, typically with retail or commercial space on the ground floor and office**
7 **or residential uses on upper floors. Ground floor uses should be active and pedestrian focused.**
8 **Development is characterized by buildings located closer to the street to promote walking and biking, and**
9 **to create a character that is more “place” based than auto-oriented. Taller buildings and less required**
10 **parking are allowed in this district to create the density needed to help support the urban places within the**
11 **district. Development in this district needs to maintain a consistency in character and form with adjacent**
12 **sites to create the type of neighborhood centers desired.**

13 **1243.06.02 MX-2 SITE LAYOUT REQUIREMENTS**

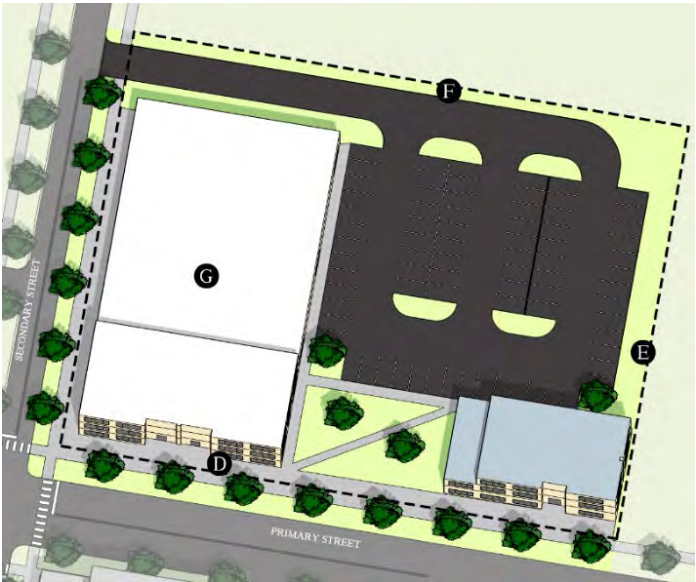
14 **[FIGURE 20]**



1

(a) BUILDING MASSING		
A. Minimum Height	25'	2 Stories. 1 Story may be allowed upon written approval of Zoning Administrator based on singular nature of proposed land use
B. Maximum Height:	80'	6 Stories
See Section 1250.03.02 for height exceptions		
C. Required Upper Floor Step-Backs - when adjacent to R-1 through R-3 and R-MX districts	For the elevation adjacent to a residential district, the floors above the third story shall be tiered back so that the highest point of the building is setback from the adjacent residential district a distance at least equal to the height of the building.	
Required Corner Massing	When site is a corner lot, the primary and secondary frontages at the corner must be occupied by building elevations for the first 20 feet of each frontage from the corner	

2 [FIGURE 21]



3

(b) BUILDING PLACEMENT	
D. Build-to-line	Five (5) feet as measured from the property line or rear edge of the front parking lot. The Zoning Administrator may approve: 1. A setback of ten (10) feet provided that the additional space is dedicated to outdoor seating and/or public art. 2. A setback of zero (0) feet from the inside edge of the sidewalk, provided that the existing or proposed sidewalk is at least ten (10) feet in width.
E. Minimum Side Setback	0'
F. Minimum Rear Setback	10' building
Minimum Setback from adjacent R-1 through R-3 and R-MX districts	1. 10'; and 2. 6' opaque screen-wall / fencing along edge of residentially zoned or used property
G. Maximum Lot Coverage	100%
<i>See Section 1250.04.01 for placement of accessory buildings</i>	

1 [FIGURE 22]



2

(c) PARKING	
Allowed Surface Parking Locations	Municipal parking; on-street parking On-site: Side or Rear yard.
H. Front Setback / Screening on secondary street corners	Property and Parking Lot Setback / Screening per Chapter 1252
I. Side & Rear Parking Lot Setback	
Required Parking Spaces	Parking per Ch. 1254; Section 1254.01.04 for parking reductions
Parking Incentives / Bonuses	Shared parking, cross access, driveway removal

3

1 **1243.07 DT-1 DOWNTOWN EDGE**

2 **[FIGURE 23]**



3
4 **1243.07.01 DT-1 INTENT**

5 **The DT-1 Downtown Edge district permits a mixture of office and residential uses complementary to the**
6 **Downtown Core but lower in intensity. Downtown Edge areas are intended to retain elements of the**
7 **historic residential character such as short block lengths and existing front-yard setbacks. One purpose of**
8 **this district is to permit homes to be converted to offices provided the historic residential character is**
9 **maintained.**

10 **1243.07.02 DT-1 SITE LAYOUT REQUIREMENTS**
11 **[FIGURE 24]**



1

(a) BUILDING MASSING		
A. Minimum Height	25'	2 Stories
B. Maximum Height:	45'	4 Stories
C. Required Upper Floor Step-Backs - when adjacent to R-1 through R-3 and R-MX districts	For the elevation adjacent to a residential district, the floors above the third story shall be tiered back so that the highest point of the building is setback from the adjacent residential district a distance at least equal to the height of the building.	
Required Corner Massing (except for single- or two-family dwellings)	When site is a corner lot, the primary and secondary frontages at the corner must be occupied by building elevations for the first 20 feet of each frontage from the corner	

2 [FIGURE 25]



3

(b) BUILDING PLACEMENT

D. Build-to-line	Average setback of the residential buildings within the block face for Single-Family and Two-Family Dwellings. For all other uses: Five (5) feet as measured from the property line or rear edge of the front parking lot. The Zoning Administrator may approve: 1. A setback of ten (10) feet provided that the additional space is dedicated to outdoor seating and/or public art. 2. A setback equal to the average setback of the buildings to be retained within the block face of the more active street type. The applicant shall provide a map with those measurements.	
	E. Minimum Side Setback	5' one side yard; 15' total of two side yards
	F. Minimum Rear Setback	20' building
	G. Maximum Lot Coverage (for Single-Family and Two-Family Residential Uses only)	60%
	See Section 1250.04.01 for placement of accessory buildings	

1 [FIGURE 26]



(c) PARKING	
H. Allowed Surface Parking Locations	Municipal parking; On-Street Parking On-Site: Side or Rear yard

2

I. Front Setback / Screening on secondary street corners J. Side & Rear Parking Lot Setback / Screening	Property and Parking Lot Setback / Screening per Chapter 1252
Required Parking Spaces	75% of parking required per Chapter 1254 Section 1254.01.04 for parking reductions
Parking Incentives / Bonuses	Shared parking, cross access, driveway removal

1

1 **1243.08 DT-2 URBAN FLEX**

2 **[FIGURE 27]**



3
4 **1243.08.01 DT-2 INTENT**

5 **The intent and purpose of the DT-2 Urban Flex district is to foster a mixture of residential, commercial,**
6 **and industrial uses that complement the nearby Downtown Core and Mixed-Use Corridors. The Urban**
7 **Flex districts generally are areas transitioning from older industrial and auto-oriented uses with pockets of**
8 **residential to higher density modern infill and adaptive reuse. These areas are characterized by an eclectic**
9 **mixture of entertainment, retail, residential, and lower intensity industrial uses in a warehouse setting.**
10 **Along Activity Corridors, ground floor uses should be those that generate pedestrian activity along the**
11 **street front through the location of doors, windows, and displays.**

12 **1243.08.02 DT-2 SITE LAYOUT REQUIREMENTS**

13 **[FIGURE 28]**



1

(a) BUILDING MASSING		
A. Minimum Height	25'	2 Stories. 1 Story may be allowed upon written approval of Zoning Administrator based on singular nature of proposed land use.
B. Maximum Height:	80'	6 Stories
See Section 1250.03.02 for height exceptions		
C. Required Upper Floor Step-Backs - when adjacent to R-1 through R-3 and R-MX districts	For the elevation adjacent to a residential district, the floors above the third story shall be tiered back so that the highest point of the building is setback from the adjacent residential district a distance at least equal to the height of the building.	
Required Corner Massing	When site is a corner lot, the primary and secondary frontages at the corner must be occupied by building elevations for the first 20 feet of each frontage from the corner	

2

[FIGURE 29]



3

(b) BUILDING PLACEMENT	
D. Build-to-line	Five (5) feet as measured from the property line or rear edge of the front parking lot. The Zoning Administrator may approve: 1. A setback of ten (10) feet provided that the additional space is dedicated to outdoor seating and/or public art. 2. A setback of zero (0) feet from the inside edge of the sidewalk, provided that the existing or proposed sidewalk is at least ten (10) feet in width.
E. Minimum Side Setback	0' when adjacent to another DT-2 or DT-3 parcel, otherwise 10'
F. Minimum Rear Setback	10' building
G. Maximum Lot Coverage	100%
Minimum Setback from adjacent R-1 through R-3 and R-MX districts	10'

1 [FIGURE 30]



2

(c) PARKING	
H. Allowed Surface Parking Locations	On-Street Parking On-Site: Side or Rear yard. Front yard parking limited to one single-loaded bay
I. Front Parking Lot Setback / Screening J. Side & Rear Parking Lot Setback / Screening	Property and Parking Lot Setback / Screening per Chapter 1252
Required Parking Spaces	50% of parking required per Ch. 1254; Section 1254.01.04 for parking reductions
Parking Incentives / Bonuses	Shared parking, cross access, driveway removal

3

1243.09 DT-3 DOWNTOWN CORE

[FIGURE 31]



1243.09.01 DT-3 INTENT

The intent and purpose of the DT-3 Downtown Core district is to provide primarily a vertical mix of uses with higher density residential housing and office buildings. Ground floor uses should be those that generate pedestrian activity along the street front through the location of doors, windows, and displays. Development in this district is characterized by tall buildings lining urban streets with most or all parking provided on street or in municipal lots or structures. This district accommodates the City's highest intensity and density development.

1243.09.02 DT-3 SITE LAYOUT REQUIREMENTS

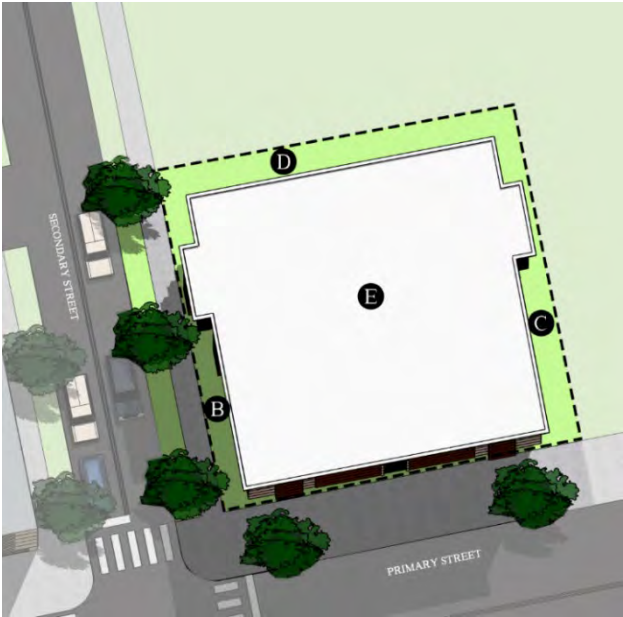
[FIGURE 32]



1

(a) BUILDING MASSING		
A. Minimum Height	25'	2 Stories
Maximum Height:	None	
Required Corner Massing	When site is a corner lot, the primary and secondary frontages at the corner must be occupied by building elevations for the first 20 feet of each frontage from the corner	

2 [FIGURE 33]



3

(b) BUILDING PLACEMENT

B. Build-to-line	Five (5) feet as measured from the property line. The Zoning Administrator may approve: 1. A setback of ten (10) feet provided that the additional space is dedicated to outdoor seating and/or public art. 2. A setback of zero (0) feet from the inside edge of the sidewalk, provided that the existing or proposed sidewalk is at least ten (10) feet in width.
C. Minimum Side Setback	0'
D. Minimum Rear Setback	0'
E. Maximum Lot Coverage	100%

1

(c) PARKING	
Required Parking Spaces	No required parking
Parking Lot Spaces Allowed	Number of parking spaces shall not exceed what would otherwise be required per Section 1254.03 Parking facilities subject to Special Land Use Permit see Chapter 1262
Allowed Surface Parking Locations	On-Street Parking; On-Site: Rear Yards only. Side yard parking allowed upon written approval of Zoning Administrator.
Parking Lot Setback / Screening	Property and Parking Lot Setback / Screening per Chapter 1252

2

CHAPTER 1244 RESIDENTIAL DISTRICTS

1244.01 APPLICABILITY

The standards of this chapter shall apply to all proposed development within the zoning districts contained herein, and shall be considered in combination with the standards in [Chapter 1246 – Architectural Standards](#) and other applicable chapters of this zoning ordinance. If there is a conflict between any standards, the stricter standards shall apply to conventionally on-site constructed homes. For purposes of compatibility, all structures shall:

- (a) Have not less than two exterior doors with one door being in front of the structure and the other being in either the rear or on the side of the structure.
- (b) Have permanently attached steps connected to exterior door areas or porches connected to exterior door areas where required by the difference in between the ground and floor levels.

1244.02 GENERAL DEVELOPMENT

Requirements for Dwelling Units

Any dwelling unit, including a structure or portion of a structure constructed on-site, a premanufactured unit, a precut structure or a panelized structure, whether erected above and/or below ground, shall comply with the following standards:

- (a) It shall conform with the minimum residential lot dimensional requirements and building types for the district in which it is located.
 - (1) On existing lots less than 40 feet in width the minimum side setbacks may be reduced to ten percent (10%) of the lot width, rounding down, on one side and ten (10) feet on the other side to accommodate a driveway.
 - (2) The setback along the secondary front property line on corner lots may be reduced to 10 feet or the average setback of the principal buildings in the block face along the secondary street, whichever is greater.
 - (3) The front yard setback of a principal residential building may be increased to 30 feet on all non-local street types.
- (b) A dwelling shall be a minimum of 20 feet in width.

- (c) On lots 40 feet or greater in width, it shall contain a core area of living space of at least 576 square feet in size and shall have a minimum internal height of seven and one-half feet. For single-family dwellings on lots less than 40 feet in width, it shall contain a core area of living space of at least 400 square feet in size and shall have a minimum internal height of seven and one-half feet.
- (d) The depth of a Single- or Two-Family Dwelling shall not exceed two and one half (2.5) times the width of the front wall of the building containing the main entrance.
- (e) It is firmly attached to a permanent foundation constructed on the site in accordance with the Building Code and has a wall of the same perimeter dimensions as the structure which is aesthetically compatible in design and appearance with conventionally on-site constructed homes, and is constructed of such materials and type as required in the Building Code.
- (f) If it is not a structure constructed on site, it shall be aesthetically compatible in design and appearance with conventionally on-site constructed homes. For purposes of compatibility, all structures shall:
- (1) Have not less than two exterior doors with one door being in front of the structure and the other being in either the rear or on the side of the structure;
 - (2) Have permanently attached steps connected to exterior door areas or porches connected to exterior door areas where required by a difference in elevation;
 - (3) Have siding firmly affixed to the exterior walls of the structure constructed of conventional materials such as wood, vinyl, aluminum or brick;
 - (4) Have a shingled roof constructed of conventional material, which roof is permanently attached to the structure and has a minimum 4:12 pitch and an overhang of at least one foot; and
 - (5) Not have wheels, towing mechanisms, undercarriages or chassis that are visible from the outside of the structure.

This paragraph shall not be construed to prohibit innovative design concepts involving such matters as solar energy, view, unique land contour, or architectural design.

1244.03 ADMINISTRATION

(a) Residential construction for single-family detached homes and duplexes are not required to follow the site plan review process in Chapter 1260 but must adhere to the regulations of this zoning ordinance and other applicable city codes and ordinances.

(b) For Single-Family or Two-Family principle and accessory structures, and for alterations, use changes, or additions: a plot plan depicting the existing and proposed structures, lot lines, setbacks, parking areas and the location of any known wells shall be submitted to the Planning Office for review and approval prior to issuance of a building permit.

(c) Any other residential use not listed in subsection (a) above shall be reviewed according to [Chapter 1260 – Site Plan Review](#).

1244.04 RESIDENTIAL PERMITTED USES

In the Residential Districts, the following principal uses are permitted. Permitted uses except for Single-Family and Two-Family detached houses shall be subject to Site Plan Review. Conditional uses shall adhere to the Conditions noted in the provisions referenced. Special Land Uses may be permitted by Council in accordance with the procedures and conditions described in [Chapter 1262 – Special Land Use Permits](#) if the conditions described in this section for each use are met, and if all Federal, State, and local laws are met.

Table 1244.04 Residential Districts Allowable Use Table							
P = PRINCIPAL PERMITTED C = CONDITIONAL USE S = SPECIAL LAND USE	R-1	R-2	R-3	R-MX	MFR	R-AR	Conditions
Residential Uses							
Single-Family detached	P	P	P	P		P	
Two-Family dwelling			C	P	P	P	For R-3: 1. Must maintain the appearance of a medium sized home and is appropriately scaled to fit within primarily single-family neighborhoods.
Multi-Family dwelling			C	P	P	P	
Cottage Court, 3 to 6 dwellings			C	C	C	C	See 1250.04.07
Housing Cooperative			C	C			See 1250.02.13
Rooming House	C	C	C	C			No more than three roomers per dwelling
Short-Term Rental	C	C	C	C			Lansing Airbnb/Short-term rental housing policy
Mobile Home Park					S		
Human Care Facilities							

Clean Form-Based Zoning Ordinance - Second Amendment

Adult Day Care Facility				S	S	S	
Adult Foster Care (≤ 6)	P	P	P	P	P	P	
P = PRINCIPAL PERMITTED C = CONDITIONAL USE S = SPECIAL LAND USE	R-1	R-2	R-6b	R-MX	MFR	R-AR	Conditions
AFC small group home (7 ≤ 12)	S	S	S	P	P		
AFC large group home (13-20)				S	S	S	
AFC Congregate Care				S	S	S	
Child Care centers, preschools, and commercial day care	S	S	S	S	S	S	
Family Day Care (≤ 7, less than 24 hours/day)	P	P	P	P	P		
Group Day Care Home (8-14 children, <24 hours/day)	C	C	C	C	C	C	1. The facility provides and maintains on the lot not less than 900 square feet of outdoor play space. 2. The use of the structure as a group day care home shall be clearly incidental to the principal residential use. 3. One person, other than a member of the family residing in the dwelling, may be employed, so long as that person is not the primary caregiver. 4. No change occurs in the outside appearance of the dwelling. 5. No signs are permitted. 6. The outdoor play space shall be fenced. This requirement can be waived by approval of the Planning Office if the specified outdoor area is common open space shared with other dwelling units.
Foster Family Home (6 or fewer children, 24 hours/day)	P	P	P	P	P		
Sheltered Care Facility						S	
Convalescent or Nursing Home					S	S	
Institutional							
Cemetery	S						
Hospital						C	The main point of ingress/egress shall be from a non-local street type
Library	C	C	C	C	C	C	1. Front, rear and side yards are not less than 25 feet, except as provided below. 2. If a front, rear or side yard abuts a Commercial Mixed-Use District, then the yard which abuts such District shall meet the dimensional requirements of the District which abuts such front, rear or side yard. 3. No parking exists in the front yard. 4. No accessory structure is located in the front yard.
Schools	C	C	C	C	C	C	All education facilities, except elementary or middle schools, must have at least one property line abutting and all points of ingress/egress directly to an arterial, suburban or activity corridor or it must be determined by the City Engineer or his/her designee that the existing transportation system is sufficient to accommodate the proposed use. A traffic impact study may be required to assist in making this determination
Park, open space, plaza	P	P	P	P	P	P	
Places of Worship	S	S	S	S	S	S	

Clean Form-Based Zoning Ordinance - Second Amendment

Trade school						C	The main point of ingress/egress shall be from a non-local street type
P = PRINCIPAL PERMITTED C = CONDITIONAL USE S = SPECIAL LAND USE	R-1	R-2	R-6b	R-MX	MFR	R-AR	Conditions
Commercial/Office							
Retail sales and Personal Services						C	The main point of ingress/egress shall be from a non-local street type
Professional/business offices						P	
Active/Recreational Commercial						C	1. At least one property line abutting an arterial, suburban or activity corridor 2. Methods to minimize the impact of potential, excessive noise on adjacent residential are required.
Animal Hospital						C	1. The main point of ingress/egress shall be from a non-local street type. 2. All operations must be completely enclosed in a soundproof building in such a way as to produce no objectionable noises or odors at the lot lines
Campground					S		All facilities or operations held outdoors shall be set back a minimum of 100' from all property lines and shall be screened from view of all public rights-of-way and residential parcels of land by a six (6) foot-high opaque wood or vinyl fence, decorative screen wall or landscaped berm.
Clinic						S	At least one property line abutting and all points of ingress/egress directly to an arterial, suburban or activity corridor
Golf Course	S	S					
Off-Street Parking surface lot	S	S	S	S	S	S	Shall comply with applicable standards of Chapter 1252 and Chapter 1254
Places of Assembly	S	S	S	S	S	C	The main point of ingress/egress shall be from a non-local street type.
Studio (dance, music, etc)						P	
Research Laboratory						S	
Accessory Uses							
Solar Energy Systems	P	P	P	P	P	P	
Solar Energy Systems	P	P	P	P	P	P	
Urban Agriculture	P	P	P	P	P	P	

(a) Accessory uses customarily incidental to any of the above principal uses are allowed provided the Zoning Administrator may require additional parking or compliance with other standards upon a determination that such use may impact site operations beyond that of the Principal Use.

1 **1244.05 R-1 RESIDENTIAL**

2 **[FIGURE 34]**



3
4 **1244.05.01 R-1 INTENT**

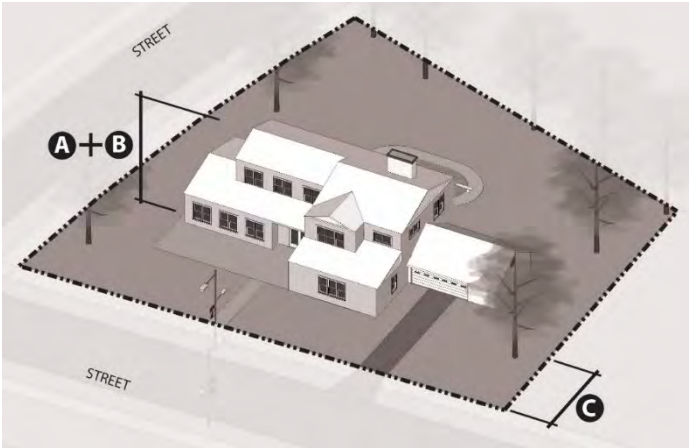
5 **The R-1 Residential district is intended to accommodate a range of single-family neighborhoods and**
6 **housing types featuring medium-to-large-sized lots and a variety of house sizes.**

7 **1244.05.02 R-1 BUILDING TYPES**

8 **Detached Houses are the only building type intended to meet the intent of this district. Architectural**
9 **Regulations and Building Types are further described in Chapter 1246.**

1 1244.05.03 SITE LAYOUT REQUIREMENTS

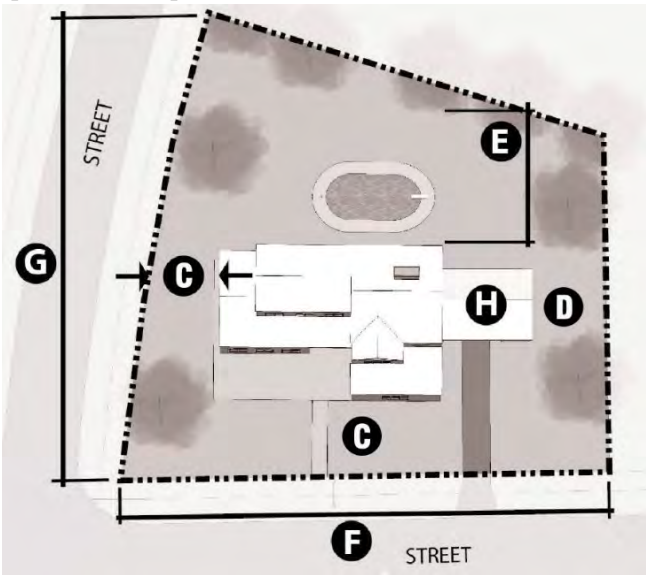
2 [FIGURE 35]



3

(a) BUILDING MASSING		
A. Minimum Height	15'	1 Story
B. Maximum Height:	35'	2.5 Stories
Maximum Principal Dwelling Units per Lot	1	

4 [FIGURE 36]



5

(b) BUILDING PLACEMENT	
C. Minimum Front Setback	20'; or The average setback on block face
D. Minimum Side Setback	5'; total of two side yards 15'
E. Minimum Rear Setback	30'
Minimum Lot Size	5,000 sq. ft.

F. Lot Width – min., max.	50' – 200'
G. Lot Depth – min.	100'
H. Maximum Lot Coverage	Total Impervious Surfaces 60%
	Building Coverage 45%

1

(c) PARKING	
Parking	See Chapter 1254 for parking standards. Parking permitted in rear or side yard.
Garages	Garages may be unattached in the side or rear yard, or attached to the principal building, but in no instance shall a garage project in front of the front building wall of the principal building.

2 *See section 1250.04.01 for placement of accessory buildings.*

1 **1244.06 R-2 RESIDENTIAL**

2 **[FIGURE 37]**



3
4 **1244.06.01 R-2 INTENT**

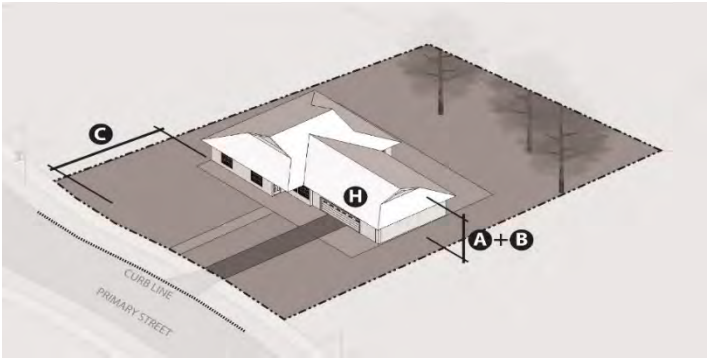
5 **The R-2 Residential district is intended to accommodate the range of neighborhoods and housing types**
6 **near Downtown featuring small-to-medium-sized lots, grid street pattern, and a variety of smaller house**
7 **sizes.**

8 **1244.06.02 R-2 BUILDING TYPES**

9 **Detached Houses are the only building type intended to meet the intent of this district. Architectural**
10 **Regulations and Building Types are further described in Chapter 1246.**

1 1244.06.03 SITE LAYOUT REQUIREMENTS

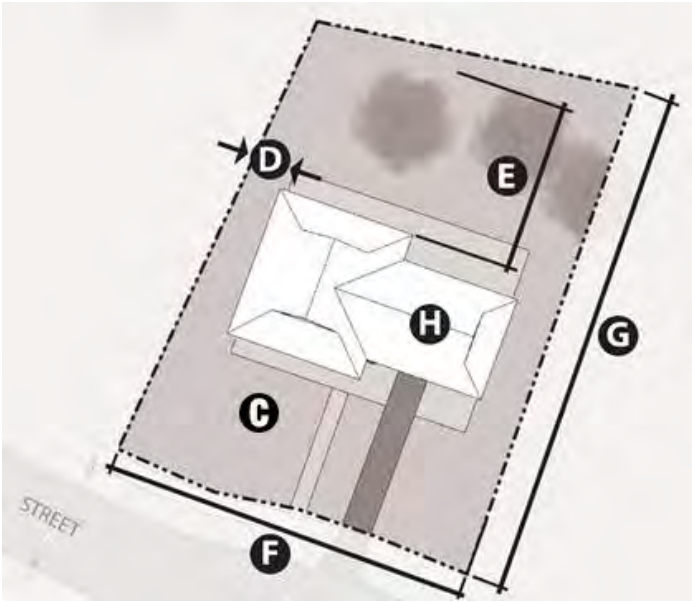
2 [FIGURE 38]



3

(a) BUILDING MASSING		
A. Minimum Height	15'	1 Story
B. Maximum Height:	35'	2.5 Stories
Maximum Principal Dwelling Units per Lot	1	

4 [FIGURE 39]



5

(b) BUILDING PLACEMENT	
C. Minimum Front Setback	20' or the average setback on block face
D. Minimum Side Setback	5'; total of two side yards 15'
E. Minimum Rear Setback	30'
Minimum Lot Size	4,000 sq. ft.
F. Lot Width – min., max.	40' – 100'

G. Lot Depth – min.	100'
H. Maximum Lot Coverage	Total Impervious Surfaces 60%
	Building Coverage 45%

1

(c) PARKING	
Parking	See Chapter 1254 for parking standards. Parking permitted in rear or side yard.
Garages	Garages may be unattached in the side or rear yard, or attached to the principal building, but in no instance shall a garage project in front of the front building wall of the principal building.

2 *See section 1250.04.01 for placement of accessory buildings.*

1244.07 R-3 RESIDENTIAL

[FIGURE 40]



1244.07.01 R-3 INTENT

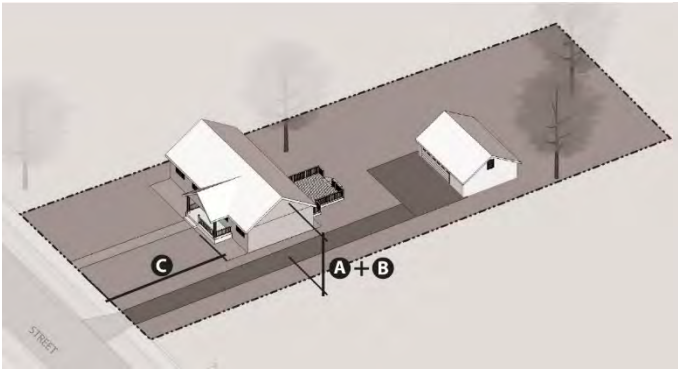
The intent of the R-3 Residential district is to preserve the historic character of Lansing's most urban neighborhoods and to integrate in-fill attached residential units into appropriate locations at the perimeter of established residential neighborhoods. Attached residential units are intended to provide a physical transition from the adjacent busier street types, and/or non-residential uses to the purely residential neighborhood.

1244.07.02 R-3 BUILDING TYPES

Detached Houses and attached residential buildings with up to six units are the only building types intended to meet the intent of this district. Architectural Regulations and Building Types are further described in Chapter 1246.

1 **1244.07.03 SITE LAYOUT REQUIREMENTS**

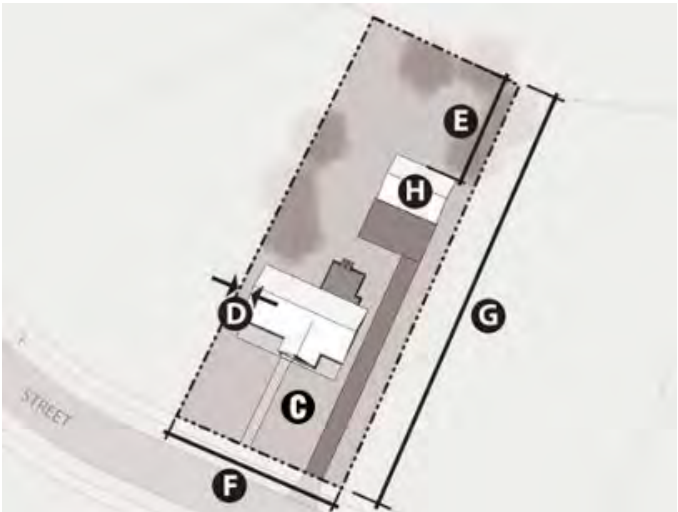
2 **[FIGURE 41]**



3

(a) BUILDING MASSING		
A. Minimum Height	15'	1 Story
B. Maximum Height:	35'	Single- and Two-Family dwellings - 2.5 Stories
		Three-to-six dwelling unit buildings – 3 Stories
Maximum Number of Principal Buildings	1	
Maximum Dwelling Units per Lot	6	

4 **[FIGURE 42]**



5

(b) BUILDING PLACEMENT	
C. Front Setback	Lessor of 20' or the average setback on block face.
D. Minimum Side Setback	5'; total of two side yards 15'
Minimum Side Setback (building of 5 or 6 units)	10' each side
E. Minimum Rear Setback	30'
Minimum Lot Size	4,000 sq. ft.
F. Lot Width – min., max.	40' – 100'

G. Lot Depth – min.	100’
H. Maximum Lot Coverage	Total Impervious Surfaces 60%
	Building Coverage 45%

1

(c) PARKING	
Parking	See Chapter 1254 for parking standards. Parking permitted in rear or side yard.
Garages	Garages may be unattached in the side or rear yard, or attached to the principal building, but in no instance shall a garage project in front of the front building wall of the principal building.

2 *See section 1250.04.01 for placement of accessory buildings.*

1244.08 MFR MULTI-FAMILY RESIDENTIAL

[FIGURE 43]



1244.08.01 MFR INTENT

The MFR Multiple Family Residential district is applied to areas of Lansing that are appropriate for the highest range of residential densities to accommodate multiple family dwellings. The MFR zone is suitable as a transition from the residential districts into mixed-use commercial areas. MFR complexes should be designed with a campus-like character, providing shared open space, landscape buffering, and consistent site design features.

1244.08.02 MFR BUILDING TYPES

Attached Residential is the primary building type intended to meet the intent of this district. Architectural regulations and Building Types are further described in Chapter 1246.

- (a) A mobile home park, as defined in this Ordinance, and that meets the requirements of PA 419 of 1976, as amended, being M.C.L.A. 125.1101 to 125.1147, may be permitted in a MFR district, if it is located on not less than ten (10) acres, and subject to issuance of a Special Land Use Permit in accordance with the provisions of Chapter 1262 and of Chapter 1260 Site Plan Review.

1 **1244.08.03 SITE LAYOUT REQUIREMENTS**

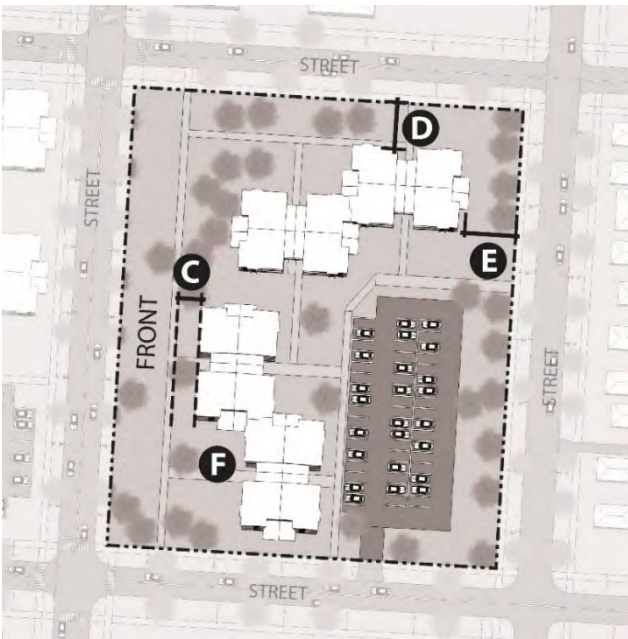
2 **[FIGURE 44]**



(a) BUILDING MASSING

A. Minimum Height	15'	1 Story
B. Maximum Height:	45'	4 Stories

4 **[FIGURE 45]**



(b) BUILDING PLACEMENT

C. Front Setback	20'
D. Minimum Side Setback	10'
E. Minimum Rear Setback	25'
F. Minimum Lot Size (per dwelling unit)	Efficiency: 2200 sq. ft. 1-bdrm: 2600 sq. ft., 2 bdrm: 3000 sq. ft., 3+ bdrms: 3800 sq. ft.

Maximum Lot Coverage	Total Impervious Surfaces 60%
	Building Coverage 40%

1

(c) PARKING	
Building Access & Entrances	Entrances may face interior parking, but should have pedestrian connections to the public right-of-way sidewalks
Parking	See Chapter 1254 for parking standards. Parking permitted in the interior, rear or side yard. Property and Parking Lot Setback / Screening per Chapter 1252
Garages	Garages may be unattached in the side or rear yard, or attached to the principal building, but in no instance shall a garage project in front of the front building wall of the principal building.

2 *See section 1250.04.01 for placement of accessory buildings.*

1244.09 R-MX MIXED RESIDENTIAL

[FIGURE 46]



1244.09.01 R-MX INTENT

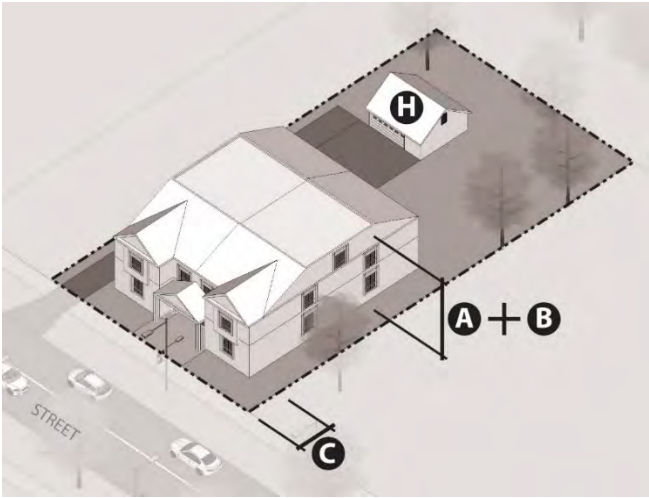
The R-MX Mixed Residential district is intended to accommodate a mixture of housing types along corridors and near the Downtown. Historically, these areas were single-family neighborhoods that have transitioned over time to include a mixture of housing types. Historic single-family houses should be retained where possible for their character and infill housing should respect the established scale and massing. Denser housing along corridors is intended to provide a transition to the adjacent established single-family neighborhoods.

1244.09.02 R-MX BUILDING TYPES

Detached Houses and Attached Residential are the only building types intended to meet the intent of this district. Architectural Regulations and Building Types are further described in Chapter 1246.

1 1244.09.03 SITE LAYOUT REQUIREMENTS

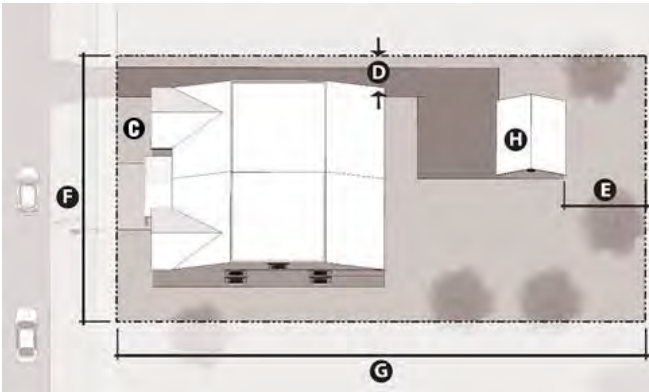
2 [FIGURE 47]



3

(a) BUILDING MASSING		
A. Minimum Height	20'	2 Stories
B. Maximum Height:	45'	4 Stories

4 [FIGURE 48]



5

(b) BUILDING PLACEMENT	
C. Front Setback	20'
D. Minimum Side Setback	5';, total of two side yards 15'
Minimum Side Setback (with a building of 5 or more dwelling units)	10' each side
E. Minimum Rear Setback	30'
Minimum Lot Size per dwelling unit (with buildings of 7 or more units)	Efficiency: 1200 sq. ft. 1-bdrm: 1300 sq. ft., 2 bdrm: 1500 sq. ft., 3+ bdrms: 2200 sq. ft.
F. Lot Width – min., max.	40' – 80'
G. Lot Depth – min.	100'

Maximum Lot Coverage	Total Impervious Surfaces 65%
	Building Coverage 45%

1

(c) PARKING	
Parking	See Chapter 1254 for parking standards. Parking permitted in rear or side yard. Property and Parking Lot Setback / Screening per Chapter 1252
H. Garages	Garages may be unattached in the side or rear yard, or attached to the principal building, but in no instance shall a garage project in front of the front building wall of the principal building.

2 *See section 1250.04.01 for placement of accessory buildings.*

1244.10 R-AR ADAPTIVE REUSE RESIDENTIAL

[FIGURE 49]



1244.10.01 R-AR INTENT

The purpose and intent of the R-AR Adaptive Reuse Residential district is to:

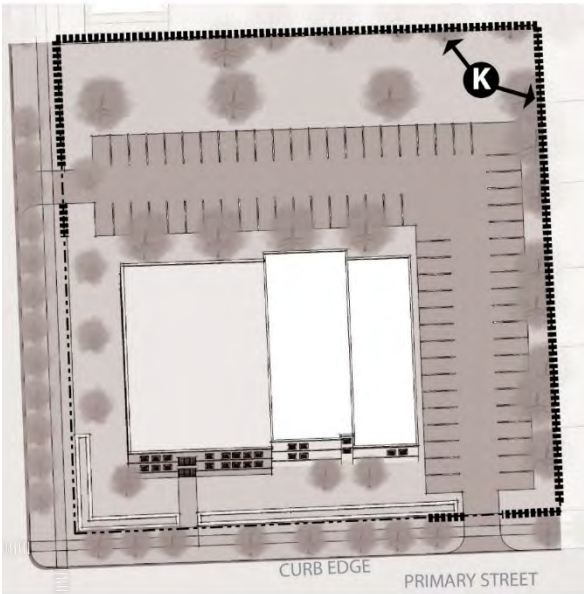
1. Promote the appropriate reuse or redevelopment of former institutional sites that is compatible in scale and intensity with the previous use or character of the area.
2. Minimize impacts on and ensure proper transitions from taller buildings and more intense uses to adjoining residential neighborhoods and less intense uses.
3. Provide for recreational, pedestrian, and open space needs that may be displaced by redevelopment of vacant institutional sites.
4. Regulate building height and require appropriate landscaping and screening to achieve appropriate scale along streetscapes and ensure proper transition to nearby residential neighborhoods.

1244.10.02 R-AR BUILDING TYPES

Architectural regulations and Building Types are further described in Chapter 1246.

1244.10.03 SITE LAYOUT REQUIREMENTS

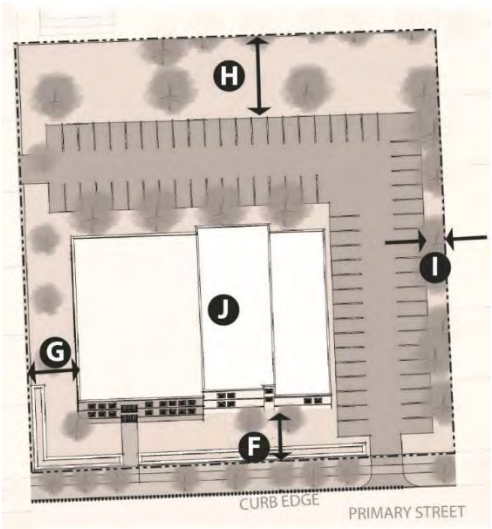
1 [FIGURE 50]



2

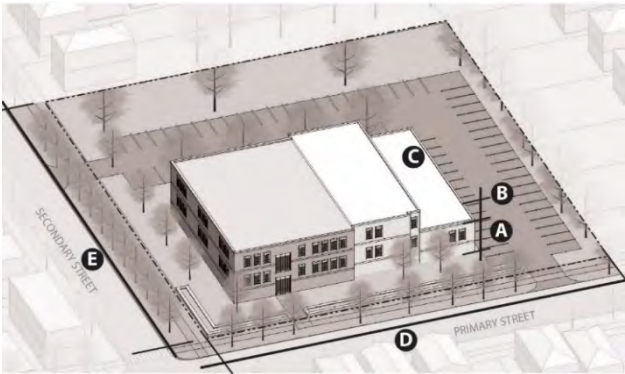
(a) BUILDING MASSING		
A. Minimum Height	15'	1 Story
B. Maximum Height:	A: 35'; or B: Equal to the height of the existing building being retained or the maximum allowable height of the adjacent residential districts, whichever is greater	
C. Required Upper Floor Step-Backs	Equal to each story height, for each story of the building above the maximum of the residential district	
Minimum Lot Size (per dwelling unit)	Efficiency: 1200 sq. ft. 1-bdrm: 1300 sq. ft., 2 bdrm: 1500 sq. ft., 3+ bdrms: 2200 sq. ft.	

3 [FIGURE 51]



(b) BUILDING PLACEMENT	
F. Front Setback	The established setback along frontage of the block
G. Minimum Side Setback	Whichever is greater: A: The setback of the adjacent residential district B: Equal to building height
H. Minimum Rear Setback	
J. Maximum Lot Coverage	Equal to the lot coverage limitation of the adjacent residential district (see Incentives coverage bonuses)

[FIGURE 52]



(c) PARKING	
Allowed Surface Parking Locations	Rear yard parking only. Interior Parking Lots allowed.
K. Side & Rear Parking Lot Setback / Screening	Property and Parking Lot Setback / Screening per Chapter 1252
Required Parking Spaces	Parking per Chapter 1254

CHAPTER 1245 SPECIAL DISTRICTS

1245.01 APPLICABILITY

(a) The standards of this chapter shall apply to all proposed development within the zoning districts contained herein, and shall be considered in combination with the standards in [Chapter 1246 – Architectural Standards](#) and other applicable chapters of this zoning ordinance. If there is a conflict between any standards, the stricter standards shall apply.

(b) Exempt Expansions. Changes of use to another permitted use or to increase parking to meet the minimum number of spaces required, building maintenance or façade changes that do not alter the building footprint or require site improvements, shall be permitted according to [Chapter 1260 – Site Plan Review](#), provided that standards of other applicable city codes and ordinances are met.

1245.02 ADMINISTRATION

(a) Site Plan Review. Applications shall be reviewed according to Chapter 1260 – Site Plan Review.

(b) Incentives.

(1) Types of Incentives. To promote redevelopment and stimulate reinvestment in the City, the Planning Office may approve modifications to the site layout requirements when one or more of the Recognized Benefits, listed below, are provided. The following incentives may be granted:

a. Dimensional Modifications. Modifications to the maximum lot coverage, building frontage, or setbacks may be permitted, provided the resulting layout will not negatively impact nearby residences.

b. Additional Building Height. The maximum building height may be increased by one additional story.

c. Reduced Minimum Parking. Reduced parking may be permitted consistent with [Section 1254.01.04](#).

(2) Recognized Benefits. Additional building height or modifications may be granted during the project review when one or more of the following recognized benefits are provided:

- a. **Open Space. Inclusion of five percent (5%) open space above what may be required for the building type. Open space must meet the following standards to be counted toward the minimum requirement:**
 1. Open space may be public or private but must be accessible to the public along with employees or residents or visitors.
 2. Dimensions, grading and design of the open space shall provide usable area for seating, gathering, recreation or other activities.
 3. Required open space shall not include wetlands, required setbacks, required landscape areas, water bodies, easements for private roads or overhead utilities, stormwater control facilities as required by [Chapter 1219](#), floodplain area or public right-of-way, provided that where additional public right-of-way is desired by the city, it may be included.
 4. Required open space shall be functional (not isolated remnant parcels) and provided to supplement public space along a sidewalk, provide pedestrian or greenway connections, pocket parks to serve nearby uses, located and designed to terminate views along streets, or otherwise provide an amenity that would not be provided in a project that just met minimum code requirements.
- b. **Low Impact Development (LID, e.g. green roof, on-site stormwater retention). Use of alternative stormwater management design that may include green roofs, natural retention systems, porous pavement alternatives, or other energy or water conserving applications above and beyond the requirements of [Chapter 1219](#) - Post-Construction Stormwater Management.**
- c. **Provision for Mixed-Use. Proposals that include a mix of different but compatible use types within the same building, such as first-floor retail with offices or residential units on upper floors.**

- d. **Green Buildings.** Significant use of sustainable building and site design features such as: water use reduction, water efficient landscaping, innovative wastewater technologies, low impact stormwater management, optimize energy performance, on-site renewable energy, solar heating, reuse/recycled/renewable materials, indoor air quality or other sustainable elements.
 - e. **Additional Landscape Elements.** Exceeding minimum quantities or sizes required in [Chapter 1252 – Landscaping](#) with native species and larger caliper plantings. Or additional plantings or decorative fence or wall where needed to help reduce impacts on neighboring properties.
 - f. **Pedestrian Amenities.** Provision of public plazas, walkways or pedestrian-oriented features, such as street trees or benches beyond those required or enhancements to a transit stop, such as a shelter, large pad size or similar improvements endorsed by the Capital Area Transportation Authority (CATA) .
 - g. **Shared Access.** Removal of a driveway or use of shared driveway for access from public streets. This may require an access easement approved by the city attorney.
 - h. **Shared Public Parking.** See [Section 1254.01.04](#) Factors to Permit a Reduction from the Amount of Parking Required.
- (c) **Permitted Modifications.** It is recognized that certain existing site conditions may prohibit full compliance with this Section. The Director of Economic Development and Planning, or a designee, is authorized to approve modifications to the standards of this Section, after considering the criteria and standards below. Any request for relief from a required standard other than those listed below shall be made through the variance procedures set forth in [Chapter 1274 – Board of Zoning Appeals](#).
- (1) **Criteria for Modification**
- a. **Demonstration by the applicant that there is a unique situation with the property that makes it impractical to fully comply with the standards herein.**

- b. The proposed development is consistent with the Design Lansing Comprehensive Plan, as amended.
- c. The proposed development is consistent with the Intent of this District.
- d. The proposed modification will not prevent or complicate logical extensions of streets, infrastructure, parking, open space, or development of adjacent properties.
- e. The modification is the minimum necessary to allow reasonable development that is consistent with the intent of the Zoning Ordinance and the Design Lansing Comprehensive Plan.
- f. The proposed development will not impair public safety.
- g. The modification is not simply for convenience of the development.
- h. The design will not be detrimental to adjacent residential uses.

(2) Modification Standards

a. Height

- 1. Minimum and maximum height - up to ten (10) percent for any cumulative increase or decrease in building height.
- 2. Clear height – up to ten (10) percent.

b. Building Placement

- 1. Build-to line – up to five (5) feet.
- 2. Street wall requirements – up to ten (10) percent of the height/ fenestration/access gate requirements.
 - i. Upper floor step-backs – up to ten (10) percent.
 - ii. Street wall/fence/screening requirements – up to ten (10) percent.

c. Architectural Regulations (per Chapter 1246)

- 1. Windows (minimum and maximum fenestration percentage) – up to ten (10) percent.
- 2. Projections (stoops, porches, awnings, balconies) – up to ten (10) percent.
- 3. Required open space – up to ten (10) percent.

4. Entrances (maximum average spacing) – up to ten (10) percent increase in spacing.

(d) Conditions and Phasing. Where deemed necessary, the Zoning Administrator, or Planning Commission and Council for special uses, as applicable, may:

(1) Require a phasing plan that explains how new development and infrastructure, meeting the requirements of this section, will be constructed, and elements of the site not in compliance will be phased out over time. This may require temporary or permanent easements or commitments through a written agreement and performance guarantee.

(e) Agreement. The City may require a written agreement if flexibility is granted through incentive or to ensure compliance with conditions of approval. An agreement with the City shall be prepared in a form acceptable to the City Attorney that specifies the required improvements, commitments and obligations of the development. The agreement shall specify any recognized benefits provided by the developer, flexibility granted by the City, and maintenance provisions for all site improvement.

1245.03 INDUSTRIAL AND INSTITUTIONAL PERMITTED USES

In Industrial and Institutional Districts, the following principal uses are permitted. Permitted uses shall be subject to site plan review. Conditional uses are permitted if the Conditions noted in the Section referenced are met. Special Land Uses may be permitted by Council in accordance with the procedures and review standards described in [Chapter 1262 – Special Land Use Permits](#).

P = PRINCIPAL PERMITTED C = CONDITIONAL USE S = SPECIAL LAND USE	IND-1	INST-1	Conditions
Industrial			
Cleaning, processing, servicing, or repair of any product	P		
Dry cleaning plants	C		1. All activities conducted and materials stored shall be within an enclosed structure so as to not produce any objectionable noise, vibration, smoke, dust, dirt, toxic or offensive odors or gases, or glare. 2. Methods to minimize the impact of excessive noise on adjacent residentially used properties are required.
Industrial metal forming and scrap metal processing	P		
Logistics Terminal, Wholesale and Warehouse uses	P		
Industrial: Assembly, Fabrication, Manufacturing, Production, and Recycling	C		1. All activities conducted and materials stored shall be within an enclosed structure so as to not produce any objectionable noise, vibration, smoke, dust, dirt, toxic or offensive odors or gases, or glare. 2. Methods to minimize the impact of excessive noise on adjacent residentially used properties are required.
Non-Hazardous Assembly, Fabrication, Production and	C		

Clean Form-Based Zoning Ordinance - Second Amendment

Manufacturing of consumer goods, with retail sales			
P = PRINCIPAL PERMITTED C = CONDITIONAL USE S = SPECIAL LAND USE	IND-1	INST-1	Conditions
Motor Vehicle Repair Station	C		1. All activities conducted and materials stored shall be within an enclosed structure so as to not produce any objectionable noise, vibration, smoke, dust, dirt, toxic or offensive odors or gases, or glare. 2. Methods to minimize the impact of excessive noise on adjacent residentially used properties are required. 3. Materials, junk, or junk vehicles shall be stored on-site and shall be within an enclosed building or on a hard surface in the rear yard and screened by a 6' opaque fence.
Motor Vehicle sales, vehicle leasing, and other outdoor sales facility; general	C		1. The area of the lot on which the items displayed for sale are located shall be covered with Portland cement or asphaltic concrete. 2. Each point of vehicular ingress and egress to the lot shall be not less than 60 feet from the intersection of any two streets. 3. Any repair or refinishing which is done on the lot shall be done within the confines of an enclosed structure. 4. Any vehicles awaiting repairs must be stored in the side or rear yard and screened from the public right-of-way. 5. Lighting shall be confined within and directed onto the parking area only.
Sales and leasing of: commercial or industrial vehicles, equipment, and machinery; recreational vehicles and equipment	C		6. The area of the lot on which the items displayed for sale are located shall be at least eight (8) feet from all lot lines adjacent to the public right -of-way, excluding approved driveways, and any residentially zoned property. The buffer zone shall be landscaped, screened and buffered in accordance with the requirements of Section 1252.08. 7. No junk, junk vehicles, or inoperable vehicles shall be stored on-site except within an enclosed building.
Motor Vehicle Service Station	C		1. For a building located on a corner lot, the secondary front facade may occupy no less than 50% of the frontage. The remainder of the frontage not occupied by the building shall be screened per the parking standards of the district. 2. The fueling pumps shall be located a minimum of 20 feet behind the build-to line. 3. The canopy over the fueling pumps shall have a roof with the same slope as the principal building. Canopy clearance should not exceed 14' from the ground to the bottom of the canopy. Maximum canopy height is limited to 20'. 4. One access per street frontage however a second access may be approved by city staff upon a finding that the additional access is essential for convenient access, and that the access is spaced adequately and designed to minimize conflicts per Section 1254.01.11. A secondary access drive is permitted for shared access with adjacent parcels. 5. Vehicle sales or leasing shall not be accessory to the principal use. 6. Materials, junk, or junk vehicles shall be stored on-site and shall be within an enclosed building or on a hard surface in the rear yard and screened by a 6' opaque fence.
Power plants, Solar Array	P		
Research laboratory	P	P	
Salvage Yards / Junk Yards; Open Storage; Lumber Yard, Vehicle Towing and Storage	C		1. The materials shall be enclosed by a structure or a fence, not less than eight feet in height, that obstructs vision from all property lines. 2. The materials stored within 30 feet of the fence shall not exceed the height of the fence. 3. A plan is submitted to and approved by the Zoning Administrator, which shows the type and location of the fence. 4. No outdoor burning occurs on the lot on which the salvage yard is located. 5. No objectionable noise, vibration, smoke, dust, dirt, toxic or offensive odors or gases, or glare shall extend past the subject property lines.
Sanitary land fill	S		
Self-Storage Rental	P		

Clean Form-Based Zoning Ordinance - Second Amendment

Tool, die, and machine shops	P		
Infrastructure	P	S	
Wireless Communications Towers	S		
Adult Business Uses	S		See 1250.02.11
P = PRINCIPAL PERMITTED C = CONDITIONAL USE S = SPECIAL LAND USE	IND-1	INST-1	Conditions
Residential Uses			
Two-Family dwelling		P	
Multi-Family dwelling	C	P	In Industrial Districts, multiple-family only as part of renovation of or addition to an existing structure.
Human Care Facilities			
Adult Day Care Facility		S	
Adult Foster Care (≤ 6)		P	
AFC small group home		P	
AFC large group home (13-20)		S	
AFC Congregate Care		S	
Child Care centers, preschools, and commercial day care	P	P	
Convalescent or Nursing Home		P	
Sheltered Care Facility		S	1. At least one property line abutting a Major Arterial street type. 2. The proposed Sheltered Care Facility is located more than 1,500 feet from an existing Sheltered Care Facility which provides care for more than six persons.
Civic & Institutional			
Hospital		P	
Park, open space, plaza	P	P	
Places of Worship	S	S	
Trade school	P	P	
Museum	C	P	1. Front, rear and side yards are not less than 25 feet, except as provided below. 2. If a front, rear or side yard abuts a Commercial Mixed-Use District, then the yard which abuts such District shall meet the dimensional requirements of the District which abuts such front, rear or side yard. 3. No parking exists in the front yard. 4. No accessory structure is located in the front yard.
Library	C	P	
Schools		C	All education facilities, except elementary or middle schools, must have at least one property line abutting and all points of ingress/egress directly to an arterial, suburban or activity corridor
Commercial/Office			
Retail Sales and Personal Services	P	P	
Professional/Businesses Offices	P	P	
Active / Recreational Commercial	P	P	
Animal Hospital	C	C	All operations must be completely enclosed in a soundproof building in such a way as to produce no objectionable noises or odors at the lot lines
Bank	P	P	
Boarding House		P	1. Permitted on non-local streets. 2. Staff must be on-site or on-call 24 hours a day
Clinic	P	P	

Clean Form-Based Zoning Ordinance - Second Amendment

Funeral Home	P	P	
Kennel	C		1. Structures must be setback at least 50 feet from each adjacent residential lot line. 2. Outside exercise run or treatment area shall be screened and must be located at least 100 feet from all lots lines and at least 300 feet from an adjacent residential lot line. 3. All operations must be controlled in such a way as to produce no objectionable noises or odors at the lot lines.
P = PRINCIPAL PERMITTED C = CONDITIONAL USE S = SPECIAL LAND USE	IND-1	INST-1	Conditions
Laundromat, dry cleaner	P	P	
Lodging Facility	P	C	Permitted on non-local streets
Mobile Food Vending (Food trucks and carts)	C	C	See Section 1250.02.12
Nursery, commercial greenhouse	P		
Parking facility	S	S	1. On Activity Corridors, the first floor shall have a minimum depth of 20 feet to be occupied by commercial uses permitted in the district. 2. Access drives shall be permitted on the ground level, provided they are collectively no more than 25% of the frontage. 3. The facade of the parking structure shall be integrally designed with the architecture of the overall building, utilize the same building materials, provide an architectural treatment at the top of the structure, such as a cornice, and have wall openings with proportions that comply with the fenestration requirements in Section 1246.04 4. New parking structures shall be designed with an upper story minimum clear height of 9'. 5. Parking facilities shall conform with Chapter 1252.
Place of Assembly	C	C	Permitted on non-local streets.
Restaurant, bar, tavern	C	C	Permitted on non-local streets.
Studio (dance, health, music, etc.)	P	P	
Drive-through, as accessory use	C	C	1. A drive-through business may have a front setback greater than the build-to line required in the zoning district only to accommodate a travel lane for safe and efficient interior circulation 2. No parking is allowed in the front yard. 3. The drive-through window shall be on the side or rear of the building. 4. Methods to minimize the impact of noise from outdoor speakers on adjacent residential are required. 5. The site must be adjacent to a Suburban Corridor, Arterial Corridor, Prime Connector, or Activity Corridor and all points of ingress and egress will be directly onto said street type. 6. Adequate waiting or standing areas for vehicles shall be provided on-site so that no vehicle is required to wait, stand, or be stored within a right-of-way, in accordance with the parking requirements of Chapter 1254.
Accessory Uses			
Solar Energy Systems	P	P	
Solar Energy Systems Storage	P	P	
Urban Agriculture	P	P	

- 1 **(a) Accessory uses customarily incidental to any of the above principal uses are allowed provided the**
2 **Zoning Administrator may require additional parking or compliance with other standards upon a**
3 **determination that such use may impact site operations beyond that of the Principal Use.**
- 4 **(b) All activities shall take place within a completely enclosed building unless otherwise indicated.**
- 5 **(c) All accessory materials shall be enclosed by a structure or a fence, which does not obstruct vision.**
- 6 **(d) All materials stored within 30 feet of a fence shall not exceed the height of the fence.**
- 7 **(e) Noise, odors, smoke, fumes, or dust generated on the site by any digging, excavating,**
8 **manufacturing, loading or processing operation must be confined to the site and controlled to**
9 **prevent any nuisance or hazard.**

1 **1245.04 IND-1 INDUSTRIAL**

2 **[FIGURE 53]**



3
4 **1245.04.01 IND-1 INTENT**

5 **The IND-1 Industrial district is intended to accommodate industrial uses including Research &**
6 **Development, manufacturing, warehousing, and similar uses. Regulations to ensure compatibility with**
7 **surrounding land uses and the environment are based on the locations of the district and the potential for**
8 **nuisances generated from industrial operations.**

9 **1245.05.02 IND-1 SITE LAYOUT REQUIREMENTS**

10 **[FIGURE 54]**



11

(a) BUILDING MASSING	
(1) These standards apply to principal and accessory buildings.	
A. Minimum Height	16'
B. Maximum Height	60'
<i>See Section 1250.03.02 for height exceptions</i>	
C. Required Upper Floor Step-Backs - when adjacent to R-1 through R-3 and R-MX districts	For the elevation adjacent to a residential district, the floors above the third story shall be tiered back so that the highest point of the building is setback from the adjacent residential district a distance at least equal to the height of the building.

1 [FIGURE 55]



2

(b) BUILDING PLACEMENT		
D. Front Setback	Activity Corridor	Min. 5', Max. 20'
	All other street types	Min. 5', Max. 30' An additional 50' setback for a single-loaded bay of parking or 70' of setback for a double-loaded bay of parking as permitted
E. Minimum Side Setback		0' provided it meets building code for firewall, otherwise minimum 10'
F. Minimum Rear Setback		0' provided it meets building code for firewall, otherwise minimum 10'
G. Min. Setback from adjacent and across the street Residential Districts		Whichever is Greater: A: 35' or B: Equal to building height

3 See section 1250.04.01 for placement of accessory buildings.

1 [FIGURE 56]



2

(c) PARKING	
H. Allowed Surface Parking Locations	Side or Rear yard; One double-loaded bay of front yard parking allowed except on Activity Corridor street type.
I. Front, Side & Rear Parking Lot Setback / Screening from non-industrial district	Property and Parking Lot Setback / Screening per Ch 1252
Required Parking Spaces	Parking per Ch. 1254 Section 1254.01.04 for parking reductions
Loading Bays Truck turning templates and access to loading must be delineated on site plan	Not permitted in front yard. See Section 1254.01.16 for more details

3

(d) Accessory Outdoor Storage	
Outdoor storage of equipment, vehicles, or materials shall be associated with the principal use. See Section 1250.02.07 for more on Vehicle Storage.	
Accessory outdoor storage shall be screened from adjacent residential and public streets and shall not be located in the front yard. See Section 1252.08(e)	
The Zoning Administrator may require the area identified on the site plan.	

4

1 **1245.05 INST-1 INSTITUTIONAL**

2 **[FIGURE 57]**



3
4 **1245.05.01 INST-1 INTENT**

5 **The INST-1 Institutional district is established for the development of major educational, governmental,**
6 **and medical facilities and other complementary and supporting uses such as office developments and**
7 **attached residential. The district encourages integration of institutional uses with nearby neighborhoods,**
8 **which includes landscaped open space between buildings, a green buffer at the perimeter, and uniform site**
9 **design and details.**

10 **1245.05.02 INST-1 SITE LAYOUT REQUIREMENTS**

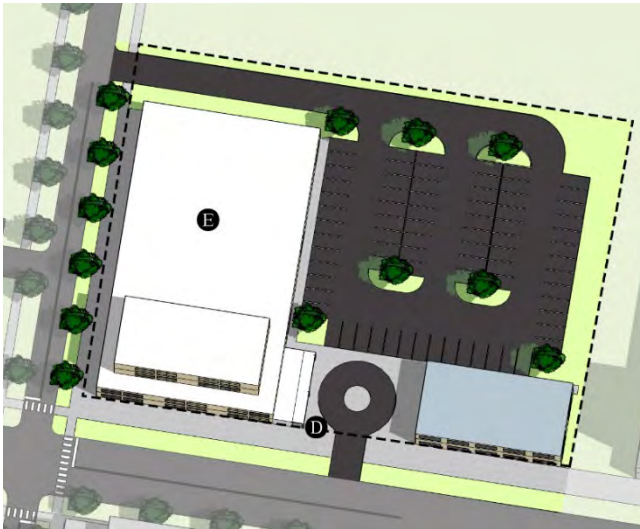
11 **[FIGURE 58]**



12

(a) BUILDING MASSING	
A. Minimum Height	16'
B. Maximum Height	60' Buildings of greater than the maximum height may be allowed provided side and rear yards are increased above the minimum required yards by one foot for each foot of building height that exceeds the maximum height allowed.
<i>See Section 1250.03.02 for height exceptions</i>	
C. Required Upper Floor Step-Backs - when adjacent to R-1 through R-3 and R-MX districts	For the elevation adjacent to a residential district, the floors above the second story shall be tiered back so that the highest point of the building is setback from the adjacent residential district a distance at least equal to the height of the building.

1 [FIGURE 59]



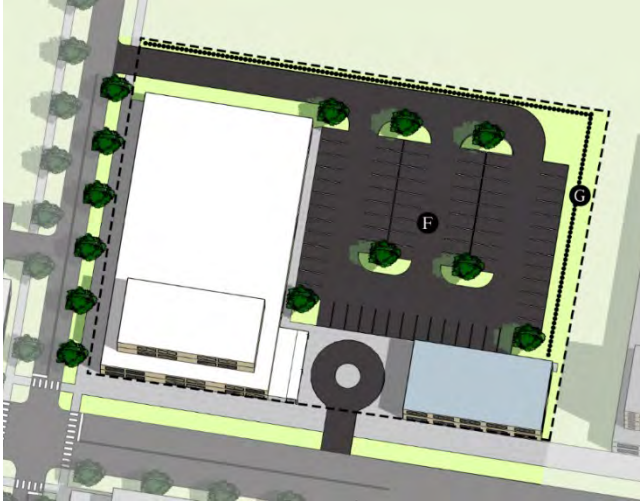
2

(b) BUILDING PLACEMENT		
	Activity Corridor	Min. 5'; Max. 20'
D. Front Setback	All other street types	Whichever is Greater: A: The established average setback along block face; or B: Equal to the required setback of the adjacent residential district
Front Setback When Drop Off Zone Present		Additional setback to accommodate for drop off zones may be approved during Site Plan Review per Chapter 1260
Minimum Side Setback		30' if adjoining a Residential District or use, otherwise 0'
Minimum Rear Setback		30'

Minimum Lot Size per dwelling unit	Efficiency: 1200 sq. ft. 1-bdrm: 1300 sq. ft., 2 bdrm: 1500 sq. ft., 3+ bdrms: 2200 sq. ft.
E. Maximum Lot Coverage	100%

1 See section 1250.04.01 for placement of accessory buildings.

2 [FIGURE 60]



3

(c) PARKING		
F. Allowed Surface Parking Locations	Activity Corridor	Side or Rear parking only
	All other street types	Front, Side, or Rear Parking. Front yard parking limited to four (4) rows of parking. Additional Front Setback allowed to accommodate front yard parking
G. Parking Lot Setback / Screening	Property and Parking Lot Setback / Screening per Chapter 1252	
Required Parking Spaces	Parking per Chapter 1254 1254.01.04 for parking reductions	
Loading Bays Truck turning templates and access to loading must be delineated on site plan	Not permitted in front yard. See Section 1254.01.16 for more details	
Drop-off Zones	Front, Side, or Rear of the building	

4

CHAPTER 1246 ARCHITECTURAL STANDARDS

1246.01 INTRODUCTION

This Chapter sets forth the architectural standards applicable to the various character districts in the City of Lansing. These standards supplement those stated for each Zoning District. These standards are intended to result in construction and development that reinforces the vision established in the Design Lansing Comprehensive Plan.

1246.02 APPLICABILITY

**1246.02.01 RESIDENTIAL, SERVICE, RETAIL, ACCESSORY, AND INDUSTRY,
MANUFACTURING, & PROCESSING USES**

The requirements of this Chapter shall apply to all proposed development with Residential, Service, Retail, Accessory, and Industry, Manufacturing & Processing uses and shall be considered in combination with the standards for the applicable Zoning District and the rest of the zoning ordinance.

**1246.02.02 RECREATION, EDUCATION, PUBLIC ASSEMBLY, TRANSPORTATION,
COMMUNICATIONS, & INFRASTRUCTURE USES**

Development with Public Recreation, Public Education, Public Assembly, Transportation, Public Communications and/or Infrastructure uses shall comply with the standards for the applicable Zoning District, but shall not be required to meet the standards in this Chapter.

1246.02.03 ADDITIONS OR MODIFICATIONS TO EXISTING BUILDINGS

Building additions to buildings built prior to the adoption of this form-based code shall apply the Architectural Standards that most closely match the existing building, as determined by the Zoning Administrator.

1246.03 MODIFICATIONS

- (a) Modifications to the standards established in this Chapter may be approved by the Zoning Administrator. Any such modification shall require an application that includes a site plan and a front elevation drawing of the proposed building superimposed on a color drawing or photograph of the entire block showing the relationship of the proposed building to other buildings on the

1 **block. The application shall be reviewed by the Zoning Administrator based upon the following**
2 **criteria:**

- 3 (1) The design of the building shall be in keeping with the desired architectural character as
4 articulated in the Comprehensive Plan, the intent of the district, and by example of new
5 buildings designed following the standards of this code. This shall not prevent innovation
6 and creativity in design that is in keeping with the Comprehensive Plan, as determined by
7 the Zoning Administrator.
- 8 (2) The design shall meet district height requirements.
- 9 (3) The exterior finish materials shall be of equal or better quality, in terms of durability and
10 appearance/texture similar to brick, stone, or wood, as those permitted in the district. The
11 intent is to accommodate new technologies and building material while maintaining the
12 desired character of the districts, as defined in paragraph 1, above.

13 **(b) Relief from Unlisted Standards.**

14 Any request for relief from a standard other than those listed above shall be made through the
15 variance permit procedures set forth in Chapter 1274.

16 **1246.04 ARCHITECTURAL REGULATIONS**

17 **1246.04.01 GENERAL ARCHITECTURAL STANDARDS**

18 **(a) Building Frontage on Primary and Secondary Streets**

19 **(1) Building Frontage**

- 20 a. Building facades shall be built parallel to the primary frontage line or to the tangent
21 of a curved primary line, and along the build-to line, as specified in each zoning
22 district Sections 1243.04 through 1243.09 and 1245.04 through 1245.05
- 23 b. Exceptions may be granted by the Zoning Administrator where the parcel has an
24 irregular configuration, utility easements or legal constraints which prevent
25 compliance, or if the building is sited to take advantage of specific topographical
26 and natural characteristics.

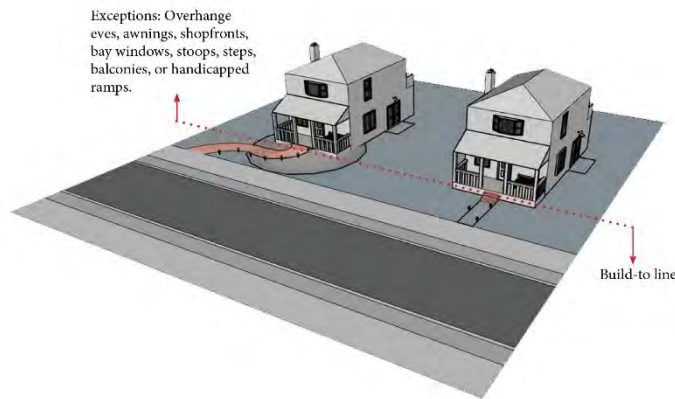
- 1 **c. Where compliance with the build-to line requirements would conflict with other**
2 **provisions of the zoning ordinance, the Zoning Administrator shall consider the**
3 **following in determining which provision shall be applied so that the intent of the**
4 **zoning district in which the property is located is met:**
- 5 **1. Conflicts with rights-of-way, underground utilities, or established**
6 **easements.**
- 7 **2. Section 1250.03.03: Sight Visibility at Corners and Driveways.**
- 8 **3. The Required Corner Massing stated in the zoning district, if applicable.**
- 9 **4. Subsection 1252.06 (b)(1), the landscaping requirement between the public**
10 **sidewalk and the front parking lot, if front yard parking is allowed.**
- 11 **5. Subsection 1254.01.07 (b)(4), the sidewalk requirement of seven feet in**
12 **width where abutting a parking area.**
- 13 **d. In no instance shall a front or side parking lot width exceed the primary frontage**
14 **width of a principal building by more than 150 percent.**
- 15 **1. For corner lots, in no instance shall a front parking lot width exceed the**
16 **primary frontage width of a principal building along the more active street**
17 **type by more than 150 percent.**

18 **(2) Multi-Building Sites**

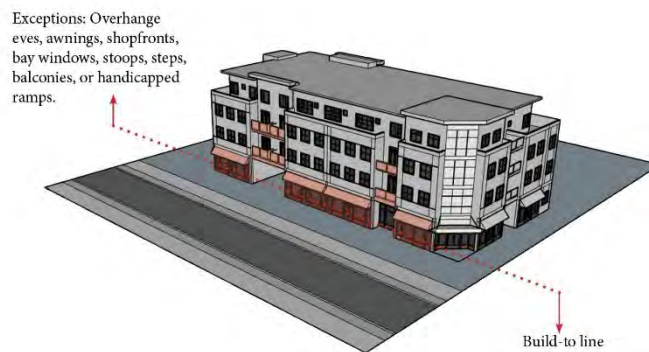
- 19 **a. Buildings shall be located to break up the site into a series of smaller blocks defined**
20 **by streets and pedestrian walkways, and to frame and enclose parking areas,**
21 **outdoor dining areas, and/or gathering spaces for pedestrians between buildings.**
- 22 **b. Perimeter buildings and outparcels shall be configured and located to define street**
23 **edges, development entry points, and spaces for gathering between buildings.**
- 24 **c. Perimeter buildings shall be oriented so that the primary facade(s) faces a public**
25 **street and has a usable entry on that street. Buildings that are interior to a lot that**
26 **has buildings that otherwise meet the frontage requirement may have entrances that**
27 **do not face the primary frontage.**

- (b) No part of any building may project forward of the build-to line or front setback except overhanging eaves, awnings, shopfronts, bay windows, stoops, steps, balconies, or handicapped ramps approved by the Zoning Administrator.

[FIGURE 61]



[FIGURE 62]



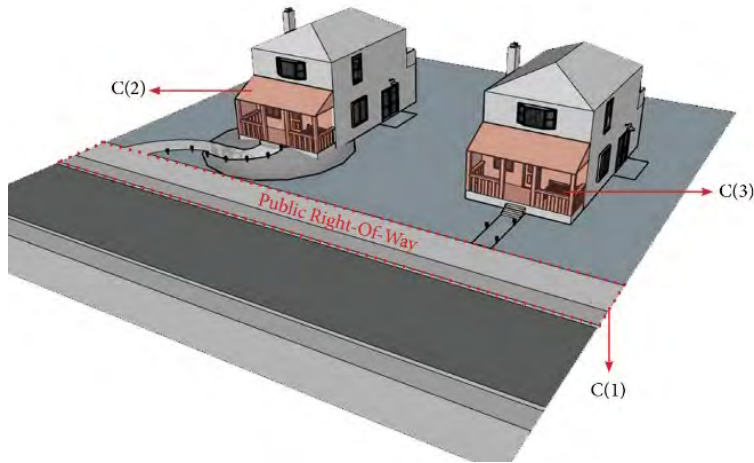
(c) **Stoops and Front Porches.**

- (1) Shall not extend into the public right-of-way.
- (2) All required front porches and stoops shall be completely covered by a roof.
- (3) Front porches may be screened (insect screening) when all architectural elements (columns, railings, etc.) occur on the outside of the screen facing the street-space.

(4) Finished floor height shall be no more than 8 inches below the first interior finished floor level of the building.

(5) Front porches and stoops made of wood must be finished with stain or paint.

[FIGURE 63]



(d) Awnings/Overhangs.

When an awning or overhang is incorporated into a building, the following requirements must be met:

- (1) Minimum ten (10) feet clear height above sidewalk, minimum five (5) feet depth out from the facade. Maximum projection to within one (1) foot of back of curb where there are no street trees, or one (1) foot into the tree-planting strip.
- (2) The awning covering shall be made of canvas cloth or an equivalent.
- (3) Covering shall not have shiny or reflective materials.
- (4) Metal and glass are permitted, when configured as a marquee over an entrance.
- (5) No internal illumination through the awning/overhang.
- (6) Lettering on awnings limited to six (6) inches tall on vertically hanging fabric at curb side of awning.
- (7) No one-quarter cylinder configurations.
- (8) Awnings and overhangs shall complement the fenestration pattern of the building facade.
- (9) Awnings or overhangs, its covering, and its structural frame shall be maintained in good, working condition and must be free of any fraying, holes, tears, or other

1 **damage, and in the event the awning or overhang material is damaged or removed it**
2 **shall be repaired or replaced, or the structural frame shall be removed from the**
3 **building.**

[FIGURE 64]



(e) Balconies.

- (1) Shall not be located within five (5) feet of any common lot line and shall not encroach into the public right-of-way.**
- (2) Balconies may be a single level or multiple balconies stacked vertically for multiple stories.**
- (3) When residential buildings include balconies as a method for achieving the required private open area, the balcony:**
 - a. Shall be enclosed by balustrades, railings, or other means that block at least half of the view through them.**
 - b. Shall not otherwise be enclosed above a height of 42 inches, except with insect screening and/or columns/posts supporting a roof or connecting with another balcony above.**

[FIGURE 65]



(f) Windows.

- (1) Glass shall be clear, with light transmission at the first story of at least 90 percent (modification as necessary to meet any applicable building and energy code requirements).**
- (2) First story windows of buildings with a principal commercial or retail use may not be made opaque by window treatments (excepting operable sunscreen devices within the conditioned space), window coverings, or window wraps.**
- (3) First story windows of buildings without a principal commercial or retail use at the storefront level may be covered by opaque window treatments or wraps. Signs on window coverings or wraps shall not exceed 20% of the window to which it is attached or covering.**
- (4) A minimum of 80 percent of the ground story window surface shall allow a view into the building interior for a depth of at least 12 inches.**
- (5) No window shall be blocked with cinderblock, brick, or other such means except temporarily as ordered by the Building Safety Office, Code Enforcement Office, or Fire Department.**

(g) Materials.

- (1) No tarp, cloth, plastic covering, or other flexible or non-structural material shall be affixed to any structure or used to create an enclosure, privacy screen, or barrier except for materials that are designed, intended, manufactured and are being used for awnings, canopies, or sunscreens.**

(h) Building Articulation.

These regulations are intended to encourage walkable environments by creating visually interesting buildings with human scaled details and proportions. The following regulations apply to any building greater than 30 feet wide.

- (1) Horizontal articulation (e.g., base, belt courses, cornice lines, entablatures, friezes, awnings or canopies, changes in building materials or window patterns, recessed entries, or other architectural treatments) is required to help distinguish the first floor or podium from upper stories.**
- (2) Vertical articulation is required so that there are no blank walls on building segments of no greater than 30 feet in length along the front and corner facades. Vertical articulation may be satisfied through the use of architectural features such as bays, columns, pilasters, mullions, or regular repetition of window patterns. On corner lots, the material and articulation of the primary facade shall extend a minimum of one segment up to 30 feet in length along the secondary street.**
- (3) Variation in color or design of siding or cladding materials shall not be used to meet the required vertical or horizontal articulation.**
- (4) Variation in color or design of siding or cladding materials shall not extend across multiple segments and floors.**
- (5) A building's first floor primary façade may feature recesses along the Build-to Line only to accommodate additional landscaping, public seating, or a pedestrian plaza.**

[FIGURE 66]



1246.04.02 RESIDENTIAL BUILDING TYPES

(a) Clear Height

(1) First Floor Clear Height: 7.5' minimum

(2) Upper Floors Clear Height: 7.5' minimum

(3) First Floor Finish Elevation Above finished grade: Minimum 18" with stairs. ADA

accessible units with ramp access permitted with approval. Where the first floor is occupied by a lobby, office, or common space and no dwelling are located on the first floor along the front of the building, then the first floor may be at the same finished grade.

[FIGURE 67]

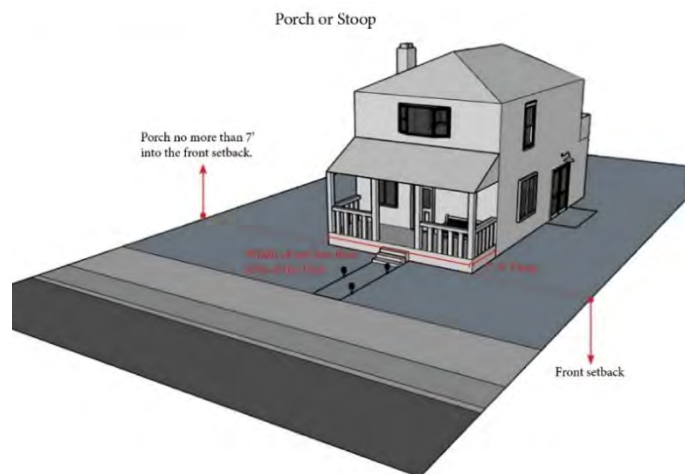


(b) Porches and Stoops.

(1) The primary entrance to a residential building shall be located on the first floor along the front wall of the building.

- (2) The primary entrance to a residential building that leads directly to a residential unit shall have a covered porch with a depth of at least seven (7) feet but no more than nine (9) feet, that extends across at least 65 percent of the width of the front wall of the building or unit.
- (3) The primary entrance to a multi-family building shall have a covered porch or stoop at least five (5) feet in depth and six (6) feet in width.
- (4) A porch or a stoop is not required where the first floor of a residential building is occupied by a lobby, office, or common space, and no dwelling is located along the front of the building.
- (5) A porch shall not project more than seven (7) feet into the required front setback.
- (6) The zoning administrator may permit modifications to these standards to accommodate innovative designs that comply with the intent of this section and the placemaking guidelines set forth in the Comprehensive Plan.

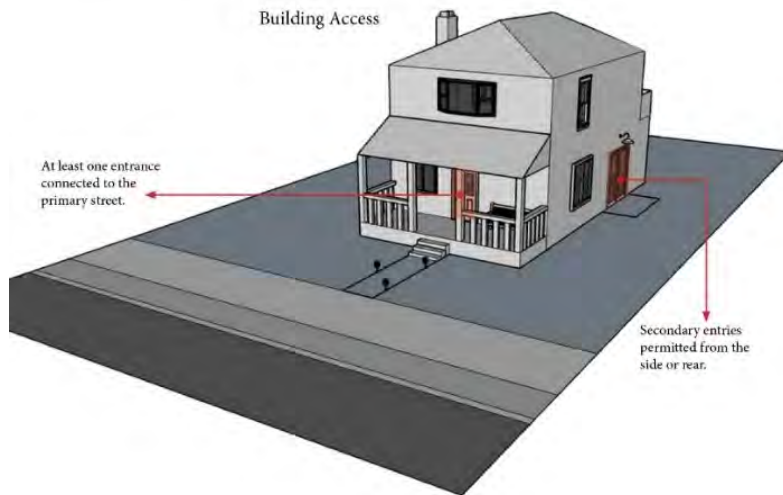
[FIGURE 68]



(c) **Building Access.**

- (1) At least one entry must face onto and connect to the primary public or private street, or for sites containing multiple units the internal drive used for access. Secondary entries permitted from the side or rear. Maximum recessed entry of 5 feet.

[FIGURE 69]



(d) Minimum Fenestration Percentage.

(1) Primary Façade.

a. Ground Floor: 20 percent

b. Upper Floors: 20 percent

(2) Secondary Elevations

a. At least one double-hung window with a minimum dimension of two feet in width by three feet in height per room. A bathroom window may have a smaller dimension.

[FIGURE 70]



(e) Allowed building materials.

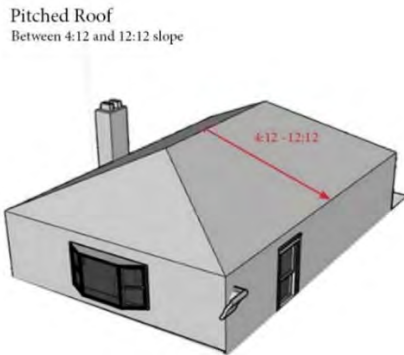
(1) Primary Facades (i.e. facing onto a street): Brick or stone siding, wood siding, vinyl siding, fiber clapboards. Material must be consistent with adjacent residential character. Other materials as determined by Zoning Administrator.

- (2) **Secondary Facades (i.e. those not facing onto a street):** Same as primary facades, but also including decorative metal, wood; EIFS (on upper floors only); other similar materials as determined by Zoning Administrator.

(f) Roof Types

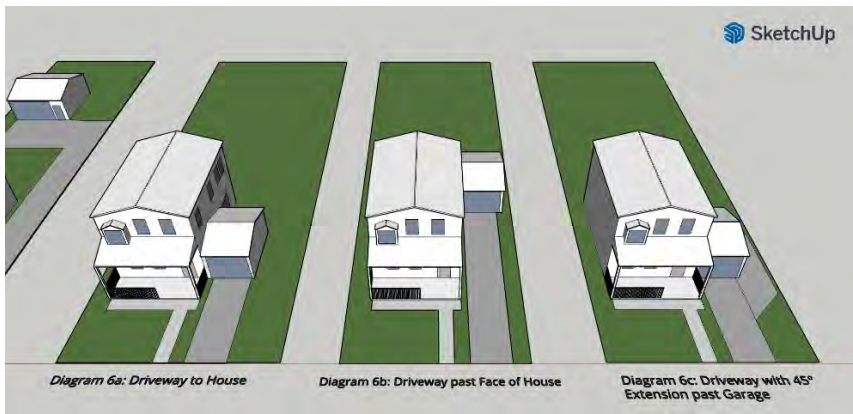
- (1) **Pitched:** between 4:12 and 12:12 slope
- (2) **Flat roof:** with cornice and parapet
- (3) **All rooftop mounted HVAC and mechanical equipment shall be screened from view on all sides of the building.**
- (4) **Roof Materials (for pitched roofs) -** Asphalt, fiberglass, tile, slate, standing seam metal.

[FIGURE 71]



- (g) **Service.** Services and utility hookups shall not be visible from the primary street frontage, preferably located in the rear yard.
- (h) **Garages.** Attached garages shall not project closer to a public or private street, or internal drives used for access on sites containing multiple dwelling units, than the building wall(s) of the unit facing a street or drive.

[FIGURE 72]



1246.04.03 COMMERCIAL / MIXED-USE BUILDING TYPES

(a) Clear Height

(1) First Floor Finish Elevation - 14' min.

(2) Upper Floors Clear Height - 8' min.

(3) First Floor Finish Elevation Above/Below Sidewalk - Max of 6" above adjacent sidewalk with ramp.

[FIGURE 73]



(b) Minimum Fenestration Percentage:

(1) Storefront - 60 percent

(2) Non-storefront First Floor - 40 percent

(3) Upper Floors - 20 percent

[FIGURE 74]



(c) Allowed building materials.

(1) Primary Facades (i.e. facing onto a street) - Brick (masonry); stone; glass; other similar materials as determined by Zoning Administrator.

(2) Secondary Facades (i.e. those not facing onto a street) - Same as primary facades, but also including decorative metal, wood; EIFS (on upper floors only); other similar materials as determined by Zoning Administrator.

(d) Roof Types

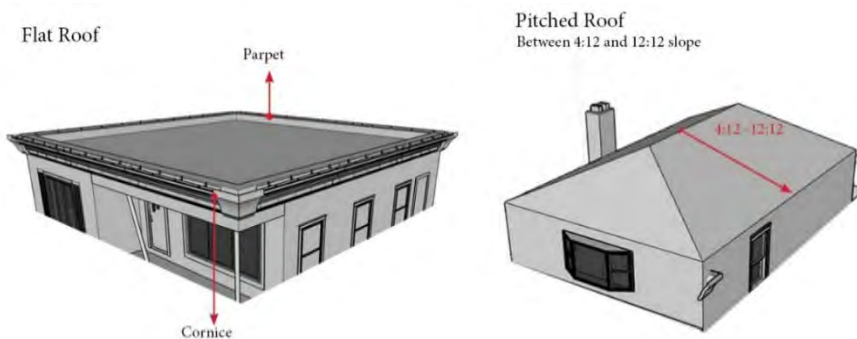
(1) Pitched: between 4:12 and 12:12 slope

(2) Flat roof: with cornice and parapet

(3) All rooftop mounted HVAC and mechanical equipment shall be screened from view on all sides of the building.

(4) Roof Materials (for pitched roofs) - Asphalt, fiberglass, tile, slate, standing seam metal.

[FIGURE 75]



(e) Building Access - At least one entry must face onto and connect to the primary street. Secondary entries permitted from the side or rear. Maximum recessed entry of five (5) feet.

[FIGURE 76]

Building Access



(f) Service - Services. Services and utility hookups shall not be visible from the primary street frontage, preferably located in the rear yard.

1246.04.04 INDUSTRIAL BUILDING TYPES

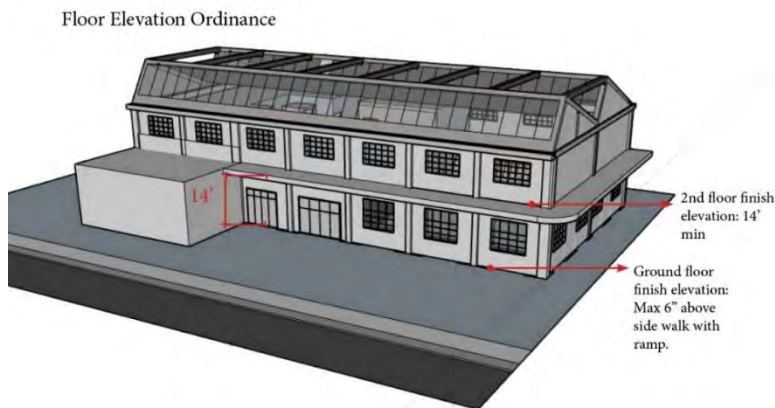
The following standards shall only apply to those industrial building facades that are at least 50% visible to a Residential use or Non-Local Street within 200 feet of the building façade:

(a) Clear Height

(1) First Floor Finish Elevation - 14' min.

(2) First Floor Finish Elevation Above/Below Sidewalk - Max of 6" above adjacent sidewalk with ramp.

[FIGURE 77]



(b) Fenestration

(1) Minimum Fenestration Percentage: Primary façade – First Floor – 30 percent.

(2) Minimum Fenestration Percentage: Primary façade – Upper Floors – 20 percent.

[FIGURE 78]



(c) Allowed building materials.

(1) Primary Facades (i.e. facing onto a street) - Brick (masonry); stone; other similar materials as determined by Zoning Administrator.

(2) Secondary Facades (i.e. those not facing onto a street) - Same as primary facades, but also including decorative metal, wood; EIFS (on upper floors only); other similar materials as determined by Zoning Administrator.

(d) Roof Types

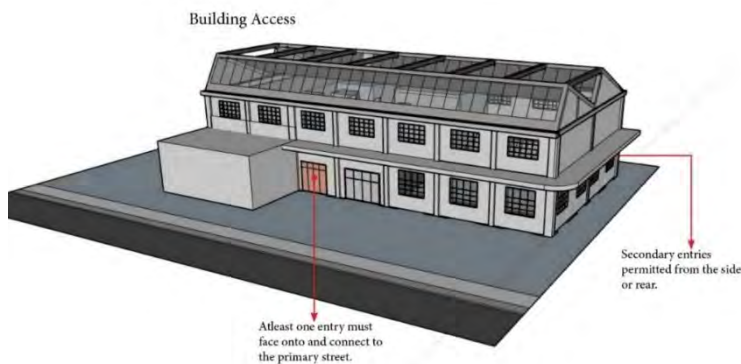
(1) Pitched: between 4:12 and 12:12 slope.

(2) Flat roof: with cornice and parapet.

(3) All rooftop mounted HVAC and mechanical equipment shall be screened from view on all sides of the building per Section 1250.04.02 (c).

(e) Building Access - At least one entry must face onto and connect to the primary street. Secondary entries permitted from the side or rear.

[FIGURE 79]



(f) Service - Services, utility hookups, loading docks and trash/recycling containers shall not be located on the front of the building, and must be screened if visible from the street.

1246.05 EXAMPLE BUILDING TYPES

The following sections illustrate how different types of buildings can meet the intent of the districts in Chapters 1243-1245 and the Architectural Standards of Section 1246.04.

1246.05.01 DETACHED HOUSE

1 **[FIGURE 80]**



2

3 **(a) Description**

4

A Detached House is a dwelling unit typically occupied by a single-family household. Detached Houses include one-, one-and-a-half, and two-story dwellings. In the DT-1 district, Detached Houses may have been converted to offices. The design and character of a detached house in a given location should be consistent with and reinforce the character of the surrounding neighborhood.

7

8 **(b) Applicability**

9

A Detached House is the suggested building type in all residential districts and applicable to most street types. While compatible as “grandfathered” in historic structures, new Detached Houses within higher density residential districts (R-MX and MFR), DT-1, and fronting Arterial, Suburban, and Activity corridors are not generally encouraged.

10

11

12

13 **See also Section 1244.02 - General Development Requirements for Dwelling Units.**

14 **1246.05.02 ATTACHED RESIDENTIAL**

15 **[FIGURE 81]**



(a) Description

Attached residential building types may take the form of small apartment buildings or duplexes integrated into an urban neighborhood, or townhouses. Attached residential buildings should be designed to complement the size, scale, character, and architecture of the surrounding residential district. Attached residential buildings may be designed as side-by-side and/or stacked units and provide a dedicated point of entry for each residential unit or common entry.

(b) Applicability

Attached residential buildings are applicable in higher density residential and mixed-use districts that serve as a transition between commercial or mixed-use districts and residential neighborhoods: R-MX, R-AR, MFR, MX-C, MX-1, DT-1, DT-2.

See also Section 1244.02 - General Development Requirements for Dwelling Units.

1246.05.03 URBAN MIXED-USE

[FIGURE 82]



Illustrative example of the intent of this building

(a) Description

The purpose and intent of the Urban Mixed-Use building type is to provide a high character pedestrian scaled building that is flexible and mixed in its uses. Typically, ground floor uses include retail, entertainment, dining, and professional services with high transparency window areas creating a connection between the sidewalk and building interiors. Upper floor uses typically include a mixture of residential and office space. The building form and mass is intended to reinforce pedestrian comfort, walkability, and activity. Larger buildings shall be broken up into multiple storefronts each with their own entries.

(b) Applicability

Urban mixed-use buildings are a key building type for urban zones that provide pedestrian scaled buildings oriented on the street. They are less likely to be appropriate along local streets.

1246.05.04 TOWER & PODIUM

[FIGURE 83]



Illustrative example of the intent of this building

(a) Description

Tower & Podium buildings are buildings that consist of a large footprint base, typically 2-3 stories tall, and one or more towers that project upwards from a portion of this base. Tower & Podium type buildings are often used for hotel convention centers, hospitals, and other institutional or commercial activities. The base (podium) levels of the Tower & Podium buildings are intended to be pedestrian oriented facades that encourage an active street frontage.

(b) Applicability

Tower & Podium buildings are applicable to the most dense commercial districts (Downtown Core) as well as designated institutional districts (INST-1).

1246.05.05 COMMERCIAL FLEX

[FIGURE 84]



Illustrative example of the intent of this building

(a) Description

Commercial Flex buildings provide opportunities for diverse building types - to accommodate a diverse range of uses - in medium density urban environments while retaining a building facade that supports the downtown character. Commercial Flex buildings are 1-3 floors in height and may include high bay spaces to accommodate light industrial or other non-storefront oriented commercial uses. Building facades are oriented towards the street and designed in a pedestrian friendly manner with adequate window transparency and articulation.

(b) Applicability

Commercial Flex buildings are suggested in the Urban Flex (DT-2) and Industrial districts.

1246.05.06 PARKING STRUCTURE

[FIGURE 85]



Illustrative example of the intent of this building

(a) Description

Parking Structures provide multiple levels of vehicle parking in higher density locations. Parking Structures are designed to fit the architectural character and context of the urban environment. Open air openings into the parking area and other horizontal or vertical elements should provide an attractive facade that reinforces the pedestrian experience. Parking structures are encouraged to be lined on the exterior by residential, office, and retail, and are required to have the first floors occupied for the first 20 feet by commercial uses along Activity Corridors.

(b) Applicability

Parking garages are applicable in higher density districts where there is not sufficient space or desire for surface parking lots.

1246.05.07 SUBURBAN COMMERCIAL

[FIGURE 86]



Illustrative example of the intent of this building

(a) Description

Suburban Commercial buildings are designed to balance the needs of automobile access to commercial uses (stores, retail, etc.) while still retraining a strong design character and relationship to the street environment that is welcoming to pedestrians and creates an effective transition to non-commercial areas. Commercial buildings are typically 1-2 floors in height, and can accommodate big-box style commercial uses if needed. Individual storefronts within a building should be clearly defined and distinct and sidewalks connect front entrances to the public sidewalk. Suburban commercial buildings can incorporate a mixture of non-residential uses.

(b) Applicability

Suburban commercial buildings are a primary building type used along Arterial, Suburban, and Prime Connector streets. This type of building is not intended for Activity Corridors, Neighborhood Connectors, or Local Streets.

1246.05.08 SUBURBAN OFFICE / RESEARCH

[FIGURE 87]



Illustrative example of the intent of this building

(a) Description

Suburban Office/Research buildings are typically multi-story buildings with a primary entrance into a lobby space for accessing office, research, or institutional type uses. Buildings can be designed for a single tenant or for multiple different tenants to provide a mixture of uses within the building.

(b) Applicability

Suburban commercial buildings are a common building type for the Urban Corridor district (MX-C) and can be used along a variety of roadway types. They can be used to transition away from more intense commercial activity towards neighborhood residential areas.

1246.05.09 MOTOR VEHICLE SERVICE STATIONS

[FIGURE 88]



Illustrative example of the intent of this building

(a) Description

Traditional suburban-style gas station design places the filling pumps and canopy structure in the front or front corner of the lot and the shop at the rear of the lot, which breaks the street edge experience and disconnects the storefront from the sidewalk. New gas stations should adopt a “gas backwards” approach along urban corridors (MX-1, MX-2, DT-2 where permitted), where filling pumps and canopy are placed to the side or rear of the lot and the shop building occupies the front or front corner of the lot. Traditional configurations are acceptable in MX-C district as long as the building form and conditional use standards are met. In both urban and suburban districts, the building should be designed to fit within the district’s context and aesthetics.

(b) Applicability

Motor vehicle service stations are permitted with conditions in commercial mixed-use districts as described in Section 1245.03. They are less desirable for use along Activity Corridors and Local Streets.

CHAPTER 1250 GENERAL PROVISIONS

1250.01 SCOPE OF APPLICATION

The standards and regulations listed in this Chapter shall apply to all uses, buildings and structures within all zoning except where it is specified to be district- or use-specific.

1250.02 USE-RELATED REGULATIONS

1250.02.01 USES

Determination of “Similar Uses”: Since every type of potential use cannot be addressed in the Zoning Ordinance, the Zoning Administrator shall be authorized to permit “similar uses” which closely resemble the uses listed for a given zoning district. In making this determination, the Zoning Administrator shall use criteria including, but not limited to the nature of the use, scale, aesthetics, traffic generated, parking, potential impact on property values, noise, vibration, dust, smoke, odor, glare and other objectionable impacts in terms of health, safety and welfare, provided that the proposed use would not constitute a violation of any other Federal, State or local law or regulation. Once a proposed similar use is permitted, the proposed use shall comply with all standards and conditions that apply to that zoning district.

1250.02.02 HOME OCCUPATIONS

A home occupation which meets all of the following conditions shall be permitted as an accessory use to any Single-Family residential use or residential unit in a duplex:

- (a) No person, other than a member of the family residing in the dwelling unit, shall engage in the home occupation and no more than one primary caregiver, as that term is defined in the Michigan Medical Marihuana Act, being MCL 333.26421 et seq., as amended, shall engage in the activities of a primary caregiver on any lot.
- (b) The use of the dwelling unit as a home occupation shall be clearly incidental and subordinate to its use for residential purposes.
- (c) Not more than 20 percent of the gross floor area of the dwelling unit is used in any way for the home occupation.
- (d) No change occurs in the outside appearance of the dwelling.
- (e) No signs shall be posted on the lot advertising any home occupation.

- 1 **(f) The sale of goods does not occur in the dwelling unit or on the lot on which the dwelling unit is**
2 **located.**
- 3 **(g) No parking or outdoor storage of vehicles, goods, materials, or equipment that is directly related to**
4 **the home occupation and not customarily associated with a residential use.**
- 5 **(h) No equipment is used, except equipment which is normally used for purely domestic or household**
6 **purposes. Equipment not normally used for purely domestic or household purposes or any portion**
7 **of the dwelling unit where energy use and heat generation resulting from the growth of marihuana**
8 **exceeds levels reasonably attributable to residential uses are permitted if the Board of Zoning**
9 **Appeals approves such use. The Board shall approve of such use if it is satisfied that the intensity of**
10 **use will not be increased to a level that will adversely impact any lot within 300 feet of the lot**
11 **seeking Board approval and that any energy use and heat generation resulting from the growth of**
12 **marihuana exceeding levels reasonably attributable to residential uses has been approved by the**
13 **Fire Marshal or his or her designee and the Building Safety Office.**
- 14 **(i) No activity related to the occupation occurring on the premises including clients, customers, or**
15 **pickup and delivery vehicles shall adversely impact the surrounding neighborhood or the right of**
16 **surrounding residents to quiet enjoyment of their property, including but not limited to, the**
17 **creation of noise, vibrations, odors, heat, glare, unnatural light, or electrical interference detectable**
18 **beyond the property line; or have any pickup, delivery, or other trip by motor vehicle related to the**
19 **home occupation before 7:00 a.m. or after 7:00 p.m. and not more than a total of five (5) pickups,**
20 **deliveries or customer/client visits each day during the permitted time.**
- 21 **(j) For purposes of this subsection, any term defined by 21 USC 860(e) shall have the meaning given to**
22 **it by 21 USC 860(e). No person who engages in the activities of a primary caregiver as a home**
23 **occupation shall engage in the transfer, distribution, or administration to any patient:**
- 24 **(1) Within 1,000 feet of the real property comprising a public or private elementary, vocational,**
25 **or secondary school; a public or private college, junior college, or university; a playground;**
26 **a church or other structure in which religious services are conducted; a facility at which**
27 **substance abuse prevention services or substance abuse treatment and rehabilitation**

services, as those terms are defined in part 61 of PA 368 OF 1978, being MCL 333.6101 et seq., are offered; or

(2) Within 100 feet of a public or private youth center, public swimming pool, or video arcade facility.

(k) All marihuana plants shall be kept in an enclosed, locked facility, as that term is defined in the Michigan Medical Marihuana Act.

(l) This section shall apply to every person engaging in the activities of a primary caregiver as a home occupation, regardless of whether or not the activities commenced prior to the enactment of this section.

1250.02.03 TEMPORARY BUILDINGS, STRUCTURES, USES AND EVENTS

(a) Temporary Construction Buildings and Storage Trailers. Temporary construction buildings, structures, uses and storage trailers may be permitted, after review and approval of the building official, subject to the following conditions:

(1) Temporary Construction Buildings

- a. Temporary buildings and structures may only be used for the storage of construction materials, tools, supplies and equipment for construction management and supervision offices, and for temporary on-site sanitation, solid waste or fuel facilities, related to construction activity on the same lot.
- b. No temporary building or structure shall be used as a dwelling unit.
- c. Temporary construction structures may be on-site up to 30 days prior to the start of a building's construction and must be removed within 30 days following the completion of a building's construction. In the event construction is not progressing meaningful toward completion or paused indefinitely, all temporary construction-related buildings or materials including but not limited to storage structures and equipment, except for perimeter safety fencing, shall be removed within 30 days following the delivery of written notice from the Zoning Administrator.

(2) Temporary Trailers

- a. Enclosed trailers may be used for the temporary storage of materials only in Commercial and Industrial zoning districts and when such materials are in the process of being received or shipped.
- b. The trailer(s) shall not be used for permanent storage of materials.
- c. Each trailer shall be equipped with a current trailer license as issued by a state and be in proper operating condition to be used upon the streets and roadways of this State.
- d. The use of trailer(s) for temporary storage shall be limited to three trailers for the permitted principal use.

(b) Temporary Outdoor Uses, Activities and Special Events

- (1) Temporary outdoor uses and activities, such as but not limited to art shows, sidewalk sales, carnivals, auto shows, and boat shows, may be approved for a period not to exceed ten (10) consecutive days; provided, the proposed use or event is found to be: temporary in character; not detrimental to adjacent property; not disturbing to the public peace; and will not create undue traffic congestion or hazards. Temporary events, accessory to and on the same lot as a principal permitted use, may be approved by the building official. Any temporary event that is conducted on public right-of-way or city owned property shall require city council approval.
- (2) Tent sales in a parking lot for individual businesses shall be permitted in all Commercial and Industrial zoning districts as an accessory use to a primary permitted use. All merchandise sold shall be that of the regular retail use in the principal building of the site. Each business shall be limited to one tent sale per calendar year for a maximum of ten (10) consecutive days. The area occupied by the tent sale shall not exceed ten (10) percent of the floor area of the permanent retail space of the business and the longest dimension of the tent shall not exceed the width of the permanent retail space of the business. Tent sales shall be located in a manner that does not conflict with site circulation for vehicles or pedestrians. A site plan shall be provided for administrative approval by the building

official showing the location of the proposed tent, existing structures, sufficient off-street parking, utilities, lighting and signs prior to initiation of such activity.

(c) Residential Temporary Uses and Structures

(1) A temporary structure or a temporary use which meets all of the following conditions shall be permitted in a residential district:

- a. Temporary structures are permitted for storage purposes only and must be placed in a side or rear yard or on an approved driveway.**
- b. In the case of a temporary use, the Planning Office shall review a request in accordance with the standards outlined in Section 1262.02 (f)(1) through 1262.02 (f)(9) and shall approve the request, deny it or approve it with conditions.**
- c. Temporary structures and uses may be permitted for a period not to exceed two weeks, and upon request may be extended twice for a period not to exceed two weeks for each extension.**

(2) The temporary use of a permanent structure as a real estate office for the purpose of marketing new residential development which meets all of the following conditions shall be permitted in a residential district:

- a. The temporary use of the permanent structure is located within the residential development.**
- b. The temporary use of the permanent structure shall be removed after three years, or after 90 percent of the residential development is sold, whichever comes first.**

(3) In no instance shall a person inhabit, live in, or occupy a tent, camper, recreational vehicle or other temporary structure upon any property, unless as part of a permitted campground, as defined in this ordinance.

1250.02.04 KEEPING OF ANIMALS

(a) Definitions, as used in this section:

WILD ANIMAL: Any animal not domesticated by humans or any animal which a person is prohibited from possessing by law. Wild animals shall include, but shall not be limited to, the families of the following:

alligator, deer, opossum, badger, wild dog, dog-wolf, coyote, weasel, bear, raccoon, skunk, wild cat, lemur, marten, poisonous spider, poisonous lizard, snake, and primate (excluding humans).

LIVESTOCK: Horses, cattle, sheep, goats, poultry, pigs and other useful animals normally kept or raised on a farm, including pygmy goats and potbelly pigs.

(b) Household pets.

(1) The keeping of household pets, including dogs, cats, fish, birds, hamsters and other animals generally regarded as commonly housed inside human dwellings as household pets, is permitted as an accessory use in any zoning district.

(2) No more than three dogs, four months of age and older, shall be kept or housed in or at one dwelling unit.

(c) Wild animals. The keeping of wild animals, as defined in this ordinance, shall be prohibited in any residential zoning district.

(d) Livestock. No livestock or poultry shall be owned, kept, possessed, harbored or kept charge of except as provided for below:

(1) No more than five (5) hens may be kept on any one- or two-family residential property, and no roosters, ducks, peacocks, turkeys or emus shall be allowed;

(2) Hens must be kept in an enclosure so constructed or repaired as to keep the hens confined on the owner's property, and to prevent rats, mice, or other rodents from being harbored underneath, or within the walls of the enclosure;

(3) A covered enclosure or fenced enclosure shall not be located closer than 10 feet from the property line of any adjacent property, nor closer than 40 feet from any residential structure on an adjacent property, unless the adjacent property owner consents in writing to the Zoning Administrator;

(4) All feed and other items associated with the keeping of hens that are likely to attract or to become infested with or infected by rats, mice, or other rodents, shall be protected so as to prevent rats, mice, or other rodents from gaining access to or coming into contact with them.

1250.02.05 RESTRICTIONS ON DEMOLITION AND REUSE OF LOTS

No permit for demolition of a primary structure may be issued if the intended use is for non-required parking or if the property on which the structure is located is zoned for nonresidential purposes and the intended use is for open space, unless the request satisfies one of the following:

(a) The structure is being demolished to accommodate construction of a development plan approved by the City. A demolition permit being authorized under this condition shall not be issued until a site plan has been submitted to the City for review and approval in accordance with the requirements of Chapter 1260.

(b) A Special Land Use permit for parking has been approved by the Lansing City Council.

(c) The owner of the property can demonstrate, to the satisfaction of the Director of the Economic Development & Planning Department that:

(1) Demolition of the structure will not disrupt the established land use/development pattern in the area in which it is located.

(2) Redevelopment or reuse of the site will have no negative impacts on the adjoining property owners.

(3) Redevelopment or reuse of the site will be consistent with the land use pattern being advanced in the Comprehensive Plan.

(4) The additional parking is necessary to accommodate the parking needs of the use that it is intended to serve during a typical day and no other options for providing said parking are reasonably available.

(5) The structure proposed for demolition is deemed to be a threat to the health, safety and welfare of the community by the City of Lansing Building Safety Office, Code Compliance Office, or Fire Department.

1250.02.06 VEHICLE PARKING, SERVICE, AND STORAGE

(a) All Districts:

(1) Commercial vehicles used as signs are prohibited. No commercial vehicle may be parked for a time period exceeding 48 hours for the intended purpose, as determined by the Zoning Administrator, of advertising a product or serving as a business sign.

(2) All vehicles must be incidental to the primary use.

(3) An accessory use on a lot shall not include the storage of junk or junk vehicles, or trash.

(b) Residential Districts:

(1) The parking or storage of the following shall not be permitted in a residential district except within a completely enclosed building, or except as permitted and regulated by Section 1250.02.08:

- a. A vehicle with three or more axles, with or without a trailer;
- b. A bus/motor coach, box truck, semi-tractor/trailer, construction vehicle, farm vehicle or equipment including, but not limited to, a trailer, backhoe or dump truck,
- c. A vehicle with a gross weight exceeding 10,000 pounds; and
- d. A vehicle which exceeds 12 feet in height or 35 feet in length.
- e. A mobile dwelling unit that is not located in a designated and approved mobile home park or recreational vehicle park.

(2) The parking of essential public service vehicles (e.g., ambulance) where the vehicle is operated by the homeowner or the occupant of the dwelling is exempt from these provisions.

(3) The parking of one (1) flatbed tow truck or wrecker may be parked on an approved driveway within a side or rear yard where it is obstructed from view of adjoining residential properties by a six (6) foot high opaque fence or dense plant materials.

(4) The parking of one (1) utility trailer on an approved driveway is permitted on each Single-Family or Two-Family residential lot. Additional utility trailers must be parked in a completely enclosed structure. Utility trailers shall not be considered a "Vehicle" subject to the restrictions of subsection (8) listed herein.

(5) An accessory structure shall not be used to service or repair a motor vehicle owned by a person other than a person residing on the premises on which the accessory structure is located.

(6) An accessory use on a residential lot shall not include motor vehicle repair, except repair to a vehicle owned by a person residing on the premises so long as the repair is completed within a 24-hour period and is limited to:

- a. Changing oil or other fluids;
- b. Minor tune-up;
- c. Tire rotation; and
- d. Changing brake pads if the vehicle is supported in a safe manner.

(7) No accessory structure may be a public garage.

(8) An accessory use of a lot may include the parking of up to four operable vehicles or one operable vehicle for each licensed driver residing in the dwelling, whichever is greater.

(9) The outdoor storage of vehicles, goods, materials, or equipment that is not directly related to or customarily associated with a residential use shall be prohibited.

1250.02.07 PARKING AND STORAGE OF RECREATIONAL VEHICLE AND RECREATIONAL EQUIPMENT IN ALL DISTRICTS

The following standards shall apply in all districts:

- (a) Recreational vehicles shall not be connected to sanitary facilities, shall not be occupied or inhabited, and shall be locked at all times.
- (b) Recreational vehicles and recreational equipment greater than eight (8) feet in width or 25 feet in length must be parked on a paved surface or approved driveway in the side or rear yard and must be set back at least (3) feet from the side and rear property lines.
- (c) No more than two recreational vehicles or recreational equipment, or a combination thereof, shall be stored on a residential lot.
- (d) One recreational vehicle or recreational equipment, not exceeding 25 feet in length, may be parked or stored on an approved driveway.

- (e) Regardless of size, one recreational vehicle may be temporarily parked anywhere on a paved surface or on an approved driveway within a residential lot for up to 72 hours within a seven (7) day time period for the purpose of loading and unloading or for normal maintenance and cleaning.
- (f) Recreational vehicles and equipment may not be stored or parked on a residential lot for the purpose of making major repairs, refurbishing, or reconstruction of the recreational vehicle or equipment.

1250.02.08 RESTAURANTS AND TAVERNS WITH OUTDOOR SEATING.

Outdoor seating areas on private property accessory to a restaurant or bar are permitted only after approval by the Zoning Administrator of a plan, and subject to the following requirements:

- (a) The seating area shall be delineated with permanently or semi-permanently affixed railings or ornamental walls that are a minimum of three (3) feet tall.
- (b) Pedestrian circulation and access to the building entrance shall not be impaired. Access to the outdoor seating shall be provided only through doors leading into the building.
- (c) The seating area shall be kept free of debris and litter. Written procedures for cleaning and trash containment and removal must be submitted.
- (d) Additional signage shall not be permitted.
- (e) Requests for outdoor seating shall include submission to the Zoning Administrator of a plan that demonstrates compliance with the above requirements.

1250.02.09 ADULT BUSINESSES

- (a) Intent. In the development and execution of this chapter, it is recognized that there are some uses which, because of their very nature, are recognized as having serious objectionable operational characteristics, particularly when several of them are concentrated under certain circumstances thereby having deleterious effects upon the adjacent areas. Special regulations of these uses is necessary to insure that these adverse effects will not contribute to the blighting or downgrading of the surrounding neighborhood. These special regulations are itemized in this section. The primary control or regulation is for the purpose of preventing a concentration of these uses in any one area or next to residential zones.

(b) Definitions. As used in this section, the following terms shall have the meanings indicated:

ADULT BOOKSTORE. An establishment which excludes minors, as defined in M.C.L.A. 722.51 et seq., and has, as a significant portion of its stock in trade, books, periodicals, magazines, newspapers, pamphlets, pictures, photographs, motion picture films and/ or videotapes, or novelty items or paraphernalia which are distinguished or characterized by their emphasis on matter depicting, describing or relating to “specified sexual activities” or “specified anatomical areas,” or an establishment with a segment or section devoted to the sale or display of such material which exceeds percent of the floor area of the establishment.

ADULT BUSINESS. Adult bookstores, adult movie theaters, adult personal service businesses, adult cabarets, adult novelty businesses, massage parlors and nude modeling studios, or any combination thereof, as defined in this section, which meets one or more of the criteria defined in ADULT BUSINESS,

SIGNIFICANT PORTION.

ADULT BUSINESS, SIGNIFICANT PORTION. A business where a significant portion of the stock in trade or services provided meets at least one of the following criteria:

(1) Thirty-five (35) percent or more of the stock, materials, novelties or services provided are classified as adult materials and/or services as defined herein.

(2) Thirty-five (35) percent or more of the usable floor area of the building is used for the sale, display and/or provision of services classified as adult materials and/or services, as defined herein.

(3) The advertising (on signs, in publications, on television or radio and/or other media forms) associated with the business depicts, describes or relates to specified sexual activities and/or specified anatomical areas.

ADULT PERSONAL SERVICE BUSINESS. A business having as its principal activity a person, while nude or while displaying specified anatomical areas, as defined herein, providing personal services for another person. Such businesses include, but are not limited to, modeling studios, body painting studios, wrestling studios and conversation parlors.

ADULT MOTION PICTURE THEATER. An establishment, in a completely enclosed building or room, which excludes minors, with a capacity for more than or persons as defined in M.C.L.A. 722.51 et seq., and offers, for an admission fee, membership fee or other valuable consideration, the viewing of motion picture

1 **films, videotapes, pictures or photographs, cable television, satellite transmissions or other visual media,**
2 **which are distinguished or characterized by their emphasis on matter depicting, describing or relating to**
3 **specified sexual activity or specified anatomical areas, as defined herein, for the observation of patrons**
4 **therein.**

5 **ADULT MINI-MOTION-PICTURE THEATER.** As defined above with a capacity for 50 or fewer persons.

6 **ADULT CABARET.** An establishment (which may or may not include the service of food or beverages)
7 **having as an activity the presentation or display of male or female impersonators, dancers, entertainers,**
8 **waiters, waitresses or employees who display specified anatomical areas, as defined herein.**

9 **ADULT NOVELTIES.** Objects, items, and/or devices offered for sale which are designed for sexual
10 **stimulation or which simulate human genitals.**

11 **BUTTOCK.** Includes the perineum and anus of any person.

12 **MASSAGE PARLOR.** An enterprise of a nonmedical nature specializing in the manipulation of body
13 **tissues for remedial or hygienic purposes, as by rubbing, stroking, or kneading with the hand or**
14 **instrument.**

15 **MASSAGE.** Offering for sale through the use of physical, mechanical or other devices, the manipulation of
16 **body muscle or tissue by rubbing, stroking, kneading, tapping or vibrating of the body of another.**

17 **NUDE MODELING STUDIO.** A place which offers as its principal activity the providing of models to
18 **display specified anatomical areas, as defined herein, for artists and photographers for a fee.**

19 **OFFERED FOR SALE.** Offered in exchange for money, a membership fee or any other valuable
20 **consideration.**

21 **SPECIFIED ANATOMICAL AREAS:**

- 22 **i. Less than completely and opaquely covered human genitals, pubic region, buttock and female**
23 **breast below a point immediately above the top of the areola.**
- 24 **ii. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.**

25 **SPECIFIED SEXUAL ACTIVITIES.** Human genitals in a state of sexual stimulation or arousal, acts of
26 **human masturbation, sexual intercourse or sodomy, fondling or other erotic touching of human genitals,**
27 **pubic region or buttock or female breast.**

SODOMY. Sexual bestiality.

SEXUAL INTERCOURSE. Genital coitus, fellatio, cunnilingus, anal intercourse or any other intrusion, however slight, of any person's body, or of any object into the genital or anal openings of another's body.

(c) Location of Uses.

Any existing building or land, or new building hereafter erected, converted or structurally altered, used for an adult business, shall meet all of the following conditions:

- (1) No adult business, as defined herein, shall be permitted within a 1,000 foot radius of an existing adult business. Measurement of the 1,000 foot radius shall be made from the outermost boundaries of the lot or parcel upon which the proposed adult use will be situated.**
- (2) No adult business, as defined herein, shall be permitted within a 300 foot radius of any residentially used or zoned land as depicted on the official Zoning Map and defined in this Zoning Code. Measurement of the 300 foot radius shall be made from the outermost boundaries of the lot or parcel upon which the proposed adult use will be situated.**
- (3) No adult business, as defined herein, shall be permitted within a 300 foot radius of a school, library, park, playground, licensed group day care center, church, convent, monastery, synagogue or similar place of worship or other place of public congregation. Measurement of the 300 foot radius shall be made from the outermost boundaries of the lot or parcel upon which the proposed adult use will be situated.**
- (4) No adult business, as defined herein, shall be permitted within the Capitol Center District, as defined in [Section 1442.23\(b\)](#) of the Building and Housing Code.**

(d) Miscellaneous Requirements.

- (1) No person shall reside in or permit any person to reside in the premises of an adult business.**
- (2) The provisions of this section regarding massage parlors shall not apply to hospitals, sanitariums, nursing homes, medical clinics or the offices of a physician, surgeon, chiropractor, osteopath, psychologist, clinical social worker or family counselor who is**

licensed to practice his or her respective profession in the State of Michigan, or who is permitted to practice temporarily under the auspices of an associate or an establishment duly licensed in the State of Michigan, clergymen, certified members of the American Massage and Therapy Association and certified members of the International Myomassethics Federation who have a current massage therapist license through the Lansing City Clerk.

1250.02.10 MOBILE FOOD VENDING

- (a) Mobile food vending means any pushed, towed, or motorized cart or vehicle designed and equipped to prepare or serve, and sell food or drink prepared on-site or beforehand, to the general public, whether consumed on-site or elsewhere.
- (b) All mobile food vending businesses are required to be licensed with the City Clerk's Office per [Chapter 844](#) of the Code of Ordinances, as amended.
- (c) No mobile food vending shall be permitted within the DT-3 district except as part of a temporary special event lasting no more than 24 hours.
- (d) Mobile food vending vehicles and any materials associated therewith, including, but not limited to trash receptacles and seating areas, shall not occupy or obstruct any sidewalk, alley, maneuvering aisle, fire lane, driveway, or entrance to a permanent structure on or adjacent to the property upon which it is located.
- (e) Mobile food vending vehicles shall not occupy any on-street parking space, on-street shoulder area or public right-of-way, or any corner clearance area at a street intersection or driveway as defined in Section 1250.03.03.
- (f) Trash container(s) for public use shall be provided and all waste shall be disposed of by the vendor to prevent unsanitary or unsightly conditions. Vendors are responsible for the proper disposal of all grey water, grease, and other food waste, which shall not be dumped or disposed of on or into public property including but not limited to storm drains and surface discharge.
- (g) No power cable shall extend on or across any parking lot, driveway or sidewalk except in a safe, concealed manner designed to prevent tripping.

(h) No person who operates any mobile food vending vehicle shall:

- (1) Block any of the minimum required parking spaces for any on-site or adjacent business;**
- (2) Provide amplified music, announcements, or solicitations; or**
- (3) Place signs/banners in or alongside the public right-of-way or across roadways. Signs must be permanently affixed to or painted on the mobile food vehicle or mobile vending cart.**

(i) Co-location:

- (1) No more than two (2) mobile food vending vehicles shall co-locate on one parcel except during temporary special events.**
- (2) More than two (2) mobile food vending vehicles may co-locate on one parcel with the following conditions subject to the Site Plan Review requirements of Section 1260.03 and 1260.04 or a plot plan accepted by the Zoning Administrator:**
 - a. Mobile food vending vehicles shall comply with all provisions of Section 1250.02.12 (a) through (h);**
 - b. The site shall follow the applicable landscaping requirements of Section 1252.06 and 1252.07;**
 - c. At least one trash receptacle per mobile food vending vehicle shall be provided somewhere on the site; and**
 - d. At least one outdoor seating area per mobile food vending vehicle shall be provided somewhere on the site.**

1250.02.11 HOUSING COOPERATIVE

- (a) A Housing Cooperative as defined in this Ordinance must verify their approved incorporation filing to the Zoning Administrator.**
- (b) No more than two residents allowed per 70 square feet of bedroom space in a dwelling.**
- (c) No portion of the dwelling shall be licensed as or used as a Short-Term Rental.**
- (d) A property manager, owner, or resident must be listed as the responsible party for the dwelling with the City and serve as a point of contact to address any complaints.**

1250.03 SUPPLEMENTAL DIMENSIONAL REGULATIONS

1250.03.01 PROJECTIONS INTO YARDS

Certain architectural features may project into the required yards as follows:

(a) Permitted Projections into Required Yards

Table 1250.03.01 (a)			
Projection	Front Yard	Rear Yard	Side Yard
Air conditioning equipment shelters	Not permitted	Permitted up to 3 feet from any side or rear lot line	
Arbors and trellises	Permitted up to 4 feet from any lot line		
Awnings and canopies	3 ft.	5 ft.	0 ft.
Bay windows	3ft.	5 ft.	0 ft.
Eaves, overhanging	3ft.	5 ft.	3 ft.
Flagpoles	Permitted up to 4 feet from any lot line		
Gutters	3 ft.	5 ft.	1 ft.
Light standard, ornamental	Permitted in any yard		
Mechanical equipment such as HVAC	Not permitted	5 ft.	5 ft.
Paved terraces	Permitted up to 3 feet from any lot line		
Porches*	7 ft.	7 ft.	1 ft.
Stoops*	3 ft.		
Stairways, open unroofed	3 ft.	5 ft.	1 ft.
Steps	3 ft.	5 ft.	1 ft.
Wall-mounted Solar Energy Systems	Not permitted	5 ft.	3 ft.
Wheelchair Ramp (side or rear yard preferred)	Up to 5 ft. from sidewalk	Permitted up to 3 feet from any side or rear lot line	

* See additional regulations in this ordinance.

1250.03.02 SUPPLEMENTARY HEIGHT REGULATIONS

The following structural appurtenances may be permitted to exceed the height limitations for the authorized use, as follows:

(a) Structural extensions appropriate to the building design, such as cornices, shall be limited to five feet above the allowable height limit.

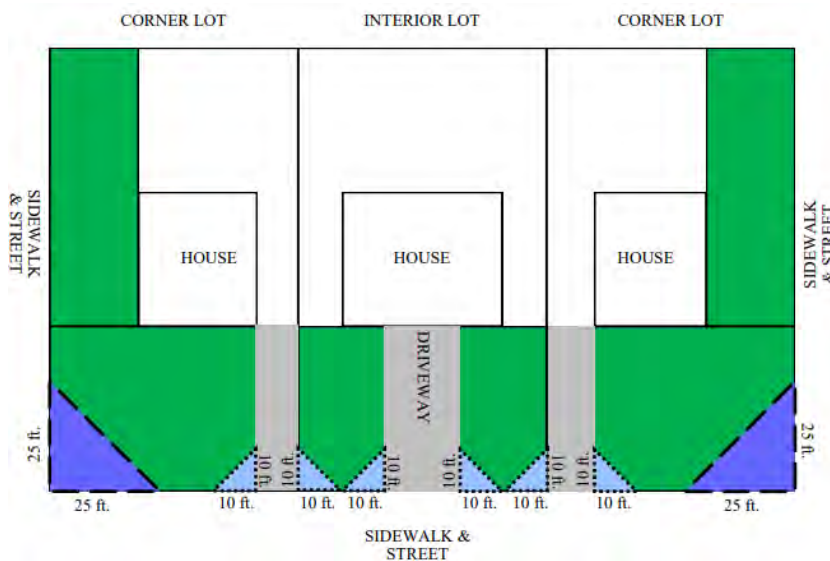
(b) Roof-mounted Solar Energy Systems on a building or accessory structure may exceed the allowable height limit of the district by up to 36 inches.

1250.03.03 SIGHT VISIBILITY AT CORNERS AND DRIVEWAYS

(a) Corner Clearance at Street Intersections. No fence, wall, shrubbery, sign or other obstruction to vision above a height of three feet from the established street grades shall be permitted within the triangular area formed at the intersection of any street right-of-way lines by a straight line drawn between said right-of-way lines at a distance along each line of 25 feet from their point of intersection.

(b) Visibility at Driveways. No fence, wall, shrubbery, sign or hedge shall materially obstruct the vision of motorists entering any street, alley, or other public way open to vehicular traffic from a driveway adjacent thereto. The area of a lot to which this applies is the area within a triangle joining the point of the intersection of the lot line and the side edge of the driveway, a point on the driveway edge line 10 feet from such intersection (away from the right-of-way) and a point on the lot line 10 feet from such intersection (away from the driveway).

[FIGURE 89]



1250.04 SITE DEVELOPMENT REGULATIONS

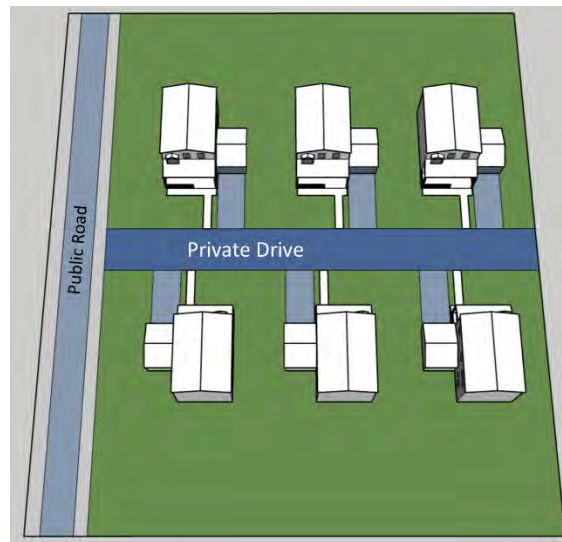
1250.04.01 ACCESSORY BUILDINGS AND STRUCTURES, AND ATTACHED GARAGES

Zoning Requirements of this Subsection shall not apply to Accessory Dwelling Units.

(a) In General, Applies to All Districts

- (1) Accessory buildings and structures are permitted only in connection with and incidental to a principal building or use permitted within the zoning district in which it is located.**
- (2) No accessory building or structure shall be occupied or utilized unless the principal structure to which it is accessory is occupied or utilized.**
- (3) An accessory building or structure must be located in the same zoning district as the principal building or structure on a lot.**
- (4) Where the accessory building or structure is structurally attached to a principal building or structure, it shall be subject to all the regulations of this chapter applicable to principal buildings and structures except as otherwise noted in this section.**
- (5) Accessory buildings and structures shall not be occupied for dwelling purposes.**
- (6) Detached accessory structures shall not be permitted in a front yard and shall be set back at least three (3) feet from side or rear lot line. Detached accessory structures that are 1,000 square feet or more in area shall be set back not less than six (6) feet from any side or rear lot line. If an accessory structure is attached to a structure containing the principal use, it shall meet all dimensional requirements imposed upon the structure containing the principal use, except as provided in this section.**
- (7) Attached garages shall not project closer to a public or private street or internal drives used for access for sites containing multiple dwelling units, than the building wall(s) of the unit facing a street or drive.**

[FIGURE 90]



1
2 (8) The maximum building height of any detached accessory building shall be 15 feet, as
3 defined in Chapter 1240.

4 (9) The design and building materials of any accessory building shall be consistent with the
5 character of the principal building on the property.

6 (10) The floor area of an accessory building shall not exceed the ground floor area of the
7 principal building.

8 (11) Accessory structures for an approved nonresidential use shall comply with the setback
9 requirements for the principal structures and shall provide landscaping, screening and
10 buffering in accordance with [Chapter 1252](#).

11 (12) Shipping containers, and box and semi-truck trailers are only permitted as a temporary
12 structure for storage purposes and may be permitted for a period not to exceed two weeks,
13 and upon request to the Zoning Administrator may be extended twice for a period not to
14 exceed two weeks for each extension.

15 (b) Applies to Residential Districts

16 (1) Single-family residential lots shall have no more than one (1) storage shed and one (1)
17 garage or detached carport. Residential lots that contain a legally conforming duplex may
18 have one (1) accessory structure, which may be a garage, carport or storage building, for
19 each unit. Multiple family residential lots may have one (1) accessory building, which may

be a garage, carport or storage building, for each legally conforming, multiple family residential building on the property.

(2) The maximum floor area of an accessory structure, for each unit in a duplex, shall be 600 square feet on a lot less than 10,000 square feet in size and 720 square feet on a lot greater than 10,000 square feet in size.

(3) The following size limitations shall apply to buildings that are accessory to a Single-Family residential dwelling:

Table 1250.04.01 Accessory Structure Size Maximums

Lot Size (square feet)	Max. Sq. Footage of Detached Accessory Garages	Maximum Sq. Footage of all Accessory Bldgs.	Maximum Sq. Footage of Attached Garages
Less than 5,000	600	800	600
5,000 – 7,800	720	1,000	800
7,801 – 10,800	770	1,050	800
10,801 – 21,780	840	1,200	1,000
21,781 – 43,560	1,000	1,200	1,000
Greater than 43,560	1,200	1,400	1,200

(4) Accessory buildings and structures combined shall cover no more than 35% of a rear yard.

(5) The floor area of additions and structures attached to the private garage, including, but not limited to, covered patios, decks, storage areas and carports, shall be included in calculating the total allowable floor area of that garage.

(6) The floor area of a garage or carport space in a Planned Unit shall not exceed 770 square feet, per unit.

(7) On through lots, an accessory structure located behind the principal structure shall conform to the front yard setback of the district in which it is located.

(8) Uncovered and unenclosed decks, patios, terraces and porches elevated six (6) inches or more above grade in any residential district shall be set back a minimum of three (3) feet from any side lot line and may project up to seven (7) feet into the required front and rear yard setbacks.

(9) An accessory structure shall not involve the operation of a business.

(10) Ground-mounted Solar Energy Systems shall be screened from adjoining residential uses by landscaping, tree coverage, opaque fencing, or any combination thereof.

(11) All exterior electrical lines associated with ground-mounted Solar Energy Systems shall be buried below the surface of the ground.

(12) Photovoltaic panels, devices, and support structures of ground-mounted Solar Energy Systems shall be restricted to a maximum height of six (6) feet when orientated at a maximum tilt as measured from the existing grade.

1250.04.02 MECHANICAL EQUIPMENT

(a) Ground- and building-mounted mechanical equipment including, but not limited to, heating units, cooling units, air handling units, refrigeration units, blowers, ventilating fans, water and gas meters, elevator housing and tanks are subject to the following regulations:

(1) Mechanical equipment and utilities located on or around any non-residential or multiple-family building shall be screened from public view. Such screening shall be of a height sufficient to screen the equipment.

(2) Alternatives for screening materials for ground-mounted mechanical and utilities shall include a solid wall, fence, evergreen plantings, berms and/or other decorative features compatible with the principal building. In a non-residential zoning district, ground-mounted mechanical equipment shall not be located within 20 feet of any residential district.

(b) Roof-mounted equipment shall not exceed a height of ten (10) feet above the surrounding roof surface, and shall occupy no more than 15 percent of the total roof area.

(c) All roof-mounted equipment shall be screened by parapet walls or a pitched roof of sufficient height to screen rooftop equipment and the screening shall be integrated into the architectural design of the building meeting the standards noted in Chapter 1246 Architectural Standards. Screening is not required if such equipment is not visible when standing at grade level not less than 200 feet from the front entrance of the building. Where adjacent to any residential district, all roof-mounted mechanical units must be setback a minimum of 20 feet from the side of the building

facing the residential district and screened using solid architectural materials that meet the standards noted in Chapter 1246 Architectural Standards and that provide sound attenuation.

1250.04.03 EXTERIOR LIGHTING

(a) Definitions:

CANOPY STRUCTURE: Any overhead protective structure which is constructed in such a manner as to allow pedestrians/vehicles to pass under.

FLOOD OR SPOT LIGHT: Any light fixture or lamp that incorporates a reflector or refractor to concentrate the light output into a directed beam in a particular direction.

GLARE: Direct light emitted by a lamp, luminous tube lighting or other light source.

LAMP: The component of the luminaire that produces the actual light including luminous tube lighting.

LIGHT FIXTURE: The assembly that holds a lamp and may include an assembly housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and a refractor or lens. A light fixture also includes the assembly for luminous tube and fluorescent lighting.

LIGHT POLLUTION: Artificial light which causes a detrimental effect on the environment, enjoyment of the night sky or causes undesirable glare or unnecessary illumination of adjacent properties.

LIGHT TRESPASS: The shining of light produced by a luminaire beyond the boundaries of the property on which it is located.

LUMINAIRE: The complete lighting system including the lamp and light fixture.

LUMINOUS TUBE LIGHTING: Gas filled tubing which, when subjected to high voltage, becomes luminescent in a color characteristic of the particular gas used, e.g., neon, argon, etc.

OUTDOOR LIGHT FIXTURES: Outdoor artificial illuminating devices, outdoor fixtures, lamps and other similar devices, permanently installed or portable, used for flood lighting, general illumination or advertisement.

SHIELDED FIXTURE: Outdoor light fixtures shielded or constructed so that light rays emitted by the fixture are projected below the horizontal plane passing through the lowest point on the fixture from which light is emitted, e.g. "shoebox-type" fixtures. A luminaire mounted in a recessed fashion under a canopy or

other structure such that the surrounding structure effectively shields the light in the same manner is also considered fully shielded for the purposes of this Chapter.

(b) Lighting standards. Unless otherwise exempted by this Section, all lighting must comply with the following standards:

(1) Freestanding pole lighting.

- a. Exterior lighting shall be fully shielded and directed downward to prevent off-site glare. Fixed (not adjustable), downward-directed fixtures shall be used in an effort to maintain a unified lighting standard throughout the city and prevent “sky glow.”
- b. The intensity of light shall not exceed 5 foot-candles within any site. For sites abutting a residential district or use, the intensity of light cannot exceed 0.5 foot-candles at the property line. A maximum of 10 foot-candles is permitted within a site for gasoline stations and automobile dealerships as long as the light intensity does not exceed the allowable intensities at the property line.
- c. The Zoning Administrator may approve decorative light fixtures as an alternative to shielded fixtures when it can be proven that there will be no off-site glare and the proposed fixtures are necessary to preserve the intended character of the site.
- d. The maximum height of parking lot light fixtures shall be 20 feet, except that the Zoning Administrator may permit a maximum height of 30 feet within commercial, mixed use, industrial, research and office zoning districts and for institutional uses in residential districts when the poles are no closer than 150 feet to a residential district or use.

(2) Building-mounted lighting.

- a. Building-mounted lighting shall be fully shielded and directed downward to prevent off-site glare. Fixed (not adjustable), downward-directed fixtures shall be used in an effort to maintain a unified lighting standard throughout the city and prevent “sky glow.”

- b. **The intensity of light shall not exceed 5 foot-candles within any site. For sites abutting a residential district or use, the intensity of light cannot exceed 0.5 foot-candles at the property line. A maximum of 10 foot-candles is permitted within a site for gasoline stations and automobile dealerships as long as the light intensity does not exceed the allowable intensities at the property line.**
- c. **The Zoning Administrator may approve decorative light fixtures as an alternative to shielded fixtures when it can be proven that there will be no off-site glare and the proposed fixtures will improve the appearance of the site.**
- d. **Luminous-tube and exposed-bulb fluorescent lighting is prohibited as an architectural detail on all buildings, e.g. along the roof line and eaves, around windows, etc. The Zoning Administrator may approve internally illuminated architectural bands when it can be shown that the treatment will enhance the appearance of the building or is necessary for security purposes.**

(3) Window lighting.

- a. **Any light fixtures visible through a window must be shielded to prevent glare at the property line.**
- b. **Luminous tube and exposed bulb fluorescent lighting (visible from the property line) is prohibited.**

(4) Maintenance.

- a. **All freestanding poles, building-mounted lighting, light fixtures, and light bulbs must be maintained in a proper state of repair and free from hazardous conditions.**

(c) Exemptions.

The following are exempt from the lighting requirements of this article, except that the Zoning Administrator may take steps to eliminate the impact of the exempted items when deemed necessary to protect the health, safety and welfare of the public:

(1) Sports field lighting, in use no later than 11:00 p.m. Other sports field lighting may be approved by the Zoning Administrator after a determination that compliance with the standards in this Section have been met to the greatest extent possible, and that all efforts possible were made to minimize any negative impacts to surrounding uses.

(2) Swimming pools.

(3) Holiday decorations.

(4) Window displays without glare.

(5) Shielded pedestrian walkway lighting.

(6) Residential lighting with no off-site glare.

(7) Street lights.

1250.04.04 WASTE RECEPTACLES AND ENCLOSURES

(a) Waste receptacles may be permitted as accessory to any use except Single-Family or Two-Family residential uses, subject to the following conditions:

(1) Waste receptacles must be clearly accessible to servicing vehicles.

(2) A concrete pad, at least two feet greater than the dimension of the waste receptacle on all sides, shall be provided.

(3) Waste receptacles shall be screened on all sides. Such screening shall be constructed of an earth mound, brick or decorative concrete block or an opaque wood or vinyl fence with a minimum height of six feet or one foot above the height of the enclosed dumpster, whichever is greater.

(4) Access gates must provide screening and may be of wood construction or chain-link with screen slats.

(5) Waste receptacles and their screening enclosures shall be located as far from residential districts/uses as practical.

(6) Waste receptacles and their screening enclosures shall be located in such a manner as to minimize impacts on adjacent properties by not obstructing or impeding views from windows, doorways, or outdoor gathering areas.

(7) Stormwater runoff near waste receptacles shall be directed away from storm drains.

(8) The location of waste receptacles shall be indicated on the site plans and the location and screening shall be subject to approval of the Zoning Administrator.

(9) Detail drawings or a note shall be provided on the plan to assure that the above requirements are met.

(b) The requirements of 1250.04.04 (a) shall not apply to portable trash containers intended for curbside pick-up.

1250.04.05 COLLECTION BINS

(a) Purpose. The purpose of this section is to regulate collection bins in the City of so that they remain clean, safe and do not create hazards to pedestrians or to vehicular traffic.

(b) Definitions. As used in this Section, unless otherwise provided:

COLLECTION BIN means any container, receptacle, or similar device that is located on any parcel or lot of record within the City and that is used for soliciting and collecting the receipt of clothing, household items, or other salvageable personal property. This term does not include recycle bins for the collection of recyclable material, any rubbish or garbage receptacle.

CODE COMPLIANCE OFFICE means the Code Compliance Supervisor or his or her authorized representative.

COLLECTION BIN OPERATOR means a person who owns, operates, supervises or otherwise is in control of collection bins to solicit collections of salvageable personal property.

PROPERTY OWNER means any person, agent, firm or corporation having a legal or equitable interest in the property; or recorded in the official records of the State, county or municipality as holding title to the property.

PUBLIC SERVICE DEPARTMENT means the Director of Public Service or his or her authorized representative.

(c) Permit required.

1 **No person or entity shall cause or permit the installation or placement of a collection bin upon any**
2 **real property located within the City of Lansing, whether public or private, without first obtaining**
3 **an annual permit from the City Clerk.**

4 **(d) Permit application.**

5 **An application for a collection bin permit, as required by this Section shall be made to the City**
6 **Clerk upon forms provided by the City. Such application shall be filed with the City Clerk not less**
7 **than 30 days prior to date that the collection bin is placed on real property. One annual permit is**
8 **required for each collection bin. The application shall contain the following information:**

- 9 **(1) An affidavit and acknowledgment from the property owner, giving written permission to**
10 **place a collection bin on the property owner's real property, as well as an acknowledgment**
11 **of receipt of a copy of this chapter, and a signed statement agreeing to obey all of its**
12 **requirements.**
- 13 **(2) A site plan indicating the placement of the collection bin, in compliance with the**
14 **requirements of this Section.**
- 15 **(3) The name, address, telephone number and e-mail address of the applicant, property owner**
16 **and collection bin operator.**
- 17 **(4) The name, address, telephone number and e-mail address of the agent or person who will be**
18 **available during regular business hours and will be responsible for compliance.**
- 19 **(5) A photograph of the collection bin to be installed.**
- 20 **(6) The number to a 24-hour hotline for overflow events.**
- 21 **(7) A nonrefundable fee determined by resolution as set by City Council.**
- 22 **(8) A copy of the license and registration from the State of Michigan under the Michigan**
23 **Consumer Protection Act and the Charitable Organizations Solicitations Act if statutorily**
24 **required.**
- 25 **(9) In order to bring existing collection bins into compliance with this section, collection bin**
26 **operators, of existing collection bins, shall have 30 days from the adoption of this chapter to**
27 **submit a permit application to the City Clerk.**

(e) Permit form, effective periods and renewal.

The City Clerk shall issue a permit for compliant collection bins that conform to the following:

- (1) A collection bin permit is valid for a one-year period. The renewal application must be filed not later than 30 days before the current permit expires.**
- (2) If the permit expires and the permit is not renewed, the collection bin must be removed from the real property within a maximum of ten days after expiration of the permit.**

(f) Permitted locations.

- (1) Collection bins are allowed in all commercial and industrial districts.**
- (2) Collection bins shall not be located within 1,000 feet from another collection bin as measured along a straight line from one box to the other.**

(g) Standards for bin and surrounding area.

Collection bins shall conform to the following standards:

- (1) Collection bins shall be maintained in good condition and appearance with no structural damage, holes or visible rust and shall be free of graffiti.**
 - (2) Collection bins are required to be placed on a paved or concrete surface. Collection bins must be level and stable.**
 - (3) Collection bins shall be locked and be equipped with a secure safety chute so contents cannot be accessed by anyone other than those responsible for the retrieval of the contents.**
 - (4) The collection bins shall be emptied with such frequency and regularity as to ensure that it does not overflow and materials do not accumulate outside the collection bin.**
 - (5) The collection bin operator and property owner shall maintain, or cause to be maintained, the area surrounding the bins free from any overflow collection items, furniture, rubbish, debris, hazardous materials, and noxious odors. To extent provided by law, the collection bin operator and/or property owner shall be jointly and severally responsible for the City's cost to abate any nuisance.**
 - (6) Collection bins shall be located on a parcel where there is a functioning and permitted use.**
- Collection bins shall not be permitted:**

- a. **On any land used or zoned residential;**
- b. **On any unimproved parcel; or**
- c. **Where the principal use of the land has been closed or unoccupied for more than 30 days.**

(7) One collection bin on a single lot of record is allowed.

(8) The total size of a collection bin is limited to a maximum dimension of 5' × 5' × 7'.

(9) Collection bins shall not cause a visual obstruction, as determined by the Transportation Engineer, City Engineer or Director of Public Service Department, to vehicular or pedestrian traffic.

(10) No collection bin shall be placed closer than ten feet from:

- a. **A public or private sidewalk except that this provision does not apply to a private sidewalk as long as the sidewalk maintains a five-foot clearance;**
- b. **A public right-of-way;**
- c. **A driveway; or**
- d. **A side or rear property line of adjacent property used for purposes.**

(11) Collection bins shall not be placed in a designated fire lane, in or adjacent to a handicap parking space, or block a building entrance or exit.

(12) Collection bins shall be made of durable metal or UV resistant molded hard plastic or fiberglass material that is fire resistant or fire proof.

(h) Identification of collection bins.

(1) Collection bins shall have signage on each bin that identifies the name, mailing address, email address, website and phone number of the collection bin operator. The collection bin signage may include a company logo. Total sign area on the collection bin signage may not exceed six (6) square feet per side. The font size used on the sign shall not be less than one inch in height.

(2) The collection bin must prominently display at all times a readable permit identification sticker provided by the City.

(i) Permit revocation, removal of collection bins and liability.

- (1) If the Public Service Department and/or Code Compliance Office determines that a collection bin has been placed or is being maintained in violation of this chapter, a correction notice shall be sent by regular United States Mail to the collection bin operator and property owner of the real property on which the collection bin has been placed, as shown on the most recent permit application. In the event there is not on file a permit application made for the collection bin within 24 months immediately preceding the date of violation, the correction notice shall be sent to the real property tax payer of record in the Assessor's Office. The correction notice shall describe the offending condition and the actions necessary to correct the condition. The correction notice shall provide that the offending condition be corrected or abated within 7 calendar days after mailing.**
- (2) If the offending condition is not corrected or abated within the seven (7) calendar days after mailing, the City or the City's contractor shall clean-up the collection bin area.**
- (3) All costs incurred by the City or the City's contractor associated with the correction or abatement of a collection bin shall be the responsibility of the property owner and collection bin owner. If such obligation is not paid within 30 days after mailing of a billing of costs to the property owner, the City may place a lien upon such real property enforceable as a tax lien in the manner prescribed by the general laws of this State against the property and collected as in the case of general property tax. If the same is not paid prior to the preparation of the next assessment roll of the City, the amount shall be assessed as a special tax against such premises on the next assessment roll and collected thereunder.**
- (4) The City Clerk shall have the right to revoke any permit issued hereunder if:**
 - a. Offending conditions cited in a correction notice are not corrected or abated within seven days after mailing;**
 - b. Placement or conditions of the bin or surrounding area violate any applicable State or Federal law;**

- 1 c. **Any governmental authority or agency determines that the collection bin has**
2 **violated the Michigan Consumer Protection Act and/or the Charitable**
3 **Organizations and Solicitations Act or other statute enacted to regulate or govern**
4 **collection bins.**

5 **(5) Upon revocation of permit issued pursuant to this chapter, the collection bin shall be**
6 **removed from the real property within ten calendar days and, if not so removed within the**
7 **time period, the City or the City's contractor may remove, store or dispose of the collection**
8 **bin.**

9 **(6) All costs incurred by the City or the City's contractor associated with removal, storage or**
10 **disposal of a collection bin shall be the responsibility of the property owner and collection**
11 **bin owner. If such obligation is not paid within 30 days after mailing of a billing of costs to**
12 **the property owner, the City may place a lien upon such real property enforceable as a tax**
13 **lien in the manner prescribed by the general laws of this State against the property and**
14 **collected as in the case of general property tax. If the same is not paid prior to the**
15 **preparation of the next assessment roll of the City, the amount shall be assessed as a special**
16 **tax against such premises on the next assessment roll and collected thereunder.**

17 **(7) If a collection bin permit is revoked, the collection bin operator shall not be eligible for a**
18 **new permit for one year from the date of revocation.**

19 **(j) Appeal to City Council.**

20 **Any person aggrieved by the decision rendered by the City Clerk in granting or denying an**
21 **application for a permit under this article or in revoking a permit issued under this article may**
22 **appeal that decision to the City Council. The Public Service Department shall make written**
23 **findings of fact in support of any license revocation. The appeal shall be made by filing a written**
24 **request with the City Clerk setting forth the grounds for the appeal not later than ten days after**
25 **receiving notice of the revocation by the City Clerk. In the event that the written request is filed**
26 **with the City Clerk, Council shall hold a public hearing on the revocation, and shall have the power**
27 **to reverse, affirm or modify the decision of the City Clerk. Council shall, in its determination, make**

1 written findings of fact supporting its decision. The determination by Council shall be final, subject
2 to appeal to a court of competent jurisdiction.

3 **(k) Penalty and remedies.**

4 (1) In addition to revocation of permit pursuant to this Section any person violating the
5 provisions of this article is guilty of a municipal civil infraction.

6 (2) In addition to the penalty provided in subsection (a) of this section, any condition caused or
7 permitted to exist in violation of the provisions of this chapter, or any ordinance, shall be
8 deemed a new and separate offense for each day that such condition continues to exist.

9 (3) Nothing in this chapter shall prevent the City from pursuing any other remedy provided by
10 law in conjunction with or in lieu of prosecuting persons under this section for violation of
11 this chapter.

12 (4) The collection bin operator and real property owner shall be jointly and severally liable for
13 each violation and for payment of any fines and costs.

14 **1250.04.06 FENCES AND HEDGES**

15 **(a) Purpose; application.**

16 In order to protect the use and enjoyment of properties by providing for the passage of air and
17 light; to protect the public welfare and safety by providing for the safe movement of motor vehicles
18 and pedestrians; and to facilitate efficient police and fire-fighting services, no person shall erect,
19 construct, modify, maintain, plant or grow any fence, hedge, tree, shrub, plant or vine or cause or
20 permit the same to be done in violation of this chapter.

21 **(b) Definitions.**

22 As used in this chapter:

23 **SAFETY HAZARD.** Any fence which is not in conformity with this section.

24 **(c) Limitations.**

25 **(1) Front Yard.**

26 a. No fence or hedge shall exceed a height of three (3) feet within a front yard, unless
27 otherwise permitted herein.

- b. **In front yard corner lots, an unobstructed clear vision corner shall be maintained as specified in 1250.03.03**
- c. **For driveways not on a corner, an unobstructed clear vision corner shall be maintained as specified in Section 1250.03.03 (b)**
- d. **A fence within the front yard of a residentially zoned or used property may be erected or maintained to a height above three (3) feet, but not to exceed a height of four (4) feet, if the fence meets all of the following requirements:**
 1. **The fence consists of at least 50 percent of open spaces uniformly distributed along its surface above a height of three feet.**
 2. **Vision through the fence is not materially obstructed from any angle so as to obstruct the view of vehicular traffic on adjacent streets or public ways or of pedestrian traffic on adjacent sidewalks.**
- e. **A fence within the front yard of a commercial, industrial, or institutional zoned or used property, or a residential property with more than 20 units, may be erected or maintained to a height above three (3) feet, but not to exceed a height of six (6) feet, or eight (8) feet for industrially zoned or used properties, if the fence meets all of the following requirements:**
 1. **The fence consists of at least 75 percent of open spaces uniformly distributed along its surface above a height of three feet.**
 2. **Vision through the fence is not materially obstructed from any angle so as to obstruct the view of vehicular traffic on adjacent streets or public ways or of pedestrian traffic on adjacent sidewalks.**
 3. **The fence is made only of wrought iron or other material resembling a wrought iron fence.**
- f. **Fence types including uncoated chain-link, wire, cyclone, wood pallets, livestock, event or crowd control, snow fencing and fences made of flexible materials, or similar fences are prohibited in front yards in all zoning districts.**

1 g. A hedge within a front yard may be planted, grown or maintained to a height above
2 three feet if the hedge meets all of the following requirements:

- 3 1. The property owner prepares and submits to the Zoning Administrator a
4 written plan which complies with the requirements for landscaping,
5 screening and buffering plans as set forth in this Section.
- 6 2. The abutting road is not a Local Street as defined the Comprehensive Plan,
7 or the abutting property is used for industrial purposes.
- 8 3. The hedge does not obstruct the vision of motorists and complies with
9 paragraphs “1250.04.06 (c)(1)b” and “1250.04.06 (c)(1)c” hereof.
- 10 4. All abutting property owners submit a written statement that they do not
11 object to the plan.
- 12 5. The plan is approved by the Zoning Administrator.

13 h. A fence must be securely anchored into the ground in accordance with the fence
14 design and shall not include materials not designed, intended, or manufactured for
15 residential properties including but not limited to plywood, wood pallets, scrap
16 wood, scrap metal, or construction materials; cattle gate fencing; or chicken wire
17 fencing.

18 **(2) Side and Rear Yard**

19 a. No fence or hedge within a side yard or rear yard shall exceed six (6) feet in height
20 but may be permitted to a maximum height of eight (8) feet, if all of the following
21 requirements can be met:

- 22 1. The property is zoned for commercial or industrial land use, or in the case
23 of properties zoned for residential uses, the abutting property is zoned for
24 commercial or industrial land use.
- 25 2. The topography of the subject property is generally one or more feet lower
26 than the abutting property, or the health or safety of the owner or occupant
27 of the subject property is endangered by uses of the abutting property.

3. The fence is approved by the Zoning Administrator.

(3) Grade Level

- a. The grade shall not be increased or altered for the purpose of constructing the fence at a higher level than the natural grade level at the fence line.**
- b. The fence may be erected at a continuous even level where the grade at the fence line is uneven, as long as it follows the average natural grade upon which it is being erected.**

(d) Materials.

- (1) Fences shall be constructed of one or more of the following materials: Chain-link, treated wood, brick, poured concrete, wrought-iron, vinyl or similar material that is approved by the Zoning Administrator.**
- (2) Barbed wire on fences may be utilized in the IND-1 Industrial district only upon the written request of the applicant and written approval by the Zoning Administrator. Approval of such request shall be based on demonstrated need, safety and reasonableness. Under no circumstances will any fence six (6) feet in height or less, within ten (10) feet of a public sidewalk, or within 30 feet from a neighboring parcel which has a residential use, be permitted to use barbed wire. Barbed wire shall not extend more than three (3) vertical feet above the top of the fence.**
- (3) No fence shall contain razor wire, concertina wire or similar type of wire, or carry any electrical current.**
- (4) Berms. If earth berms are to be constructed, they shall have a maximum slope of 3:1 and shall be sodded or seeded or utilize other ground cover. Berm height, width, location and materials must be approved by the Department.**
- (5) No materials including, but not limited to, plywood, wood pallets, scrap wood, scrap metal, construction materials, tarp, cloth, plastic covering, or other flexible material shall be affixed to a fence or used to create a fence, barrier, or privacy screen.**

(e) Swimming pool fences.

(1) Except as otherwise provided in this chapter, every swimming pool with a depth of 24 inches at any point and/or a volume of 150 cubic feet or more must be maintained within an adequate enclosure surrounding the pool area that complies with the following provisions:

- a. The pool enclosure shall extend not less than four feet above the ground. All enclosures shall be self-closing and self-latching with latches placed at least four feet above the ground. No opening in a pool enclosure fence or gate shall be designed or maintained so as to permit access to the pool except under the supervision of the pool owner or by his permission.**
- b. Pool enclosure fences shall be constructed so as to prohibit the passage of a sphere larger than four inches in diameter through any opening or under the fence. Pool enclosure fences shall be designed to withstand substantial (200 pounds per square foot) concentrated horizontal loads at any point in the fence.**

(f) Unsafe or dangerous fences; failure to maintain.

(1) No owner, occupant or agent in charge shall keep or maintain any fence which is unsafe or dangerous. A fence shall be deemed unsafe or dangerous whenever:

- a. Any portion has been damaged by wind, flood, fire or other cause in such a manner that structural strength or stability is appreciably less than it was previous to such event.**
- b. Any portion of any structural member of the fence is likely to fall, to become detached or dislodged or to collapse and thereby injure persons or damage property.**

(g) Repair or removal; remedies of City.

The Department of Economic Development and Planning may order the repair or removal of any fence that does not comply with the provisions of Section 1250.04.06 in accordance with the following procedures:

(1) Upon finding that a fence is in violation of the provisions of this Chapter, the Department shall issue a written notice to the owner of the property upon which the fence is located. The notice shall be sent by mail or delivered in person and shall:

- a. Include a description of the violation(s).
- b. Cite the applicable ordinance provisions.
- c. Specify a reasonable time period for correcting the violation(s).

(2) If the owner fails to comply with the notice within the specified time frame, the Department may issue a final notice following the same procedures as the first notice.

(3) Failure to comply with the notice(s) shall result in issuance of a civil fine and/or issuance of a District Court citation requesting a court order of compliance.

(h) Nonconforming fences.

Existing fences or sections thereof that do not comply with the provisions of this ordinance may be replaced or reconstructed, as long as not more than 50 percent of the conforming fence or sections thereof are replaced or reconstructed over the life of the original fence. Nothing herein is intended to prohibit general maintenance and minor repairs as necessary to ensure that the fence is not a threat to the safety of persons or property.

(i) Conflict of laws.

All ordinances or parts of ordinances in these Codified Ordinances which require fences that are inconsistent with this chapter shall remain effective and nothing in this chapter shall be construed to limit the authority or power granted elsewhere in these Codified Ordinances to any City department, board or commission to require fences in appropriate circumstances which deviate from the requirements of this chapter.

1250.04.07 COTTAGE COURTS

General Requirements. All dwelling units within a Cottage Court as defined in Section 1240.02 shall comply with the requirements of Section 1244.02 in addition to the following requirements:

- (a) **Permitted Districts.** Cottage Courts are permitted in the R-3, R-MX, MFR, R-AR, and DT-1 zoning districts.

- 1 (b) **Number of dwellings.** A cottage court shall have at least three (3), but no more than six (6) units
2 that may be detached single-family dwellings or duplexes.
- 3 (c) **Orientation.** The front wall and primary entrance to dwellings that are closest to the public street
4 or private access drive must be oriented toward said street. All other dwellings must be oriented
5 toward a street, alley, access drive, or courtyard or pathway.
- 6 (d) **Size.** Each dwelling shall have at least 400 but no more than 1,200 square feet of living space.
- 7 (e) **Height.** Each dwelling shall be a minimum of 15 feet in height but in no instance shall exceed 25 feet
8 in height.
- 9 (f) **Front setback.** No dwelling unit shall be located closer to a public street than the required setback
10 of the zoning district in which the property is located.
- 11 (g) **Side and Rear setbacks.** All dwellings shall have a minimum setback of ten (10) feet from each side
12 property line and 20 feet from a rear property line.
- 13 (h) **Setbacks between dwellings.** Detached dwellings shall be separated by a distance of at least ten (10)
14 feet from every other dwelling.
- 15 (i) **Private outdoor area.** Each dwelling shall have a minimum of 120 square feet of private outdoor
16 space (e.g. patio, porch, deck, garden).
- 17 (j) **Maximum lot coverage.** The ground floor area of all buildings shall not exceed 60% of the total lot
18 area. The total amount of impervious surfaces shall not exceed 75% of the lot area.
- 19 (k) **Parking.**
- 20 (1) One (1) off-street parking space per unit is required.
- 21 (2) All parking spaces must be accessed via an internal street or access drive and may be
22 consolidated into one shared parking lot.
- 23 (3) All shared parking areas within ten (10) feet of an adjacent residentially used property
24 must be screened by a six (6) foot opaque fence, subject to the requirements of Section
25 1250.04.06.
- 26 (l) **Short-term rental restriction.** No dwelling unit shall be utilized for a short-term rental.

1250.05 ANTENNA, COMMUNICATIONS, AND ENERGY STRUCTURES

1250.05.01 RECEPTION ANTENNA FACILITIES

(a) In all single-family zoning districts, the installation and/or use of a reception antenna facility having a diameter in excess of three (3) feet shall be permitted only as an accessory use and only as authorized in this section.

(b) A ground-mounted reception antenna facility shall be located in the rear yard only and shall be located no closer than six (6) feet from a side or rear lot line.

(c) A roof-mounted reception antenna facility shall be located on that portion of the roof adjacent to the rear yard of the property and a structure-mounted facility shall be located in the rear yard only.

(d) Excluded from the regulations of this section are conventional VHF and UHF television.

1250.05.02 WIRELESS COMMUNICATIONS TOWERS AND ANTENNAS

(a) Purpose.

The purpose of this section is to establish general guidelines for the siting of wireless communications towers and antennas. The goals of this ordinance [chapter] are to: [1] protect residential areas, property values, and land uses from potential adverse impacts of towers and antennas; [2] strongly encourage the location of towers in nonresidential areas; [3] minimize the total number of towers throughout the community; strongly encourage the appropriate placement of new and existing towers [4] strongly encourage the joint use of new and existing tower sites as a primary option rather than construction of additional single-use towers; [5] strongly encourage users of towers and antennas to locate them, to the extent possible, in areas where the adverse impact on the community is minimal; [6] strongly encourage users of towers and antennas to configure them in a way that minimizes displeasing aesthetics of the towers and antennas through careful design, siting, landscape screening, and innovative camouflaging techniques; [7] enhance the ability of the providers of telecommunications services to provide such services to the community quickly, effectively, and efficiently; [8] consider, to the extent permitted by law, the public health and safety impacts of communication towers; and [9] avoid potential damage to adjacent properties

from tower failure through engineering, design, and careful siting of tower structures. In furtherance of these goals, the city shall give due consideration to the city's comprehensive plan, zoning map, existing land uses, and environmentally sensitive areas in approving sites for the location of towers and antennas.

(b) Definitions.

For the purposes of this chapter, the following words and phrases shall have the meanings set forth below:

ALTERNATIVE TOWER STRUCTURE. Clock towers, bell steeples, light poles and similar alternative-design mounting structures that camouflage or conceal the presence of antennas or towers.

ANTENNA. Any exterior transmitting or receiving device mounted on a tower, building or structure and used in communications that radiate or capture electromagnetic waves, digital signals, analog signals, radio frequencies (excluding radar signals), wireless telecommunications signals or other communication signals.

FAA. The Federal Aviation Administration.

FCC. The Federal Communications Commission.

HEIGHT. When referring to a tower or other structure, the distance measured from the finished grade of the parcel to the highest point on the tower or other structure, including the base pad and any antenna.

PREEXISTING TOWERS AND PREEXISTING ANTENNAS. Any tower or antenna for which a building permit or special land use permit has been properly issued prior to the effective date of this ordinance, including permitted towers or antennas that have not yet been constructed so long as such approval is current and not expired.

TOWER. Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas for telephone, radio and similar communication purposes, including self-supporting lattice towers, guyed towers, or monopole towers. The term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures, and the like. The term includes the structure and any support thereto.

(c) Applicability.

- (1) New towers and antennas.** All new towers or antennas in the city shall be subject to these regulations, except as provided in subsections 1250.05.02 (c)(2) through 1250.05.02 (c)(4), inclusive.
 - (2) Amateur radio station/receive only antennas.** This chapter shall not govern any tower, or the installation of any antenna, that is under 70 feet in height and is owned and operated by a federally-licensed amateur radio station operator or is used exclusively for those antennas defined in Code of Federal Regulations 1.4000.
 - (3) Preexisting towers or antennas.** Preexisting towers and preexisting antennas shall not be required to meet the requirements of this section, other than the requirements of subsections 1250.05.02 (d)(6) and 1250.05.02 (d)(7).
 - (4) AM array.** For purposes of implementing this chapter, an AM array, consisting of one or more tower units and supporting ground system which functions as one am broadcasting antenna, shall be considered one tower. Measurements for setbacks and separation distances shall be measured from the outer perimeter of the towers included in the AM array. Additional tower units may be added within the perimeter of the AM array by right.
- (d) General requirements.**
- (1) Principal or accessory use.** Antennas and towers may be considered either principal or accessory uses. A different existing use of an existing structure on the same lot shall not preclude the installation of an antenna or tower on such lot.
 - (2) Lot size.** For purposes of determining whether the installation of a tower or antenna complies with district development regulations, including but not limited to setback requirements, lot-coverage requirements, and other such requirements, the dimensions of the entire lot shall control, even though the antennas and/or towers may be located on leased parcels within such lot.
 - (3) Inventory of existing sites.** Each applicant for an antenna and/or tower shall provide to the Zoning Administrator an inventory of its existing towers, antennas, or sites approved for towers or antennas, that are either within the jurisdiction of the City or within one mile of

1 the border thereof, including specific information about the location, height, and design of
2 each tower. Information submitted to the Zoning Administrator shall be considered public
3 information. The Zoning Administrator may share such information with the public and
4 other applicants applying for special land use permits under this ordinance or other
5 organizations seeking to locate antennas within the jurisdiction of the City, provided,
6 however that the Zoning Administrator is not, by sharing such information, in any way
7 representing or warranting that such sites are available or suitable.

8 **(4) Aesthetics. Towers and antennas shall meet the following requirements:**

- 9 a. Except as otherwise required for an alternative tower structure, towers shall either
10 maintain a galvanized steel finish or, subject to any applicable standards of the
11 FAA, be painted a neutral color so as to reduce visual obtrusiveness.
- 12 b. At a tower site, the design of the buildings and related structures shall, to the extent
13 possible, use materials, colors, textures, screening, and landscaping that will blend
14 them into the natural setting and surrounding buildings.
- 15 c. If an antenna is installed on a structure other than a tower, the antenna and
16 supporting electrical and mechanical equipment must be of a neutral color that is
17 identical to, or closely compatible with, the color of the supporting structure so as to
18 make the antenna and related equipment as visually unobtrusive as possible.

19 **(5) Lighting. Towers shall not be artificially lighted, unless required by the FAA or other**
20 **applicable authority. If lighting is required, the lighting alternatives and design chosen must**
21 **cause the least disturbance to the surrounding views. Lighting may be provided on an**
22 **alternative tower structure to enhance its camouflaging or concealing effect. All lighting**
23 **must be approved by the City.**

24 **(6) State or federal requirements. All towers must meet or exceed current standards and**
25 **regulations of the FAA, the FCC, and any other agency of the state or federal government**
26 **with the authority to regulate towers and antennas. If such standards and regulations are**
27 **changed, then the owners of the towers and antennas governed by this chapter shall bring**

- such towers and antennas into compliance with such revised standards and regulations within six months of the effective date of such standards and regulations, unless a different compliance schedule is mandated by the controlling state or federal agency. Failure to bring towers and antennas into compliance with such revised standards and regulations shall constitute grounds for the removal of the tower or antenna at the owner's expense.
- (7) **Building codes; safety standards.** To ensure the structural integrity of towers, the owner of a tower shall ensure that it is maintained in compliance with standards contained in applicable state or local building codes and the applicable standards for towers that are published by the electronic industries association, as amended from time to time. If, upon inspection, the City concludes that a tower fails to comply with such codes and standards and constitutes a danger to persons or property, then upon notice being provided to the owner of the tower, the owner shall have 30 days to bring such tower into compliance with such standards. Failure to bring such tower into compliance within said 30 days shall constitute grounds for the removal of the tower or antenna at the owner's expense.
- (8) **Measurement.** For purposes of measurement, tower setbacks and separation distances shall be calculated and applied to facilities located in the City irrespective of municipal and county jurisdictional boundaries.
- (9) **Not essential services.** Towers and antennas shall be regulated and permitted pursuant to this chapter and shall not be regulated or permitted as essential services, public utilities, or private utilities.
- (10) **Public notice.** For purposes of this chapter, any special land use request, variance request, or appeal of a special land use shall require public notice to the LPD neighborhood watch coordinators, and all neighborhood associations, property owners, neighborhood associations, neighborhood watches, and all property owners and occupants of properties that are located within 1,000 feet of the parcel that is the subject of the request, in addition to any notice otherwise required by the Zoning Code.
- (11) **Signs.** No signs shall be allowed on an antenna or tower.

1 **(12) Buildings and support equipment. Buildings and support equipment associated with**
2 **antennas or towers shall comply with the requirements of Section 1250.05.02 (h).**

3 **(13) Multiple antenna/tower plan. The City encourages the users of towers and antennas to**
4 **submit a single application for approval of multiple towers and/or antenna sites.**

5 **Applications for approval of multiple sites shall be given priority in the review process.**

6 **(14) Height. No tower shall exceed 120 feet, unless a variance is approved by the Board of**
7 **Zoning Appeals.**

8 **(e) Permitted use.**

9 **The following use is deemed to be a permitted use and shall not require a special land use permit:**
10 **antennas or towers located on property owned, leased, or otherwise controlled by the City provided**
11 **a license or lease authorizing such antenna or tower has been approved by the Council.**

12 **(f) Administratively approved uses.**

13 **(1) General. The following provisions shall govern the issuance of administrative approvals for**
14 **towers and antennas.**

15 a. **The Zoning Administrator may administratively approve the uses listed in this**
16 **section.**

17 b. **Each applicant for administrative approval shall apply to the Zoning Administrator**
18 **providing the information set forth in subsections 1250.05.02 (g)(2)a. and 1250.05.02**
19 **(g)(2)c. of this section and a refundable fee as established by resolution of council to**
20 **reimburse the city for the costs and expenses incurred in reviewing the application.**
21 **No application for an administratively approved use shall be considered by the**
22 **Zoning Administrator until all conditions required in the resolution of Council have**
23 **been met.**

24 c. **The Zoning Administrator shall respond to each such application within 60 days**
25 **after receiving it by either approving or denying the application. If the Zoning**
26 **Administrator fails to respond to the applicant within said 60 days, then the**
27 **application shall be deemed to be approved.**

- d. In connection with any such administrative approval, the Zoning Administrator may, in order to encourage shared use, administratively waive any zoning district setback requirements in section 1250.05.02 (g)(2)d. or separation distances between towers in section 1250.05.02 (g)(2)e. by up to 50 percent .
- e. In connection with any such administrative approval, the Zoning Administrator may, in order to encourage the use of monopoles, administratively allow the reconstruction of an existing tower to monopole construction.
- f. If an administrative approval is denied, the applicant shall file an application for a special land use permit pursuant to section 1250.05.02 (g) prior to filing any appeal that may be available under the Zoning Code.

(2) List of administratively approved uses. The following uses may be approved by the Zoning Administrator after conducting an administrative review:

- a. Locating a tower or antenna, including the placement of additional buildings or other supporting equipment used in connection with said tower or antenna, in any heavy industrial zoning district, provided that there is no residential property adjacent to the district.
- b. Locating antennas on existing structures or towers consistent with the terms of subsections 1. and 2. below.
 - 1. Antennas on existing structures. Any antenna which is not attached to a tower may be approved by the Zoning Administrator as an accessory use to any commercial mixed-use or residential multi-family structure of eight (8) or more dwelling units, provided:
 - i. The antenna does not extend more than 30 feet above the highest point of the structure;
 - ii. The antenna complies with all applicable FCC and FAA regulations; and
 - iii. The antenna complies with all applicable building codes.

1 **2. Antennas on existing towers. An antenna which is attached to an existing**
2 **tower may be approved by the Zoning Administrator and, to minimize the**
3 **displeasing aesthetics associated with the proliferation and clustering of**
4 **towers, collocation of antennas by more than one carrier on existing towers**
5 **shall take precedence over the construction of new towers, provided such**
6 **collocation is accomplished in a manner consistent with the following:**

7 **i. A tower which is modified or reconstructed to accommodate the**
8 **collocation of an additional antenna shall be of the same tower type**
9 **as the existing tower, unless the Zoning Administrator allows**
10 **reconstruction as a monopole.**

11 **ii. Height:**

12 **A. An existing tower may be modified or rebuilt to a taller**
13 **height, not to exceed 30 feet over the tower's existing height,**
14 **to accommodate the collocation of an additional antenna.**

15 **B. The height change referred to in subsection A. above may**
16 **only occur one time per communication tower.**

17 **C. The additional height referred to in subsection A. above shall**
18 **not require an additional distance separation as set forth in**
19 **Section 1250.05.02 (g). The tower's premodification height**
20 **shall be used to calculate such distance separations.**

21 **iii. Onsite location.**

22 **A. A tower which is being rebuilt to accommodate the**
23 **collocation of an additional antenna may be moved onsite**
24 **within 50 feet of its existing location.**

25 **B. After the tower is rebuilt to accommodate collocation, only**
26 **one tower may remain on the site.**

1 **C. A relocated onsite tower shall continue to be measured from**
2 **the original tower location for purposes of calculating**
3 **separation distances between towers pursuant to subsection**
4 **1250.05.02 (g)(2)e. The relocation of a tower hereunder shall**
5 **in no way be deemed to cause a violation of subsection**
6 **1250.05.02 (g)(2)e.**

7 **D. The onsite relocation of a tower which comes within a**
8 **location that is less than the separation distances to**
9 **residential units or residentially zoned lands as established in**
10 **subsection 1250.05.02 (g)(2)e. shall only be permitted when**
11 **approved by the Zoning Administrator.**

12 **(3) Installing a cable microcell network through the use of multiple low-powered**
13 **transmitters/receivers attached to existing wireline systems, such as conventional cable or**
14 **telephone wires, or similar technology that does not require the use of towers.**

15 **(g) Special land use permits.**

16 **(1) General. The following provisions shall govern the issuance of special land use permits for**
17 **towers or antennas by the Council following review and recommendation by the Planning**
18 **Commission:**

- 19 a. **If the tower or antenna is not a permitted use under Section 1250.05.02 (e) of this**
20 b. **chapter, then a special land use permit shall be required for the construction of a**
21 c. **tower or the placement of an antenna in all zoning districts.**
22 b. **Applications for special land use permits under this section shall be subject to the**
23 c. **procedures and requirements of Chapter 1262 Special Land Use Permits, of the**
24 d. **Zoning Code, except as modified in this section.**
25 c. **In granting a special land use permit, the Council may impose conditions to the**
26 d. **extent the Council concludes such conditions are necessary to minimize any adverse**
27 e. **effect of the proposed tower on adjoining properties. In addition to any other**

1 conditions, Council may require an applicant to post with the City Clerk cash, a
2 certified check, an irrevocable letter of credit issued by a bank, or a surety bond in
3 an amount sufficient to pay for the removal of the tower in case the tower is
4 abandoned as set forth in section 1250.05.02 (i). The surety bond shall be open
5 ended and shall be executed by the applicant and a United States based corporate
6 surety authorized to do business in this state as a surety. Any surety bond or
7 irrevocable letter of credit shall be in a form approved by the City Attorney, and
8 shall be made payable to the City. In the event that an abandoned tower is removed
9 at the applicant's expense, the bond, instrument of credit, cash deposit or certified
10 check shall be released to the applicant.

- 11 d. Any information of an engineering nature that the applicant submits, whether civil,
12 mechanical, or electrical, shall be certified by a licensed professional engineer.
- 13 e. An applicant for a special land use permit shall submit the information described in
14 this section, the information described in section 1250.05.02 (d), and, in addition to
15 any other fee required by law, a refundable fee as established by resolution of the
16 Council to reimburse the City for the costs and expenses incurred in reviewing the
17 application. No application for a special land use permit shall be considered by the
18 Planning Commission until all conditions required in the resolution of council shall
19 have been met.

20 (2) Towers.

- 21 a. Information required. In addition to any information required for applications for
22 special land use permits pursuant to Chapter 1262 Special Land Use Permits, of the
23 Zoning Code, applicants for a special land use permit for a tower shall submit the
24 following information with the application or, with respect to other information
25 deemed by the Zoning Administrator to be necessary to assess compliance with this
26 chapter pursuant to subsection 1. below, as soon as reasonably practicable as
27 determined by the Zoning Administrator:

- 1 **1. A scaled site plan clearly indicating the location, type and height of the**
2 **proposed tower, on-site land uses and zoning, adjacent land uses and zoning**
3 **(including when adjacent to other municipalities), comprehensive plan**
4 **classification of the site and all properties within the applicable separation**
5 **distances set forth in subsection 1250.05.02 (g)(2)e., adjacent roadways,**
6 **proposed means of access, setbacks from property lines, elevation drawings**
7 **of the proposed tower and any other structures, topography, parking, and**
8 **other information deemed by the Zoning Administrator to be necessary to**
9 **assess compliance with this ordinance.**
- 10 **2. Legal description of the parent tract and leased parcel (if applicable).**
- 11 **3. The setback distance between the proposed tower and the nearest residential**
12 **unit, platted residentially zoned properties, and unplatted residentially**
13 **zoned properties.**
- 14 **4. The separation distance from other towers described in the inventory of**
15 **existing sites submitted pursuant to subsection 1250.05.02 (d)(3) shall be**
16 **shown on an updated site plan or map. The applicant shall also identify the**
17 **type of construction of the existing tower(s) and the owner/operator of the**
18 **existing tower(s), if known.**
- 19 **5. A landscape plan showing specific landscape materials.**
- 20 **6. Method of fencing, and finished color and, if applicable, the method of**
21 **camouflage and illumination.**
- 22 **7. A description of compliance with subsections 1250.05.02 (d)(3), (4)—(7),**
23 **(11), and (12), 1250.05.02 (g)(2)d.,**
24 **1250.05.02 (g)(2)e. and all applicable federal, state or local laws.**
- 25 **9. A notarized statement by the applicant as to whether construction of the**
26 **tower will accommodate collocation of additional antennas for future users.**

10. Evidence at the time of application of a lease or an option to lease by a telecommunications provider with the owner of the property in question.

11. A description of the suitability of the use of existing towers, other structures or alternative technology not requiring the use of towers or structures to provide the services to be provided through the use of the proposed new tower, including specifics as to why such towers, structures or alternative technologies are not suitable or feasible in lieu of a tower.

12. A description of the feasible location(s) of future towers or antennas within the city based upon existing physical, engineering, technological or geographical limitations in the event the proposed tower is erected.

b. Factors considered in granting special land use permits for towers. In addition to any standards for consideration of special land use permit applications pursuant to Chapter 1262, Special Land Use Permits, of the Zoning Code, the Council may consider the following factors and any other factors allowed by law in determining whether to issue a special land use permit, although the Council may waive or reduce the burden on the applicant of one or more of these criteria if the Council concludes that the goals of this chapter are better served thereby:

1. Height of the proposed tower;
2. Proximity of the tower to residential structures and residential district boundaries;
3. Nature of uses on adjacent and nearby properties;
4. Surrounding topography;
5. Surrounding tree coverage and foliage;
6. Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;
7. Proposed ingress and egress;

1 **8. Evidence at the time of application of a lease or an option to lease by a**
2 **telecommunications provider with the owner of the property in question;**
3 **and**

4 **9. Availability of suitable existing towers, other structures, or alternative**
5 **technologies not requiring construction of a new tower, as discussed in**
6 **subsection 1250.05.02 (g)(2)c. of this chapter.**

7 **c. Availability of suitable existing towers, other structures, or alternative technology.**

8 **No new tower shall be permitted unless the applicant demonstrates to the**
9 **reasonable satisfaction of the Council that no existing tower, structure or alternative**
10 **technology that does not require the use of towers or structures can accommodate**
11 **the applicant's proposed antenna. An applicant shall submit information requested**
12 **by the council related to the availability of suitable existing towers, other structures**
13 **or alternative technology. Evidence submitted to demonstrate that no existing tower,**
14 **structure or alternative technology can accommodate the applicant's proposed**
15 **antenna may consist of any of the following:**

- 16 **1. No existing towers or structures are located within the geographic area**
17 **which meets the applicant's engineering requirements.**
- 18 **2. Existing towers or structures are not of sufficient height to meet the**
19 **applicant's engineering requirements.**
- 20 **3. Existing towers or structures do not have sufficient structural strength to**
21 **support the applicant's proposed antenna and related equipment.**
- 22 **4. The applicant's proposed antenna would cause electromagnetic interference**
23 **with the antenna on the existing towers or structures, or the antenna on the**
24 **existing towers or structures would cause interference with the applicant's**
25 **proposed antenna.**
- 26 **5. The fees, costs, or contractual provisions required by the owner in order to**
27 **share an existing tower or structure or to adapt an existing tower or**

structure for sharing are unreasonable. Costs exceeding new tower development are presumed to be unreasonable.

6. The applicant demonstrates that there are other limiting factors that render existing towers and structures unsuitable.

7. The applicant demonstrates that an alternative technology that does not require the use of towers or structures, such as a cable microcell network using multiple low-powered transmitters/receivers attached to a wireline system, is unsuitable. Costs of alternative technology that exceed new tower or antenna development shall not be presumed to render the technology unsuitable.

d. Setbacks. The following setback requirements shall apply to all towers for which a special land use permit is required; provided, however, that the Council may reduce the standard setback requirements if the goals of this chapter would be better served thereby:

1. Towers must be set back a distance equal to at least 75 percent of the height of the tower from any adjoining lot line.

2. Guys and accessory buildings must satisfy the minimum zoning district setback requirements.

e. Separation. The following separation requirements shall apply to all towers and antennas for which a special land use permit is required; provided, however, that the Council may reduce the standard separation requirements if the goals of this chapter would be better served thereby:

1. Separation from off-site uses/designated areas.

i. Tower separation shall be measured from the base of the tower to the lot line of the off-site uses and/ or designated areas as specified in Table 1250.05.A.

- ii. Separation requirements for towers shall comply with the minimum standards established in Table 1250.05.A.

Table 1250.05.A	
Off-Site Use/Designated Area	Separation Distance
Single-family or duplex residential units ¹	100 feet or 150% height of tower, whichever is greater
Vacant single-family, or duplex residentially zoned land which is either platted or has preliminary subdivision plan approval which is not expired	100 feet or 150% height of tower ² , whichever is greater
Vacant unplatted residentially zoned lands ³	100 feet or 100% height of tower, whichever is greater
Existing multi-family residential units greater than two (2)	100 feet or 100% height of tower, whichever is greater
Non-residentially zoned lands or non-residential uses	None; only setbacks apply

Footnotes:

1. Includes modular homes and mobile homes used for living purposes.
2. Separation measured from base of tower to closest building setback line.
3. Includes any unplatted residential use properties without a valid preliminary subdivision plan or valid development plan approval and any multifamily residentially zoned land greater than duplex.

2. Separation distances between towers.

- i. Separation distances between towers shall be applicable for and measured between the proposed tower and preexisting towers. The separation distances shall be measured by drawing or following a straight line between the base of the existing tower and the proposed base, pursuant to a site plan, of the proposed tower. The separation distances (listed in linear feet) shall be as shown in Table 1250.05.B.

Table 1250.05.B				
Existing Towers – Types	Lattice	Guyed	Monopole 75' in height or greater	Monopole less than 75' in height
Lattice	5,000	5,000	1,500	750
Guyed	5,000	5,000	1,500	750
Monopole 75' in height or greater	1,500	1,500	1,500	750
Monopole less than 75' in height	750	750	750	750

- 1 **f. Security fencing. Towers shall be enclosed by security fencing not less than six feet**
2 **in height and shall also be equipped with an appropriate anti-climbing device;**
3 **provided however, that the council may waive such requirements, as it deems**
4 **appropriate.**
- 5 **g. Landscaping. The following requirements shall govern the landscaping surrounding**
6 **towers for which a special land use permit is required; provided, however, that the**
7 **Council may waive such requirements if the goals of this chapter would be better**
8 **served thereby:**
- 9 1. Tower facilities shall be landscaped with a buffer of plant materials that
10 effectively screens the view of the tower compound from property used for
11 residences. The standard buffer shall consist of a landscaped strip at least
12 four feet wide outside the perimeter of the compound.
- 13 2. In locations where the visual impact of the tower would be minimal, the
14 landscaping requirement may be reduced, deferred, or waived.
- 15 3. Existing mature tree growth and natural landforms on the site shall be
16 preserved to the maximum extent possible. In some cases, such as towers
17 sited on large, wooded lots, natural growth around the property perimeter
18 may be a sufficient buffer; in these cases, landscaping may be deferred
19 during the time period that the natural growth provides a sufficient buffer.

20 **(h) Building or other equipment storage.**

- 21 **(1) Antennas mounted on structures or rooftops. The equipment cabinet or structure used in**
22 **association with antennas shall comply with the following:**
- 23 a. The cabinet or structure shall not contain more than 36 square feet of gross floor
24 area or be more than seven (7) feet in height. In addition, for buildings and
25 structures which are less than 65 feet in height, the related unmanned equipment
26 structure, if over 36 square feet of gross floor area or seven (7) feet in height, shall
27 be located on the ground and shall not be located on the roof of the structure.

- b. If the equipment structure is located on the roof of a building, the area of the equipment structure and other equipment and structures shall not occupy more than five percent of the gross roof area.
- c. Equipment storage buildings or cabinets shall comply with all applicable building codes.

(2) Antennas mounted on utility poles or light poles. The equipment cabinet or structure used in association with antennas shall be located in accordance with the following:

a. In all residential districts, the equipment cabinet or structure may be located:

- 1. In a front or side yard provided the cabinet or structure is no greater than six feet in height or 12 square feet of gross ground area, including foundation pad and the cabinet/ structure is located a minimum of ten feet from all lot lines, and the cabinet/structure is screened by an evergreen hedge with a height of at least 36 inches.
- 2. In a rear yard, provided the cabinet or structure is no greater than seven (7) feet in height or 36 square feet in gross ground area, including foundation pad. The cabinet/ structure shall be screened by an evergreen hedge with an ultimate height of eight (8) feet and a planted height of at least 36 inches.

b. In industrial and commercial mixed-use districts, the equipment cabinet or structure shall be no greater than seven (7) feet in height or 42 square feet in gross ground area, including foundation pad. The structure or cabinet shall be screened by an evergreen hedge with an ultimate height of eight feet and a planted height of at least 36 inches. In all other instances, structures or cabinets shall be screened from view of all residential properties which abut or are directly across the street from the structure or cabinet by a solid fence 6 feet in height or an evergreen hedge with an ultimate height of eight (8) feet and a planted height of at least 36 inches.

(3) Antennas located on towers. The related unmanned equipment structure shall not contain more than 200 square feet of gross floor area or be more than 12 feet in height, and shall be

located in accordance with the minimum yard requirements of the zoning district in which it is located.

(4) **Modification of building size requirements.** The requirements of subsections 1250.05.02 (h)(1) through 1250.05.02 (h)(3) may be modified by the council to encourage collocation.

(i) Removal of abandoned antennas and towers.

Any antenna or tower that is not operated for a continuous period of 12 months shall be considered abandoned, and the owner of such antenna or tower shall remove the same within 90 days of receipt of notice from the City notifying the owner of such abandonment. Failure to remove an abandoned antenna or tower within said 90-day period shall be grounds for the city to remove, or cause the removal of, the tower or antenna at the owner's expense. If there are two or more users of a single tower, then this provision shall not become effective until all users cease using the tower.

(j) Nonconforming uses.

(1) **Not expansion of nonconforming use.** Towers that are constructed, and antennas that are installed, in accordance with the provisions of this ordinance [chapter] shall not be deemed to constitute the expansion of a nonconforming use or structure.

(2) **Preexisting towers.** Preexisting towers shall be allowed to continue their usage as they presently exist. Routine maintenance (including replacement with a new tower of like construction and height) shall be permitted on such preexisting towers. New construction other than routine maintenance on a preexisting tower shall comply with the requirements of this chapter.

1250.05.03 WIND ENERGY CONVERSION SYSTEMS (WECS)

(a) Intent and Purpose

The purpose of this section is to establish guidelines for siting wind turbines and wind energy facilities. This section's goals are as follows:

(1) **To promote the safe, effective, and efficient use of wind energy systems installed to reduce the on-site consumption of electricity supplied by utility companies.**

(2) To lessen potential adverse impacts wind energy systems may have on residential areas through careful design, siting, noise limitations, and other techniques.

(3) To avoid potential damage to adjacent properties from turbine failure through engineering and proper siting of turbine structures.

(b) Definitions

COMMERCIAL WIND ENERGY CONVERSION SYSTEM. Any WECS that is designed and built to provide electricity to the electric utility power grid as an ongoing commercial enterprise or for commercial profit.

DECIBEL. The unit of measurement used to express the magnitude of sound pressure and sound intensity.

ROOF-MOUNTED WIND ENERGY CONVERSION SYSTEM. A single wind energy conversion system that is mounted to the roof of any structure.

SHADOW FLICKER. Alternating changes in light intensity caused by the moving blade of a wind energy system casting shadows on the ground and stationary objects, such as a window at a dwelling.

TEMPORARY METEOROLOGICAL TOWERS (TMT). A tower of monopole design which is designed and built to hold wind resource testing devices such as anemometers, wind vanes and accessory equipment and which is to remain in place for no more than 18 months.

WIND ENERGY CONVERSION SYSTEM (WECS). Any device such as a turbine, windmill or charger that converts wind energy to a usable form of energy.

(c) Permitted Uses

(1) Permitted Accessory Use. Each parcel of property may contain one of the following which shall be considered lawful accessory uses in all zoning districts:

- a. One TMT, up to the maximum allowable height of the zoning district in which it is located.
- b. One WECS, up to the maximum allowable height of the zoning district in which it is located.
- c. One Roof-Mounted WECS, per building, with may extend no more than ten (10) feet above the area of the roof structure to which it is attached.

(2) **Special Land Use.** All Commercial WECS's regardless of height, a WECS's or TMT's that exceeds the maximum height allowed within the zoning district in which it is located, up to a maximum height of 150 feet, buildings with more than one roof mounted WECS and parcels of land with more than 1 freestanding WECS shall be permitted as a special land use in all industrial zoning districts, and shall be subject to the provisions of Chapter 1262 Special Land Use Permits.

(d) Application

Application Process: The following information shall be provided with all applications for WECS's and TMT's

(1) Applicant Information. Name, address and contact information.

(2) Legal Description. A legal description of the property on which the system would be located.

(3) Plot Plan and Documentation. The Plot Plan shall include maps showing the physical features and land uses of the project area, both before and after construction of the proposed wind energy system. The plot plan shall include:

- a. The project area boundaries.
- b. The location, height and dimensions of all existing and proposed and fencing.
- c. Distance of proposed structure from all property lines and structures.
- d. The location and dimensions of all temporary and permanent access roads.
- e. All new infrastructure above ground related to the project.
- f. The location of all overhead utility wires.

(4) Additional Documentation.

- a. **Insurance:** Proof of the applicant's appropriate liability insurance.
- b. **Sound Pressure Level:** Documentation of the manufacturers designed sound pressure levels (decibels) for unit to be installed.
- c. **Certifications:** Certification that applicant has complied or will comply with all applicable state and federal laws and regulations.

- 1 **d. Grant of Authority:** The applicant shall provide evidence of ownership of the land
2 which the WECS or TMT is to be located and the written consent of the land owner
3 if different from the applicant. If the applicant is leasing land the applicant shall
4 provide a copy of the lease agreement and the land owner's written authorization
5 for the applicant to construct the structure.

6 **(e) Standards and Requirements**

7 All WECS's and TMT's shall comply with the following standards and requirements:

8 **(1) Property setbacks.**

- 9 a. The distance between a freestanding WECS or TMT and the nearest property line
10 shall be at least 1.5 times the height of the tower.
11 b. No part of a freestanding WECS or TMT, including guy wire anchors, may extend
12 closer than ten (10) feet to the owner's property line.

13 **(2) Height.**

- 14 a. Freestanding WECS's and TMT's shall have a height not greater than 150 feet.
15 b. Roof-Mounted WECS's shall not exceed a height of ten (10) feet above the
16 uppermost peak of the roof to which it is attached.
17 c. For freestanding WECS's and TMT's, the height shall be measured from the
18 existing grade to the tip of the turbine blade at its highest point.
19 d. The applicant shall demonstrate compliance with all FAA lighting regulations and
20 the Michigan Tall Structures Act as part of the approval process, if applicable.

21 **(3) Location & Other Required Setbacks.**

- 22 a. No freestanding WECS or TMT shall be located within a front yard of any
23 residential, commercial or office zoning district.
24 b. Roof-mounted wind energy systems shall be setback from the building edge a
25 distance equal to 1/2 the diameter of its rotor and blades.
26 c. The distance between a WECS or TMT and any road or public right-of-way shall be
27 at least 1.5 times the height of the WECS or TMT.

- d. **Distance Between** - The distance between a freestanding and any other freestanding WECS shall be at least 1.5 times the height of the taller of the two WECS's.

(4) Noise.

- a. **Audible noise** or the sound pressure level of a WESC or TMT shall not exceed 55 decibels at any property line.
- b. No WESC or TMT shall create, regardless of decibel levels, any ticking, humming, or other sound which annoys.
- c. Noise and sound pressure levels may be temporarily exceeded short-term events such as utility outages and/or severe wind storms.

(5) Lighting. WECS and TMT shall not be artificially lighted unless required by the FAA or other applicable authority. Where FAA lighting is required, minimum FAA lighting standards shall not be exceeded. All FAA lighting shall be shielded to the extent possible to reduce glare and visibility from the ground. The tower shaft shall not be illuminated unless required by the FAA.

(6) Shadow Flicker. No WECS or TMT shall cause shadow flicker upon any building on a neighboring property.

(7) Vibrations. No WECS or TMT shall produce vibrations through the ground that are humanly perceptible beyond the parcel on which it is located.

(8) Construction Codes, Towers & Interconnections Standards.

- a. WECS and TMT shall comply with all applicable State construction codes and local building permit requirements.
- b. WECS and TMT shall comply with Federal Aviation Administration requirements, the Michigan Airport Zoning Act (PA 23 of 1950), The Michigan Tall Structures Act (PA 259 of 1959), and any other applicable State or Federal laws or regulations.
- c. A WECS that is tied to the electrical grid shall comply with Michigan Public Service Commission and utility interconnection requirements.

(9) Safety.

- a. **Design Safety Certification.** The safety of the design of every WECS or TMT shall be certified by the applicant's professional engineer, or certified installer/technician. The standard for certification shall be included with the permit application. If WECS or TMT construction is approved, the professional engineer shall that the construction and installation of the WECS or TMT meets or exceeds the manufacturer's construction and installation standards, and any applicable State and Federal laws and regulations prior to operation.
- b. **Controls and Brakes.** Every WECS or TMT shall be equipped with manual and automatic controls/braking systems to limit rotation speeds to the designed limits of the WECS or TMT. The applicant's professional engineer, installer or technician must certify that the rotor and overspeed controls conform to applicable design standards. No changes or alterations from the certified design shall be permitted unless accompanied by a professional engineer's, installer or technician's statement of certification approved by the City.
- c. **Lightning.** Every WECS or TMT shall have lightning protection.
- d. **Guy Wires.** If a TMT is supported by guy wires, the wires shall be clearly visible to a height of at least six (6) feet above the guy wire anchors. All permanent WECS must be of a freestanding monopole design and guy wires shall not be used.
- e. **Grade Clearance.** The minimum vertical blade tip clearance from grade shall be 20 feet for any WECS or TMT employing a horizontal axis rotor.
- f. **Ice Throw.** Every WECS or TMT shall be designed so that ice throw or ice shedding does not cross the property lines of the site or impinge on any right-of-way or overhead utility line.
- g. **Interference.** Every WECS or TMT shall be designed and operated to minimize or mitigate interference with electromagnetic communications, such as radio, telephone, microwave or television signals.

1 **h. Climb Prevention.** Every freestanding WECS or TMT must be protected by anti-
2 climbing devices such as:

- 3 1. Fences with locking portals at least eight (8) feet high;
- 4 2. Anti-climbing devices twelve (12) feet from base of pole; and
- 5 3. Anchor points for TMT guy wires shall be enclosed by a fence at least six (6)
6 feet in height or shall be located within the confines of a yard that is
7 completely surrounded by a fence at least six (6) feet in height.

- 8 i. Warnings. A visible warning sign of High Voltage shall be placed at
9 the base of every Commercial WECS. The sign must have at least six
10 (6) inch letters with ¾-inch stroke. Such signs shall be located at all
11 points of site ingress and egress. In addition to warning signs and
12 signs required by law, every Commercial shall be equipped with a
13 sign containing owner identification and contact information. No
14 other signs or are permitted.

15 **(f) Appearance**

16 All WECS's and TMT's shall comply with the following standards and requirements:

- 17 (1) All permanent freestanding WECS's must be of monopole design and guy wires shall not be
18 used.
- 19 (2) Color. Towers and blades shall be painted a non-reflective neutral color approved by the
20 City or as otherwise required by law.
- 21 (3) Visual Appearance; Power lines. The design of the WECS buildings and related structures
22 shall, to the extent reasonably possible, use materials, colors, textures, screening and
23 landscaping that will blend WECS components with the natural setting and existing
24 environment. The electrical collection system shall be placed underground within the
25 interior of each parcel at a depth designed to accommodate any existing land use to the
26 maximum extent practicable. The collection system may be placed overhead adjacent to

public roadways, at points of interconnection to the electric grid or in other areas as necessary.

(g) Abandonment and Removal

The following regulations shall apply to all WECS's and TMT's:

- (1) A WECS or TMT that has not been in operation for 12 consecutive months shall be deemed to have been abandoned. The Zoning Administrator shall issue a notice of abandonment to the owner of a WECS or TMT, giving the owner 30 days to respond. If the owner provides information demonstrating that the system has not been abandoned and is still in compliance with all requirements of this ordinance and the Building Code, the notice of abandonment shall be withdrawn. If the tower is determined to be abandoned, the owner shall be given 60 days to remove the WECS or TMT. If the owner fails to comply, the Zoning Administrator shall have the WECS or TMT removed at the owner's expense.**
- (2) The city may require that a tower be removed in accordance with the above standards if any portion of the system becomes a nuisance, is damaged or is in any way deemed to be detrimental to the public health, safety and welfare as determined by the City Building Inspector.**

(h) Insurance and Maintenance

The following requirements shall apply to all WECS's and TMT's

- (1) Liability Insurance. The owner or operator of a Commercial WECS shall maintain a current commercial liability and property damage insurance policy with coverage limits acceptable to the City pertaining to installation and operation of the Commercial WECS. The amount and terms of the policy shall be established as a condition of special land use permit approval. The City and land owner shall be named as additional insured. Certificates of insurance shall be provided to the City annually.**
- (2) Annual Inspection; Maintenance. The WECS and surrounding area shall be maintained in accordance with industry standards. Every Commercial WECS must be inspected annually by a professional engineer or authorized installer/technician to certify that the WECS is in**

good working condition and is not a hazard to persons or property. Certification records shall be submitted annually to the City.

1250.06 FLOODPLAIN REGULATION

(a) Intent. It is the intent of this Ordinance to protect human life, health, and property from flood conditions, to preserve the ability of floodplains to carry and discharge a base flood, and to significantly reduce potential hazards as a result of flood conditions within the City of Lansing. Further, it is the purpose of this Ordinance to comply with the statutory and regulatory requirements of the National Flood Insurance Program.

(b) Definitions.

AREA OF SPECIAL FLOOD HAZARD. The land in the flood plain within a community subject to a one percent or greater chance of flooding in any given year.

BASE FLOOD. The flood having a one percent chance of being equaled or exceeded in any given year; also known as the 100-year flood.

DEVELOPMENT. Any man made modification to unimproved or improved real estate, including but not limited to: buildings, pools, decks or other structures, mining, dredging, filling, grading, paving, excavation, or drilling operations or storage of equipment or materials.

ENCROACHMENT. Development or a structure which is located within the area of special flood hazard.

FLOOD or FLOODING:

1. A general and temporary condition of partial or complete inundation of normally dry land areas from: [1] the overflow of inland or tidal waters, [2] the unusual and rapid accumulation or runoff of surface waters from any source, [3] mudflows; and
2. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding, as defined in the Section.

FLOOD DAMAGE. Any damage to persons, materials, supplies, property or real estate caused by and as a direct result of flooding and /or the influence of flood conditions.

FLOODPLAIN. Any land area susceptible to being inundated by water from any source (see definition of flooding).

FLOODPLAIN and FLOODWAY BOUNDARIES. The boundaries of the floodplain and floodway that coincide with the boundaries of the areas indicated as such in the most current report entitled “Ingham County, Michigan (All Jurisdictions)” dated 8/16/11 and the Flood Insurance Rate Map (FIRMS) panel number(s) of 26065C; 0013D, 0014D, 0018D, 0020D, 0108D, 0126D, 0127D, 0128D, 0129D, 0131D, 0132D, 0133D, 0134D, 0136D, 0137D, 0139D, 0141D, 0142D, 0143D, 0144D, 0151D, 0153D, 0154D, 0161D, 0162D, and 0170D, dated 8/16/11.

FLOOD INSURANCE RATE MAP (FIRM). An official map of a community, on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

FLOODWAY OR REGULATORY FLOODWAY. The designated area of a river or other watercourse and the adjacent land areas that must be reserved from development or construction activity in order to discharge the base flood without cumulatively increasing the water surface elevation beyond these areas.

NEW CONSTRUCTION. Structures and/or development for which the “start of construction” commenced on or after the effective date of this ordinance, and includes any subsequent improvements to structures.

ORDINARY HIGH WATER MARK. A point that represents the maximum rise of a body of water in non-flood conditions.

STRUCTURE. A walled and/or roofed building that is principally above ground.

SUBSTANTIAL IMPROVEMENT. Any repair, reconstruction, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either,

1. Before the improvement or repair is started; or
2. If the structure has been damaged and is being restored, before the damage occurred.

For the purposes of this definition, “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either:

1. Any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are the minimum necessary to assure safe conditions; or
2. Any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

WATERCOURSE. Any natural or artificial drainage way wherein waters flow either continuously or intermittently, including any adjacent areas subject to flooding. Watercourses include both natural and manmade open ditches, streams, enclosed storm drains, lakes, and ponds.

(c) General Standards for Flood Hazard Reduction

All new construction and substantial improvements within an area of special flood hazard, shall be constructed by methods and practices that minimize flood damage including, but not limited to:

- (1) Be designed and anchored to prevent flotation, collapse, or lateral movement of the structure;
- (2) Be constructed with materials and utility equipment resistant to flood damage;
- (3) All new and replacement water supply systems shall not allow infiltration of flood waters into the systems;
- (4) All public utilities and facilities shall be designed, constructed and located to minimize or eliminate flood damage.
- (5) Drainage and on-site stormwater management shall be provided to reduce damage to structures created by flood hazards.

(d) Specific Base Flood Elevation Standards

- (1) On the basis of the most recent available base flood elevation data the following standards shall apply in the area of special flood hazard:

- a. All new construction and substantial improvements of residential structures shall have the lowest floor, including basement, elevated to a minimum of one (1) foot above the base flood level.
- b. All new construction and substantial improvements of structures shall have either:
 1. The lowest floor, including basement, elevated to a minimum of one (1) foot above the base flood elevation; or
 2. Be constructed such that below base flood elevation, together with attendant utility and sanitary facilities:
 - i. The structure is watertight, with walls impermeable to the passage of water; and
 - ii. Is constructed with structural components having the ability to neutralize hydrostatic and hydrodynamic loads; and
 - iii. The effects of buoyancy must be resisted.

A registered professional engineer or architect shall certify that the standards of this subparagraph are satisfied, and that the flood proofing methods employed are adequate to withstand the flood depth, pressures, velocities, impact and uplift forces and other factors associated with a base flood in the location of the structure. Such certification shall be submitted to the Building Safety Office, and shall indicate the elevation to which the structure is flood proofed.

- (2) The most recent base flood elevation data received from the Federal Emergency Management Agency shall take precedence over data from other sources.

(e) Construction.

- (1) Any use permitted by right or by special conditions for the zoning district applicable to the land in question, as governed by this Zoning Ordinance, shall be permitted in a designated floodplain, subject to compliance with all rules and regulations of the Federal Emergency Management Agency's National Flood Insurance Program and all applicable requirements of the City and the State Department of Natural Resources/Environmental Quality.

- 1 **(2) Where topographical data, engineering studies or other studies are needed to determine the**
2 **effects of flooding on a structure and/or the effects of the structure on the flow of water, the**
3 **applicant shall submit such data or studies. All such data shall be prepared by a registered**
4 **professional engineer, architect or land surveyor.**
- 5 **(3) No construction shall be allowed within a 100 year floodplain without obtaining the**
6 **necessary permits from all City, State and Federal authorities.**
- 7 **(4) Encroachments, new construction, substantial improvements and development shall be**
8 **prohibited within the floodway. Exception to this prohibition shall only be made upon**
9 **certification by a registered professional engineer and the Michigan Department of**
10 **Environmental Quality that the proposed development will not result in any increases in the**
11 **base flood elevation during a base flood discharge.**
- 12 **(5) Dumping or backfilling with any material or excavation in any manner is prohibited,**
13 **unless:**
- 14 a. **Through compensating excavation and shaping of the floodplain, the flow and**
15 b. **impounding capacity of the floodplain will be maintained or improved, will not**
16 c. **cause an increase in the flood hazard or damage from floods and will not allow**
17 d. **water to collect in pools that will stagnate.**
- 18 b. **No significantly measurable reduction in the flow or capacity of the floodplain**
19 c. **thereby results.**
- 20 c. **Adequate site plans and engineering drawings shall be submitted to effectively show**
21 d. **the final results of all dumping, backfilling or excavation.**
- 22 d. **Alteration of any floodplain area shall be subject to approval by the State of**
23 Michigan Department of Natural Resources/Environmental Quality.
- 24 **(6) The construction or location of bridges, outdoor play equipment, bleachers and similar**
25 **outdoor equipment and appurtenances and the storage of materials or equipment is**
26 **prohibited in a floodplain, unless such elements would not cause any significant obstruction**

1 to the flood or reduction in the impoundment capacity of the floodplain and would not
2 suffer flood damage.

3 **(f) Special Permit Required.** A special permit is required for use of the floodplain on parcels of one-
4 half acre or more in size. Such requests shall be made in writing, to the Planning Office and shall be
5 submitted to the Planning Office for recommendation, to the Public Service Department for its
6 technical report and to the Building Safety Office for compliance with all applicable building codes
7 relative to construction in a 100 year floodplain, before final action is taken by the City Council.

8 **(g) Nonliability of City.** The degree of flood protection required by this Ordinance is considered
9 reasonable for regulatory purposes and is based upon National and State regulations and
10 standards. Larger floods and increased flood elevations may occur on occasions. Approval of the
11 use of land, construction and/or development under this Ordinance shall not be considered a
12 guarantee or warranty of safety or damage from flood events. This Ordinance does not imply that
13 areas outside the area of special flood hazard will be free from flood damage, nor does this
14 Ordinance create liability on the part of the City of Lansing or any officer or employees thereof for
15 any flood damages that result from reliance on this Ordinance or any administrative decision
16 lawfully made thereunder.

17 **1250.07 VESTED RIGHTS**

18 **(a)** Nothing in this chapter shall be interpreted or construed to give rise to permanent vested rights in
19 the continuation of any particular use, density, Zone District, neighborhood classification or
20 permissible activity therein. All land, buildings, structures, uses and designations are hereby
21 declared to be subject to such subsequent amendment, change or modification as may be necessary
22 for the preservation or protection of the public health, safety, and welfare.

CHAPTER 1252 LANDSCAPING

1252.01 APPLICABILITY

- (a) Landscaping for all districts in the city shall comply with the standards of this section.
- (b) An approved landscape, screening and buffering plan that meets the requirements of this Section is required prior to approval of a site plan for activities listed in Section 1260.02, Site Plans Required.

1252.02 PLANTING PLAN SPECIFICATIONS

- (a) A planting plan shall be provided to include the following:
 - (1) Minimum scale of one inch equals 50 feet.
 - (2) Existing and proposed contours with contour interval not to exceed two feet.
 - (3) The planting plan shall indicate, to scale, the location, spacing and starting size for all proposed landscape material within the required buffer or landscaped area.
 - (4) Typical straight cross section including slope, height and width of berms and type of ground cover or height and type of construction for all proposed walls, including footings.
 - (5) Significant construction details to resolve specific site conditions, e.g., tree wells to preserve existing trees, culverts to maintain natural drainage patterns.
 - (6) Planting and staking details in either text or drawing form to insure proper installation and establishment of proposed plant materials.
 - (7) A tree survey identifying the location and species of existing trees twelve (12) inches or greater in caliper, measured at 12 inches off the ground, and identifying which trees are to be preserved. The Zoning Administrator may require an evaluation of the quality of the trees for purposes of determining which trees should be removed or preserved.
- (b) The requirements of an approved landscape, screening and buffering plan shall remain in force, unless written revision is approved by the Zoning Ordinance.
- (c) The landscaping shown on the approved landscape, screening and buffering plan shall be maintained according to Section 1252.09. Any plants in the approved plan that die shall be replaced within a reasonable time, but in no case shall such time exceed 4 months. The replacement plants

shall meet the purpose of the original specifications of an approved landscape, screening and buffering plan.

1252.03 PLANT MATERIAL SIZES AND SPACING

(a) Trees and woody shrubs shall not be placed closer than three (3) feet to the fence line or property line as measured from the center of root ball. Branches of trees may extend over property line, but shrubs must be properly trimmed at the property line. Adjacent property owners reserve the right to trim branches of vegetation extending onto their property.

(b) Evergreen trees shall have a minimum starting size of at least five (5) feet in height.

(c) Deciduous trees shall have a minimum starting size of at least two caliper inches.

(d) Shrubs shall have a minimum starting size of at least 24 inches in height and spread and spaced a distance apart equal to or less than 75 percent of the shrub's mature spread diameter.

1252.04 SPECIES

(a) Mixing of Species. The overall landscape plan shall not contain more than 33 percent of any one plant species. The use of trees native to the area, and mixture of trees from the same species association, is encouraged in all landscaped area.

(b) At least 75% of trees required in the overall landscape plan shall be made up of native tree species as identified by the State of Michigan or Michigan State University - Extension.

(c) The lack of use of native vegetation species with deep roots in rain gardens, bioswales, buffer areas, and other forms of naturalized landscaping to accomplish the goal of stormwater retention and may be cause for rejection of the landscape plan.

(d) Prohibited Species. Species deemed invasive by the State of Michigan or Michigan State University will be heavily disfavored during Landscape Plan review. Such invasive species may be rejected at the discretion of the Zoning Administrator.

1252.05 INTERIOR SITE LANDSCAPING

(a) A Landscape Planting Bed is that area comprised of trees, evergreen shrubs, living plant ground covers, perennials/annuals, or a combination thereof, which may be delineated by wood chips, mulch, decorative pavers, and/or rocks.

1 **[FIGURE 91]**



2
3 (b) The public right-of-way, which is that area between the back of the curb of the roadway and the
4 public sidewalk or lot line, for all residentially zoned or used property, must be landscaped with
5 living grass lawn.

6 (c) Areas of lot coverage that are not paved or occupied by building footprint must be landscaped with
7 living grass lawn, living plant ground covers, perennial / shrub beds, or a combination thereof.

8 (d) Ground covers other than living plants (e.g. stone chips, rock, mulch) must be arranged in a
9 deliberate manner and may not exceed more than 25 percent of the site landscape area. All ground
10 covers must be controlled on site and not allowed to freely migrate or spill onto the public sidewalk,
11 public rights-of-way, or into storm drains.

12 **1252.06 NON-RESIDENTIAL RIGHT OF WAY AND FRONT SETBACK PLANTING**

13 (a) Street yard landscaping within the public rights-of-way

14 (1) Public rights-of-way shall be planted with grass. Trees, shrubs, or other ground covers may
15 be planted within the right-of-way with permission from the City Forester and the City
16 Engineer, or their assigns.

17 (2) The City, in consultation with the Public Service Department, may require street trees to be
18 planted within the public right-of-way where they do not already exist.

19 (3) Rights-of-way yards abutting Activity Corridors shall incorporate decorative paving and
20 streetscape elements if such elements exist on adjoining parcels. Plant material shall be

located in tree wells, bioswales, and above ground planters and shall be approved by the Department of Public Service.

[FIGURE 92]



(b) Between sidewalk and parking

- (1) There shall be a landscaping setback area of at least eight (8) feet, and no greater than 20 feet, but in no case further than the average front setback of the block, between the edge of sidewalk and parking lot edge, which shall consist of lawn and landscape planting beds.
- (2) Landscape planting beds shall be a minimum of 25 percent of the landscape setback area.
- (3) Setback areas must have at least one deciduous tree that will have a mature height of at least 30 feet for every 30 feet of frontage or part thereof and a minimum of one shrub shall be planted for each ten (10) lineal feet of frontage, or portion thereof.
- (4) These landscape requirements are in addition to other screening or buffer requirements as indicated in the applicable zoning district section.
- (5) Landscape planting beds shall be a minimum of 50 percent of the front, side, and rear landscaping setback areas for all 'Off-Street Parking Surface Lots' permitted by a Special Land Use permit in addition to the trees required in 1252.07 (b) and 1252.07 (c).

[FIGURE 93]



(c) Between sidewalk and building

(1) Non-residential setback landscaping between the edge of sidewalk and building face shall consist of lawn, landscape planting beds, and paved pedestrian areas.

(2) Landscape planting beds shall be a minimum of 25 percent of the landscape setback area. This may be reduced to zero percent in areas where the public sidewalk is immediately adjacent to the building face.

(3) Setback areas greater than 20 feet in depth must plant at least one deciduous tree for every 30 feet of frontage or part thereof and a minimum of one shrub shall be planted for each ten lineal feet of frontage, or portion thereof.

(4) These landscape requirements are in addition to other screening or buffer requirements as indicated in the applicable zoning district section.

1252.07 PARKING LOT LANDSCAPING

Parking lot landscaping shall be arranged in a manner that improves the safety of pedestrian and vehicular traffic, guides traffic movement, improves the environment and improves the appearance of the parking area and site. Parking lot landscaping shall be provided in accordance with the following standards:

- (a) There shall be a minimum five (5) foot landscaping setback area between the parking lot and the side and rear property lines, unless the parking lot is shared by or a part of the circulation network between adjoining properties.**
- (b) In all industrial districts, one (1) tree for each 6,000 square feet of the total of the paved driveway and parking lot surface is required.**

- (c) In all other districts, one (1) tree shall be required for each 4,000 square feet of paved driveway and parking lot surface, provided that no fewer than two (2) trees are provided.
- (d) All of the required parking lot trees and landscape areas shall be placed within landscape islands inside of the parking lot or the area within ten (10) feet surrounding the parking lot.
- (e) For all parking lots greater than 40,000 square feet, at least 50 percent of all required parking lot trees shall be placed within landscape islands inside of the parking lot.
- (f) Each tree shall be provided with an open land area of not less than 150 square feet to provide area for infiltration and with a minimum radius of 6 feet at the trunk of the tree for protection. If a sprinkled irrigation system is provided, the open land areas can be reduced to no less than 75 square feet. Tree plantings shall also be protected from automobiles with curbing or other suitable device that incorporate curb cuts or other openings and grading to capture stormwater.
- (g) All parking lots within 20 feet of a residentially zoned or used property shall be screened by a buffer containing evergreen shrubs and trees, screen fence or screen wall (75 percent or more opaque and six (6) feet in height), or any combination thereof that forms a continuous visual buffer at the property line.
- (h) Landscaping shall be installed such that, when mature, it does not obscure traffic signs, fire hydrants, lighting, drainage patterns on site or adjacent properties, or obstruct vision for safety of ingress or egress.
- (i) Living grass lawn shall be planted within parking lot islands.
- (j) To protect stormwater drains from debris, landscaping rocks and mulch must be properly contained on site and may only be installed as weed control directly around plants. Non-plant material shall not exceed 25% of the parking lot island surface area.

1252.08 BUFFERING AND SCREENING

- (a) A landscaped buffer shall be provided between the subject site and all adjacent residentially zoned or used properties if the subject building(s) of the site plan is within 25 feet of the adjoining property line and if existing landscaping, tree cover, or fencing/screening does not exist.

- (b) At least one (1) tree that will have a mature height of at least 30 feet for each 30 linear feet, or fraction of buffer area shall be provided along all front, side, and rear setback areas where they do not already exist.
- (c) Landscape buffers shall consist of evergreen shrubs, evergreen trees, fencing/screen walls (75 percent or more opaque), or any combination thereof that forms a contiguous visual buffer.
- (d) At least 40 percent of the overall area must be covered by plant materials at the time of planting.
- (e) The Zoning Administrator may allow a consistent 75 percent or more opaque, six (6) feet tall screen wall or fence for the entire length of the adjoining property line to provide buffering that meets the intent of this section. If a screen wall or fence is used for all of the buffer area, the overall landscape buffer width may be eliminated except for the trees required in Section 1252.08 (b).
- (f) Where a screen wall or fence is not otherwise required, the Zoning Administrator may require an opaque screening within the buffer area, to block views and contain materials. Screening shall be provided in the form of a 6 foot tall ornamental fence or wall, capable of keeping paper and other debris from blowing off the premises.

1252.09 MAINTENANCE

- (a) Plant materials, including lawn, shall be kept trimmed and maintained so as to promote proper growth and a neat and orderly appearance.
- (b) Trees and shrubs shall be trimmed to avoid conflicts with pedestrian use of the sidewalk.
- (c) Landscaping at corner properties shall be planted to provide the clear vision required in Section 1250.03.03. Landscaping in the clear vision triangle shall not contain obstructions greater than 36” in height.
- (d) Weeds shall be kept under control.
- (e) Buffer strips shall be properly maintained according to the types of materials utilized. Cover materials shall be maintained in a manner as specified at the time of the plan’s approval.
- (f) Landscape/buffer areas shall be kept free from refuse and debris.
- (g) No buildings or parking or storage of materials or vehicles shall be allowed in any designated buffer strips, unless approved by the Zoning Administrator.

1252.10 WAIVERS & IMPLEMENTATION

- (a) If the Zoning Administrator, upon inspection, determines that suitable landscaping, screening and buffering on a site already exists or that such landscaping, screening and buffering should not be required, then the provisions requiring landscaping, screening and buffering may be waived in whole or in part. However, such waiver shall not apply to the maintenance portion of this chapter.
- (b) Criteria which shall be used when considering a waiver shall include, but shall not be limited to:
- (1) Existing natural vegetation;
 - (2) Topography;
 - (3) Existing wetland, floodplain and poor soils areas;
 - (4) Existing and proposed building placement;
 - (5) Building heights;
 - (6) Adjacent land uses;
 - (7) Distance between land uses;
 - (8) Dimensional conditions unique to the parcel;
 - (9) Traffic sight distances;
 - (10) Traffic operational characteristics on and off site;
 - (11) Visual, noise and air pollution levels;
 - (12) Presence of utility easements and adjacent utility corridors
 - (13) Health, safety and welfare of the City;
- (c) The Zoning Administrator may consider fewer plantings than otherwise required if larger plantings are proposed.
- (d) If, in the determination of the Zoning Administrator, the weather makes it impossible or impractical to implement or maintain the landscape, screening and buffering plan prior to issuance of a certificate of occupancy or approval of the completed building or site improvements, the Zoning Administrator may grant an extension of up to 6 months to fully implement the landscape plan. Failure to implement the landscape plan shall be considered a violation of this Zoning Ordinance and subject to the enforcement procedures contained herein.

CHAPTER 1254 PARKING

1254.01 OFF-STREET PARKING

1254.01.01 PARKING REQUIREMENTS IN GENERAL

- (a) Purpose. Off-street parking and loading areas are to be designed, maintained and operated in a manner that will ensure adequate parking is provided, provide uncongested access for emergency vehicles, limit interference with the pedestrian realm and, where appropriate, protect surrounding uses from undesirable impacts of traffic and parking. Site access standards are intended to reduce the potential for crashes and congestion through a reduction of conflict points associated with traffic movements at other access points or street intersections. The standards of this section apply at the time of erection, enlargement or change in use, of any principal building or structure.
- (b) Compliance required. In each zoning district the off- street parking requirements for the storage or parking of a motor vehicle for the use of occupants, employees or patrons, in a structure which is erected, constructed, substituted, resumed or extended after the effective date of this Zoning Code (Ordinance 1273, passed March 8, 2021), shall be as prescribed in this chapter. The determination of the required number of off-street parking spaces and the regulation of such spaces shall be as described in this chapter.
- (c) Ownership of Parking Lot. All off-street parking shall be under the direct control, either by ownership, lease, or other legally binding agreement, of the beneficial user of the property. If the off-street parking is controlled by lease and the lease is discontinued, it shall be the obligation of the beneficial user of the property served to provide replacement parking that meets the requirements of this chapter.
- (d) Storage. Off-Street Parking areas shall not be used for the storage of vehicles, trailers, new or used merchandise, supplies, equipment, storage containers, junk, junk vehicles, or construction materials not associated with a valid building permit, unless otherwise permitted by the Zoning District in which the property is located.

(e) Off-Street Parking areas shall not be used for automobile repair or for any other types of repair, assembly, or material processing activities unless otherwise permitted by the Zoning District in which the property is located.

(f) Pedestrian Safety. Off-Street Parking area shall have dedicated pedestrian walkways connecting the parking lot and subject building(s). Off-Street Parking areas and parking surface lots greater than 50,000 square feet shall have dedicated interior pedestrian walkways demarcated by raised sidewalk, decorative paving, striping, or other similar method to meet the intent of this provision.

1254.01.02 LOCATION; EXPANSION; ENCROACHMENTS.

Except as provided in subsections (a) to (c) hereof, all required off-street parking for a principal use, conditional use, special land use or nonconforming use shall be located on the same lot on which such principal use, conditional use, special land use or nonconforming use is located. Permitted locations for off-street parking are marked with an “X” in Table 1254.01.02 and also described by district in Chapters 1243, 1244, and 1245.

Table 1254.01.02: Permissible Off-Street Parking Lot Locations			
District	Front	Side	Rear
R-1		X	X
R-2		X	X
R-3		X	X
MFR		X	X
R-MX		X	X
R-AR		X	X
MX-C		X	X
Arterial	one single-loaded bay	X	X
Suburban	one double-loaded bay	X	X
MX-1	one single-loaded bay	X	X
MX-2		X	X
DT-1		X	X
DT-2		X	X
DT-3		X	X
IND-1	one double-loaded bay	X	X
INST-1 Activity		X	X
All other street types	Limited to four (4) rows or parking lot depth of 120 feet.	X	X

(a) The off-street parking for a lot which is zoned IND-1 or INST-1 may be located on a separate lot, if the following 3 conditions are met:

(1) The lot does not contain a cabaret, as defined by [Section 808.01](#).

(2) The separate lot is zoned IND-1 or INST-1.

(3) The separate lot is not more than 5,280 feet, measured from the closest point on the closest lot line of the separate lot to the closest point on the closest lot line of the lot served, provided that if said parking is more than 1,000 feet from the Principal Use then a shuttle service shall be provided.

(b) Off-street parking for nonresidential uses on a lot which is zoned a Commercial Mixed-Use District may be located on a separate lot if the following 3 conditions are met:

(1) The lot does not contain a cabaret, as defined by [Section 808.01](#).

(2) The separate lot is zoned a Commercial Mixed-Use District.

(3) The separate lot is not more than 300 feet, as measured from the closest point on the closest lot line of the separate lot to the closest point on the closest lot line of the lot served.

(c) Valet parking, approved as noted in Section 1254.01.04 may be on another lot.

(d) Limits on parking expansion.

Applies to properties in the MX-2 and DT-3 zoning districts and properties along an Activity Corridor street type.

(1) When demolition of a building, lot combination of two or more properties, or lot split of a property has taken place, the expansion or increase of an off-street parking lot shall not extend into the front yard of a parcel.

(2) The Zoning Administrator may waive the limitations hereof if the property owner can demonstrate that the intent of the zoning district is maintained.

1254.01.03 PARKING REQUIRED

(a) Factors for Calculation of Parking:

(1) Gross Floor Area. Where floor area is the unit for determining the required number of off-street parking and loading spaces, said unit shall mean the gross floor area (GFA), unless otherwise noted.

(2) Usable Floor Area. Where the floor area measurement is specified as usable floor area, parking requirements shall apply to all internal building areas excluding the floor area used

for incidental service, storage, mechanical equipment rooms, heating/cooling systems and similar uses, and other areas nor intended for use by the general public. Where these areas are not yet defined, usable floor area shall be considered to be 75 percent of the gross floor area.

(3) **Bench Seating.** In calculating bench seating for places of assembly, each twenty-four (24) inches of benches, pews or other such seating shall be counted as one seat.

(4) **Employees.** Where the number of spaces required is based on the number of employees, calculations shall be based upon the maximum number of employees likely to be on the premises during the peak shift.

(5) **Fractional Requirements.** When units of measurements determining the number of required parking or loading spaces result in a fractional space, any fraction up to and including One-half shall be disregarded and fractions over one-half shall require one additional parking space.

(6) **Similar uses.** If a use is not specifically described in Table 1254.01.03, the minimum number of spaces for the use shall be determined by the Zoning Administrator by requiring the minimum number of spaces for a use which is listed and is similar to the use in question.

(b) Table 1254.01.03 Parking Requirements

Vehicle parking spaces shall be provided in accordance with the Table 1254.01.03. The required parking shall include barrier free parking as required per 1254.01.05, bike parking per 1254.02.02 and loading/unloading zones per 1254.01.17.

Table 1254.01.03 Parking Requirements	
Use	Minimum Number of Parking Spaces
Single-Family detached dwellings	Two (2) spaces for each dwelling unit. One (1) parking space may be in a private garage on the property. Parking spaces may be on an approved driveway but only the part of the driveway outside of the public street right-of-way may be included.
Two-Family dwellings	
Multiple-Family dwellings	One (1) space per each efficiency. One and a half (1.5) spaces per 1 bedroom dwelling unit. Two (2) spaces per each unit with 2 or more bedroom.

Clean Form-Based Zoning Ordinance - Second Amendment

Mobile Home Park	Two (2) spaces per lot, at least one (1) space of which to be provided on the lot. To provide the balance of this requirement, parking may be provided within 300 feet of all lots it is intended to serve. All parking areas shall be clearly defined and hard surfaced.
Bed and Breakfast Inn	Two (2) spaces for the permanent residents plus one (1) space for each room rented.
Human Care Facilities	
Child Care Facility	One (1) space for each employee and one (1) space for each 10 children, plus three (3) passenger vehicle spaces for loading and unloading children.
Group Day Care and Foster Care Group Home	One (1) employee parking space, plus three (3) passenger vehicle spaces for loading and unloading children, either on-site or in legal parking areas along the street adjacent to the house.
Housing for the elderly	Senior independent units: one (1) space per unit and 0.25 spaces per unit for visitor parking. Senior "interim care" and "intermediate care" units retirement villages: 0.5 spaces per unit or 2 beds, and 0.25 spaces per unit for visitor/employee parking.
Institutional, Recreational, and Public Gathering Venues	
Places of public assembly	One (1) space per 3 seats or 6 feet of bench seating. Calculations shall be based on the occupancy for all assembly areas combined.
Hospital	Two (2) spaces per each inpatient room or exam or outpatient procedure/operating room procedure. One (1) space per laboratory or recovery room plus, One (1) space for each patient or procedure room for employee parking plus, Parking for any medical offices is in addition to the above.
Museum or Library	One (1) parking space per 250 square feet plus separate parking for school or charter buses.
Elementary and Middle Schools	One (1) space for each teacher or administrator or staff person plus separate loading /unloading areas for buses. Adequate and distinct parking and drop-off/ pick-up zones for parents shall be provided for any auditorium or athletic fields, as required for "places of public assembly".
High Schools, Colleges, and Universities	One (1) space for each 1 teacher or administrator or staff person plus, One (1) space for each 5 students. For High Schools: Separate areas for any bus drop-off and pick-up zones. Additional parking shall be provided for any auditorium or athletic fields as noted under "Places of Public Assembly" provided the Zoning Administrator may reduce that additional parking if activities are during the school day (such as a cafeteria) or will occur during non-school times when adequate parking is available.
Bowling Alley	Five (5) for each bowling lane, plus parking required by this section for any bar, restaurant or assembly space attached to a bowling alley.
Dance hall, pool or billiard parlor, roller or ice skating rink, fitness center or gym, exhibition hall or assembly hall without fixed seats	One (1) space for each 3 persons allowed within the maximum occupancy load as established by the local, County or State fire, building or health codes.

Golf Course (except a miniature or par 3 course)	Six (6) spaces for each hole and one (1) for each employee.
Miniature or par 3 golf course	Three (3) spaces for each hole and one (1) for each employee.
Park, open space, plaza (public or private)	As determined by the Zoning Administration consideration of types of activities, facilities, and potential for walking and bicycling visits.
Community or Senior Centers	One (1) space per each 200 square feet, provided the Zoning Administrator may modify the requirements based on the types of activities provided, level of programming, and potential for trips to be via transit, walking, biking, or shared ride.
Offices	
Professional & Business Offices (non-medical)	One (1) space per 300 square feet. For any building or percentage of building used for medical or clinic, additional parking shall be required for that use, as noted above.
Clinic / Medical Office	One (1) space for every 200 square feet.
Bank	One (1) space for every 250 square feet of gross floor area plus, Three (3) parking or stacking spaces for each ATM machine plus, Three (3) stacking spaces for each drive-in window.
General Retail Uses	
Retail Use	Up to 300,000 square feet of shopping area: One (1) space per 250 square feet plus parking required for any areas used as a grocery or sit-down type restaurant. For part of building over 300,000 square feet: One (1) space per 300 square feet providing a parking management system is in place for employee parking for peak holiday shopping days. Parking for a theater shall be calculated separately.
Shopping Center (which may include a grocery and restaurants)	One (1) space per 200 square feet for up to 100,000 square feet, then One (1) space per 250 square feet for the remainder of the building(s).
Grocery store, liquor or beverage store	One (1) space per 200 square feet.
Showroom or repair shop for the display or repair of goods such as bathroom and kitchen fixtures, shoes, plumbing and heating/cooling equipment, machinery, and similar goods	Four (4) spaces for each establishment plus, One (1) space for every 800 square feet of usable floor area.
Outdoor sales facility (not including specific types such as vehicle sales addressed separately)	One (1) space for every 500 square feet of lot area used for retail sales or retail use.
Food and Beverage Sales	
Restaurant (general sit-down types, not including restaurant categories with specific uses below)	One (1) space per 125 square feet of usable floor area.
Coffee, tea, and beverages (may include bakery items)	One (1) space per 100 square feet of usable floor area plus, At least 10 stacking spaces for any drive through.
Carry-out restaurant (with no or limited seating for eating on premises)	Six (6) space per station or counter service plus, one (1) space for each employee (minimum of 3)
Drive-in restaurant	One (1) space or each customer order station Parking for employees (minimum of 6) Parking required for any indoor seating.
Bars, taverns, brewpubs, etc.	One (1) space per each 60 square feet of usable floor area or one (1) space per 2 seats, whichever is greater.

Commercial Services	
Animal Hospital or Kennel	One (1) space per 500 square feet.
Dry Cleaners	One (1) space per 100 square feet of area open to the public (minimum of 2). Employee parking (minimum of 2).
Personal Service use	Two (2) spaces for each chair, booth, or bed.
Lodging Facility	One (1) space per room plus additional meeting rooms, banquet facilities and restaurants as determined by the Zoning Administrator.
Nursery, Greenhouse, commercial	One (1) space per 500 square feet.
Funeral Home	One (1) space for each 50 square feet of assembly, parlor, or chapel room floor area.
Laundromat or coin-operated dry cleaner	One (1) space for each 3 washing or dry cleaning machines.
Studio (dance, health, music, or other similar places of instruction)	One (1) space for every 40 square feet of usable floor area.
Self-Storage rental	One (1) space for each employee, plus one space for each 50 storage rental units.
Auto-Related Uses	
Motor Vehicle Service Station	One (1) space at each fueling station; plus at least three (3) spaces for employees; plus one (1) space per each tow truck; plus one (1) space for each 500 square feet devoted to sales of automotive goods or convenience items.
Motor Vehicle Repair Station	One (1) space for each 250 square feet; plus one (1) space for each service bay.
Vehicle Sale, Vehicle leasing	One (1) space for each 300 square feet of usable floor space in the sale room. Two (2) for each auto service stall in the service area. Spaces shall be distinct from, and shall not include spaces for display or storage of vehicles for sale or lease.
Auto Wash	One (1) space for each employee; plus five (5) stacking spaces for the storage of waiting vehicles; plus four (4) waiting spaces per wash rack for self-serve auto washes.
Industrial	
Whole-sale and Warehouse activities	Five (5) spaces; plus one (1) space per employee at peak shift; Or one (1) space for each 1,500 square feet, whichever is greater.
Manufacturing, processing, and other types of industrial use	One (1) space per 400 square feet; Or one (1) space per employee at peak shift, whichever is greater; Plus one (1) space for each corporate vehicle.

(c) **Limits on Excessive Parking.** In order to minimize excessive areas of pavement which reduces aesthetic standards and contribute to high rates of storm water runoff, exceeding the minimum parking space requirements by more than twenty percent (20%) shall only be allowed with approval by the Zoning Administrator. In granting such additional space, the Zoning Administrator shall determine that such parking will be required, based on documented evidence,

to accommodate the use on a typical day. Except in industrial districts or an institutional use, the spaces exceeding the 20 percent minimum must be made available for public parking.

1254.01.04 FACTORS TO PERMIT A REDUCTION FROM THE AMOUNT OF PARKING REQUIRED

(a) Shared Parking on the Same Lot. Where two or more uses are present on the premises, parking requirements shall be calculated for each use, based on the Table 1254.01.03. However, the Zoning Administrator may permit a reduction for shared parking between two or more uses where the applicant can document that the amount of parking provided will meet the peak needs of the uses collectively as noted in 1254.01.04 (c) below.

(b) Shared Parking on Adjacent Lots. Two (2) or more buildings or uses may collectively provide the required off-street parking, in which case the required number of parking spaces for the uses calculated individually may be reduced by the Zoning Administrator by up to 25 percent, provided a parking study is provided as noted in 1254.01.04 (c) below and a signed agreement is provided by the property owners in a form acceptable to the City Attorney.

(c) Parking Reductions. The Zoning Administrator may permit a reduction of the required number of parking spaces based upon one or more of the following:

(1) Owner shall provide documentation such as a parking study or traffic count taken from developments of a similar size and use which demonstrates that the amount of parking provided will be sufficient to accommodate the needs of the proposed use(s) during peak demand. This shall include delivery needs, the number of employees in the largest shift, the number of residential units by bedroom count, and a projection of the maximum number of visitors to the site during its most active time. The city may require the owner to submit a plan for providing additional parking, up to the required amount if the actual parking needed exceeds the parking provided.

(2) Owner demonstrates that there is available shared parking available, either in a municipal lot, parking structure, or shared with another property. For shared use of a private lot, the

owner shall demonstrate that there will be sufficient parking available for all users during the time of peak shared demand.

(3) Owner provides incentives for employees to use public transit, bicycle, or live within walking distance of the use. In such case the applicant shall provide information on the program that demonstrates effectiveness to the city. This could include priority on-site bicycle parking, stipends for use of transit, employee reward programs for non-single occupant vehicle commutes or similar incentives. The accepted parking reduction program would be a condition of zoning approval.

(4) The amount of required parking may be reduced if a shared car or program is provided.

The amount of the reduction shall be determined by the Zoning Administrator, with input from the Transportation Engineer, in consideration of the number of shared vehicles provided and the level of availability.

(d) Valet Parking. The Zoning Administrator may allow a reduction in on-site parking required for valet parking provided the valet parking area is under the same ownership as the Principal Use or is leased and that a shared parking agreement has been approved by the City Attorney. Such parking agreement shall be considered as part of the permitted use such that, if the parking agreement is no longer valid, the city may restrict the use to the scale of parking available.

(e) Exceptions in the DT-3, MX-C, and MX-2 Districts:

(1) Properties located within the DT-3 district are exempt from the requirements of Section 1254.01.03.

(2) Properties zoned MX-C, located on the north side of the 900 block and east half of the 1000 block of W. Saginaw Street, are exempt from the requirements of Section 1254.01.03, except that at least one (1) off-street parking space shall be required for each residential unit. The required parking spaces must be located within 300 feet of the property they serve and may be located on city-owned off-street parking lots and private parking lots where a permit has been issued or an agreement has been established allowing use of the parking spaces on a 24 hour basis.

(2) Properties zoned MX-2 are exempt from the requirements of Section 1254.01.03, with the following exceptions:

1. Properties in the MX-2 district on S. Cedar Street must provide parking in accordance with Section 1254.01.03.
2. Properties in the MX-2 district that have frontage on E. Michigan Avenue or adjoin properties that have frontage on E. Michigan Avenue, except those located in the 2000 block on both the north and south sides of the street, must provide at least 20 percent of the on-street parking required by Section 1254.01.03.
3. At least one (1) off-street street parking space shall be required for each residential unit in the MX-2 district.
4. All required parking spaces in the MX-2 districts must be located within 300 feet of the property they serve and may be located on city-owned off-street parking lots and private parking lots where a permit has been issued or an agreement has been established allowing use of the parking spaces on a 24 hour basis.

1254.01.05 BARRIER FREE PARKING REQUIREMENTS

- (a) Barrier Free Parking. Within each parking lot, signed and marked barrier free spaces shall be in accordance with the Michigan Department of Labor, Construction Code Commission, Barrier Free Design Division.

1254.01.06 STORAGE OF MERCHANDISE AND VEHICLES.

- (a) The storage of merchandise, equipment, and motor vehicles for sale is prohibited in the off-street parking area, if such storage reduces the number of off-street parking spaces available below the number required by Section 1254.01.03.
- (b) No motor vehicle that is inoperable, stripped, dismantled, or in a state of disassembly or disrepair shall be kept on any exterior premises, except as permitted and as regulated by the zoning district of the property upon which such vehicle is located.

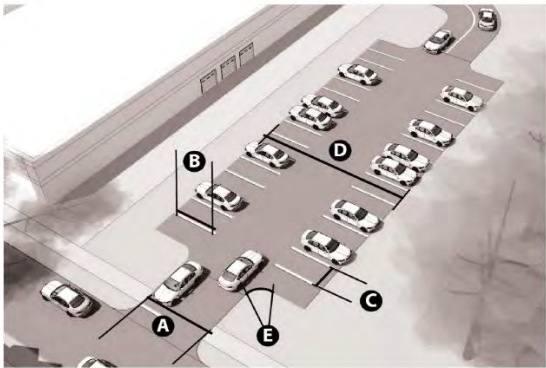
1254.01.07 PARKING SPACE DIMENSIONS

(a) Except for single-family or two-family dwellings, required off-street parking shall be designed pursuant to this section.

(b) Dimensions. All parking spaces and maneuvering aisles shall be designed and marked with minimum dimensions described:

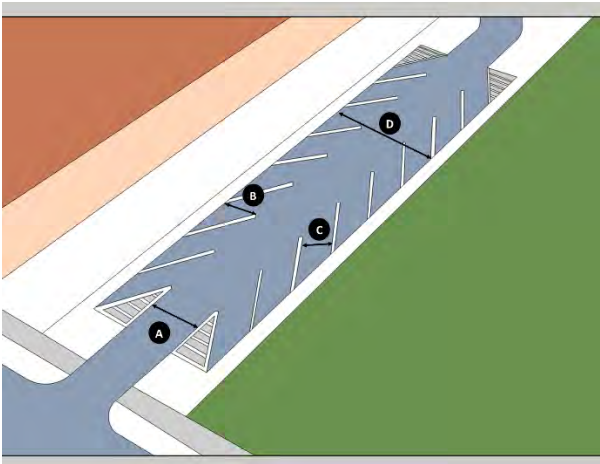
(1) Perpendicular (90-degree) Parking		
A. Aisle Width	Two-way	24 ft.
	One-way	18 ft.
B. Stall Depth		18 ft. min.
C. Stall Width	9 ft.	
D. Overall Width (double-loaded bay)	Two-way	60 ft.
	One-way	54 ft.
E. Corner Radius	5 ft.	

[FIGURE 94]



(2) Angled (45, 60, 75-degree) Parking		
A. Aisle Width	Two-way	20 ft.
	One-way	15 ft.
B. Stall Depth		18 ft. min.
C. Stall Width	9 ft.	
D. Overall Width (double-loaded bay)	Varies depending on the angle of the parking and one-way or two-way traffic	

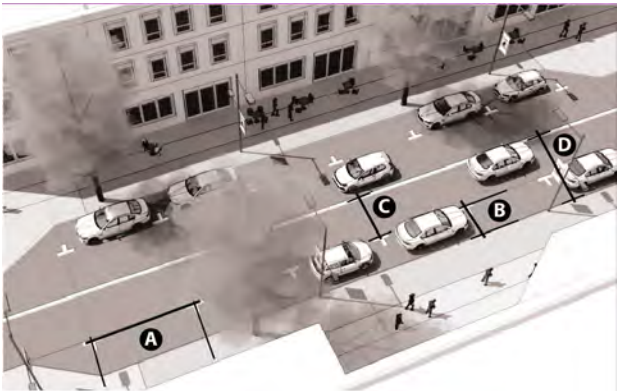
[FIGURE 95]



1

(3) Parallel Parking	
A. Stall Length	20 ft. min
B. Stall Width	7 ft. min, 8 ft. typical
C. Aisle Width	10 ft. min. 12 ft. max
D. Overall Width (single-loaded bay)	18 ft. min.

2 [FIGURE 96]



3

4

5

6

(4) Space length may be reduced by up to two feet if an unobstructed overhang of not less than two feet is provided, such as a landscaped area or sidewalk. A sidewalk shall have a minimum width of seven feet where abutting a parking area.

7

(c) Islands

8

(1) Mid-bay islands: minimum of nine (9) feet wide

9

(2) Between facing bays: minimum of six (6) feet wide

10

(3) End-cap islands: minimum of six (6) feet wide

11

(d) If requested by an applicant, the width of a parking space and any dimension described in (b) above may be varied by the Transportation Engineer, based upon all of the following criteria:

12

- (1) The size of vehicles which use the lot;**
- (2) The turnover rate;**
- (3) The shape of the lot;**
- (4) Sound traffic flow principles;**
- (5) The use of the lot; and**
- (6) Adequacy of signs that provide information or restrict parking in certain spaces.**

1254.01.08 SURFACING

- (a) Except as provided for in subsections (b) and (c) hereof, off-street parking and loading areas, including access drives, shall be hard-surfaced with either Portland cement or asphalt.**
- (b) An alternative surface, including, but not limited to, permeable or pervious materials, may be approved by the Zoning Administrator, if circumstances exist which justify the alternative surface, and if the City Engineer believes the alternative surface will not result in an unreasonable amount of sediment being deposited in the sewers, and so long as the alternative surface is maintained in a dust-controlled condition.**
- (c) A lot used temporarily for off-street parking may be surfaced with gravel, so long as the temporary use does not extend for more than two years, and so long as the surface is maintained in a dust-controlled condition.**

1254.01.09 GRADING AND DRAINAGE

- (a) The City Engineer shall approve the grading of required off-street parking areas, based upon the design standards promulgated by the American Association of State and Highway Transportation Officials.**
- (b) The City Engineer shall approve drainage of required off-street parking areas, if the drainage may adequately be served by an existing storm sewage system.**

1254.01.10 SIGNS, STRIPING, AND MAINTENANCE

- (a) The City may require the installation of pavement markings and signs to direct circulation, provide information, and identify restrictions on use of parking spaces and loading areas.**

(b) Except for single-family or two-family dwellings parking spaces shall be striped and such striping shall be maintained.

(c) Maintenance of Parking Lot.

(1) All off-street parking and loading facilities shall be maintained free of accumulated snow, debris or other materials which prevent full use and occupancy of such facilities except for temporary periods of no more than five (5) days in the event of heavy rainfall or snowfall.

(2) Off-Street Parking and loading facilities must be maintained in a proper state of repair and free from hazardous conditions.

1254.01.11 INGRESS AND EGRESS

(a) The number and location of points of ingress and egress to off-street parking areas developed after the effective date of this Zoning Code (Ordinance 1273, passed March 8, 2021) shall be approved by the Transportation Engineer.

(b) The number of access points shall be the minimum necessary to provide reasonable access as determined by the City Transportation Engineer.

(c) To reduce conflicts which can contribute to congestion and crash potential, access shall be located as far from signalized intersections as is practical.

(d) Access shall be located to minimize conflicts with through traffic, pedestrians, bicyclists and movements into access points adjacent to the property or across the street. To confirm this, a site plan shall include driveways across from the property frontage and adjacent access points.

(e) The City Transportation Engineer may require redesign, relocation, easements for a shared access system or restrict some movements at an access point to provide safe and efficient operations.

(f) Each ingress and egress to and from any off-street parking area located in an area zoned for other than single-family residential use shall be at least five (5) feet from any adjacent property located in any Single-Family Residential District.

(g) All parking spaces shall be provided adequate access by means of maneuvering lanes. Backing directly into a street is prohibited.

1254.01.12 UNOBSTRUCTED ACCESS

(a) Except as provided in subsection (b) or (c) hereof, each required off-street parking space shall be arranged in a way which provides for unobstructed access to a public right-of-way. Unobstructed access shall not be construed to prohibit security devices.

(b) In the case of a lot used as a single-family dwelling, one (1) of the two off-street parking spaces required by Table 1254.01.03 may be obstructed from access to a public right-of-way by another parking space, if all of the following conditions are met:

(1) The obstructed space is located on an approved driveway.

(2) The obstructed space is not in the front yard.

(3) The driveway is surfaced pursuant to the requirements of Section 1254.01.09.

(4) The unobstructed space is directly behind the obstructed space.

(c) In the case of a lot used as a two-family dwelling, two of the four off-street parking spaces required by Table 1254.01.03 may be obstructed from access to a public right-of-way by another parking space, if all of the following conditions are met:

(1) The obstructed space is located behind the front line of the dwelling.

(2) The obstructed space is not in the front yard.

(3) The driveway is surfaced pursuant to the requirements of Section 1254.01.09.

(4) The unobstructed space is directly behind the obstructed space.

(d) No sidewalks, driveways, maneuvering aisles, fire lanes, or building accesses shall be obstructed by the parking, storage, or display of vehicles, merchandise, equipment, supplies, or any other items.

1254.01.13 LIGHTING

(a) All lighting used to illuminate any off-street parking area shall be so installed as to be confined within and directed onto the parking area only.

1254.01.14 VEHICLE STOPS

(a) A vehicle stop shall be provided for any parking space if the space abuts a public right-of-way, sidewalk, or landscaping or screening required by Chapter 1252, and shall either be one of the following or be approved by the Transportation Engineer:

(1) A concrete curb;

(2) A concrete, or similar durable material, stop properly anchored; or

(3) A steel or concrete post at least 3 feet in height.

1254.01.15 CHANGES TO A PARKING LOT

(a) An area designated as required off-street parking may be changed to another use or encroached upon, so long as the minimum requirements of Table 1254.01.03 continue to be met.

(b) Changes to parking areas other than for Single-Family detached homes or duplexes on individual lots shall be approved as part of a site plan. Minor changes to the parking layout, such as a reconfiguration, as determined by the Zoning Administrator, shall require submittal of a parking plan which indicates property lines, existing and proposed ground elevations at two (2) foot contour intervals, the number of spaces, calculations for meeting the minimum space requirements of this Article, dimensions of aisles, driveways and typical parking stalls, location of curbs and curb blocks, location and size of signs, existing and proposed landscaping, existing and proposed lighting and drainage facilities.

(c) Reduction prohibited. A substitution, alteration or deletion of any off-street parking shall not have the effect of reducing the off-street parking below the number required in Table 1254.01.03.

1254.01.16 LOADING

When on premise space for standing, loading, and unloading vehicles is necessary for uses involving the receipt or distribution of goods, the following provisions shall apply:

(a) Traffic Flow. The size of the loading area shall be sufficient to prevent undue interference with adjacent required parking spaces, maneuvering aisles, or traffic flow on public streets.

(b) Alleys. Where an alley exists at the rear of the building, the loading area may be computed from the centerline of the alley.

(c) Location. Loading/unloading areas and docks shall not be provided in the front yard or on any building side facing and directly visible to a public street. Where possible, loading areas shall be integrated into the design of the building to minimize visibility.

(d) Screening. Loading docks and loading areas facing a residential district shall be adequately screened by a wall and/or landscaping.

(e) **Not Included with Parking.** Required loading areas shall not be included in calculations for off-street parking space requirements.

(f) **Size.** The size of all required loading/unloading spaces shall be at least ten (10) feet by 50 feet or 500 square feet in area, with a clearance of at least 14 feet in height. The Zoning Administrator may modify this requirement for uses that will involve smaller delivery trucks such as offices.

(g) **An alternative surface, including, but not limited to, gravel, may be approved by the Zoning Administrator, if circumstances exist which justify the alternative surface, and if the City Engineer believes the alternative surface will not result in an unreasonable amount of sediment being deposited in the sewers, and so long as the alternative surface is maintained in a dust-controlled condition.**

1254.01.17 FRONT YARD PARKING

(a) Prohibitions; Exceptions.

(1) **In Residential districts no person shall park or place a motor vehicle, trailer, watercraft, or recreational vehicle or equipment, in a front yard. However, this section shall not apply:**

- a. **To vehicles parked or placed in a lawfully established driveway;**
- b. **While engaged in actual loading or unloading;**
- c. **Where permitted pursuant to any other provision of these Codified Ordinances;**
- d. **Where prior to the effective date of this ordinance, parking areas were lawfully established in front yards by variance or in accordance with the ordinance that was in effect at the time that the parking area was established.**

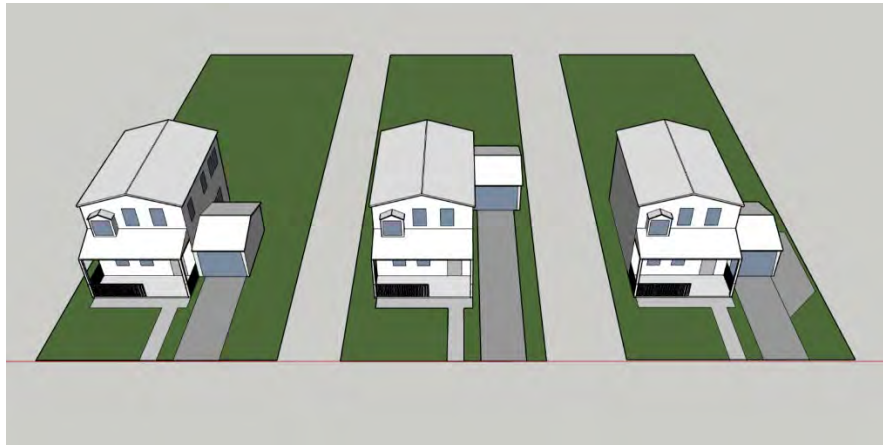
(2) **In no instance shall gravel, stone, blocks, pavers, cement, asphalt or other similar materials be placed in front of the front building wall of a building to be used as a parking surface.**

(b) Driveways

(1) **A driveway may not exceed 20 feet in width or the width of the opening to the garage to which it provides access within the front yard of a Single-Family or Two-Family residential property and shall in no case be in front of the front wall of the dwelling. A driveway may not exceed 20 feet in width for a residential property where the driveway is not required to**

provide two-way vehicular access to a parking lot that lawfully contains more than four parking spaces in the side or rear yard.

[FIGURE 97]



(2) Each residentially zoned or used parcel is permitted one driveway via one curb cut.

(3) A second driveway may be permitted after review and approval by the Zoning Administrator and the Department of Public Service.

a. A second driveway may be permitted on corner lots that have at least 100 feet of frontage on one of the two streets, on through lots, or to eliminate a shared driveway provided that the existing driveway continues to serve the adjacent parcel of land. Approval of a second driveway may only be granted if it is necessary in order to accommodate parking for the allowable number of vehicles on the site.

b. A two-family dwelling with side-by-side units may be permitted two driveways after review and approval by the Zoning Administrator and the Department of Public Service.

(4) In no instance shall a driveway extend in front of the front building wall of a residential building.

1254.02 BICYCLE PARKING

1254.02.01 DEFINITIONS.

For purposes of this chapter:

APBP GUIDELINES. The 2nd edition of the bicycle parking guidelines issued by the Association of Pedestrian and Bicycle Professionals.

BICYCLE LOCKER. A locked compartment for the storage of a single bicycle.

BICYCLE PARKING SPACE. A secure structure designed and available exclusively for the storage of a bicycle.

BICYCLE ROOM. A room with controlled access for users of bicycles to be stored in the room.

LONG-TERM BICYCLE PARKING SPACE. Bicycle parking that is covered and enclosed on all four sides.

SHORT-TERM BICYCLE PARKING SPACE. Any bicycle parking space that is not a long-term bicycle parking space.

1254.02.02 REQUIRED BICYCLE PARKING SPACES.

Bicycle parking spaces shall be provided for the benefit of any structure identified in Section 1254.02.04 or Section 1254.02.05 if, after the effective date of this chapter:

(a) A site plan for the property on which the structure is located must be submitted to the Planning Office;

(b) The property on which the structure is located is rezoned to a district other than a Residential District; or

(c) A special land use permit is granted for the property on which the structure is located.

1254.02.03 BICYCLE PARKING GUIDELINES.

(a) To the extent feasible and unless otherwise provided by this chapter or the City of Lansing Bicycle Parking Guidelines promulgated by the Zoning Administrator, property owners are encouraged to conform to the APBP Guidelines.

(b) During the operating hours of the structure identified in Sections 1254.02.04 and 1254.02.05, bicycle parking spaces required by this chapter shall be lighted at an illumination level of at least .4 foot-candles.

(c) Bicycle parking spaces shall be located within 100 feet of an entrance to the structure or inside the structure.

(d) Bicycle parking spaces shall be adequately maintained and kept free of mud, debris, ice, and snow.

(e) Each short-term bicycle parking space provided pursuant to the provisions of this chapter shall support a bicycle in an upright position; allow both the bicycle frame and the front wheel to be locked; be securely anchored; have a hard surface, such as asphalt, concrete, or brick pavers, with dimensions of at least six (6) feet by two (2) feet; be constructed of materials that resist cutting, rusting, bending, and deformation; and be installed in accordance with the City of Lansing Bicycle Parking Guidelines promulgated by the Zoning Administrator based on the APBP Guidelines, maintenance of uniformity among Michigan communities, and other best practices.

(f) Long-term bicycle parking spaces provided pursuant to the provisions of this chapter shall be provided in [1] bicycle lockers that ensure adequate clearance for simultaneous users; [2] bicycle racks in locked cages; or [3] bicycle rooms.

1254.02.04 SHORT-TERM BICYCLE PARKING REQUIREMENTS BASED ON LAND USE.

(a) For purposes of this section:

(1) Every 24 inches of bench seating shall be counted as one seat.

(2) Numbers resulting from the prescribed formulas shall be rounded up from one half to the next whole number in calculating the number of required bicycle parking spaces.

(b) Property owners shall provide the following number of short-term bicycle parking spaces for the benefit of the corresponding specified structures:

Table 1254.02.04 Short-Term Bicycle Required Parking Spaces	
Structure	Required Number of Bicycle Parking Spaces
Multi-family Residential	2 for every 10 dwelling units
Churches and other Places of Worship	2 for every 50 seats in the main unit of worship
Lodging	2 for every 50 units
Athletic Clubs and Fitness Centers	2 for every 5,000 square feet of usable floor area, with a maximum of 30
Libraries and Museums	
Planned Developments and Shopping Centers	
Retail Stores not Otherwise Identified	
Banks and Financial Institutions	
Offices of Medical Professionals, Health Clinics, and Medical Centers	
Gas Stations	
Sports Arenas and Stadiums	2 for every 250 seats, with a maximum of 30

Theaters and Auditoriums	2 for every 100 seats, with a maximum of 30
Eating and Drinking Establishments	2 for every 24 seats
Commercial Property not otherwise identified	2 for every 5,000 square feet of usable floor area, with a minimum of 2
Industrial, Manufacturing, Wholesale, and Research Establishments	2 for every 20,000 square feet of usable floor area, with a minimum of 2
Commercial Off-Street Parking Facilities	2 for every 20 vehicle parking spaces, with a maximum of 30
Consumer Repair Service Establishments	2 for every 3,000 square feet of usable floor area, with a minimum of 2 and a maximum of 30
Cemeteries, Mausoleums, and Parks	2 for every 20,000 square feet of land, with a maximum of 10

1 **1254.02.05 OFFSET OF REQUIRED OFF-STREET PARKING SPACES.**

2 **The number of off-street parking spaces required by Section 1254.01 will be reduced by 1 space, with a**
3 **maximum reduction of 20 percent of the number of off-street parking spaces required by Table 1254.01.03,**
4 **for each of the following:**

5 **(a) Every six (6) bicycle parking spaces provided in excess of those required by this chapter; or**

6 **(b) Every six (6) short-term bicycle parking spaces covered by a permanent structure approved by the**
7 **Zoning Administrator.**

CHAPTER 1260 SITE PLAN REVIEW

1260.01 INTENT

It is the intent of this article to require site plan review and approval prior to issuance of a zoning compliance permit for certain buildings, structures and uses to ensure that the arrangement, location, design and materials within a site are consistent with the character of the city and the goals and design guidelines in the Design Lansing Comprehensive Plan, the regulations in this Zoning Ordinance, and compliance with other City Ordinances related to development. In particular, the standards herein are intended to minimize negative impacts on natural resources, utility systems, public service delivery, traffic operations, pedestrian and bicyclist safety, adjacent neighborhood or district character, and the character of future development.

It is further the intent of this article to bring existing sites that do not conform with current standards of this chapter into greater conformity when uses change or an exterior renovation or expansion is proposed.

1260.02 USES SUBJECT TO REVIEW

(a) Except for individual single or two-family principal or accessory structures, a site plan shall be submitted to the Planning Office for all of the following activities:

- (1) Construction of a new building or building addition that is 1,000 square feet or greater in area;
- (2) Structural alteration of an existing structure or a change of use when the effect of the alteration or change is to increase the intensity of the land use;
- (3) Excavation or filling of ground within the boundaries of the 100-year base floodplain;
- (4) The installation of 1,000 square feet or more of new impervious surface;
- (5) A manufactured housing community;
- (6) An activity which relocates a structure from one lot to another lot or within the same lot;
- and
- (7) Mass grading of topography and/or grading that alters the existing site drainage patterns.

(b) The Planning Office may waive the requirement of site plan review when the Planning Office and all other City departments that are charged with reviewing site plans, including the Board of Water

& Light, are in agreement that there is no reasonable need for site plan review under the circumstances involved.

1260.03 STANDARDS FOR APPROVAL

The Zoning Administrator may deny, approve, or approve with conditions the plan based on the following design standards that apply in addition to the applicable use and dimensional regulations:

- (a) **Site Design Characteristics.** All elements of the plan shall be designed to take into account the site's topography; the size and type of lot; the character of adjoining property; the type and size of buildings; pedestrian circulation and the traffic operations of adjacent streets. The site shall be developed so as not to impede the normal and orderly development or improvement of surrounding property for uses permitted in this ordinance.
- (b) **Building Design.** The building design shall relate to the surrounding area in regard to texture, scale, mass, and proportion. The quality of building design and construction materials shall be in accordance with the requirements of Chapter 1246 – Architectural Standards. Buildings shall be designed to take advantage of natural heating, cooling, and buffering opportunities and incorporate energy efficient fixtures.
- (c) **Change of Use and Redevelopment.** For changes of use and site alterations or building expansions, the Zoning Administrator shall determine the extent of improvement required in relation to the extent of change proposed. In particular the Zoning Administrator may require changes to improve public safety; closure or redesign of driveways; redesign or resurfacing of parking and loading areas; installation of curbing; replacement or additions to landscaping or screening; upgrades to lighting; relocation and enclosure of waste receptacles; and upgrades to the building exterior.
- (d) **Preservation or Conservation of Significant Natural Features.** The landscape shall be preserved in its natural state, insofar as practicable, by minimizing tree and soil removal, alteration to the natural drainage courses, and the amount of cutting, filling and grading. Views of the river shall be preserved and protected. Insofar as practical, natural features and the site topography shall be incorporated into the proposed site design.

- 1 **(e) Preservation of Capital Views.** The design shall be considerate of existing public views of
2 Michigan's State Capitol.
- 3 **(f) Streets.** All streets shall be developed in accordance with the City of Lansing engineering standards.
4 All streets shall be designed to accommodate multiple modes of transportation (autos, trucks,
5 transit pedestrians and bicyclists). Street connections shall be provided where necessary to enhance
6 vehicular, pedestrian and bicycle connectivity to surrounding neighborhoods.
- 7 **(g) Access, Driveways and Circulation.** Safe, convenient, uncongested and well defined vehicular
8 circulation within and to the site shall be provided and shall meet the following criteria:
- 9 **(1)** Drives, streets, parking and other elements shall be designed to discourage through traffic,
10 while promoting safe and efficient traffic operations within the site and at its access points.
- 11 **(2)** The number of access points shall be the minimum necessary to provide reasonable access
12 to the property.
- 13 **(3)** Access to the site shall be designed to minimize conflicts with traffic on adjacent streets,
14 particularly to avoid conflicts with traffic operations at street intersections and associated
15 with left turns into and from the site. The city may require closure or relocation or redesign
16 of access points, or a redesign of on-site parking and circulation, to improve operations and
17 safety.
- 18 **(4)** For uses having frontage and/or access on a major street, the number, design, and location
19 of access driveways and other provisions for vehicular circulation shall comply with the
20 provisions of Chapter 1254 – Parking. The city may require shared access with adjacent
21 parcels with a shared access agreement, especially where safe access spacing from
22 intersections or other driveways cannot be provided on a site.
- 23 **(5)** All driveways shall meet the design and construction standards of the city or the MDOT for
24 access along state routes.
- 25 **(h) Emergency Vehicle Access.** Site circulation, parking lot design, and buildings or groups of buildings
26 shall be arranged so as to permit emergency vehicle access as required by the fire department and
27 police department.

- 1 (i) **Sidewalks, Pedestrian and Bicycle Circulation.** Safe pedestrian circulation and access to building
2 entrances shall be provided. Conflicts between pedestrian pathways and traffic circulation shall be
3 minimized to the extent practical. In locations where transit is available, convenient pedestrian
4 access shall be provided from the building entrance to the transit stop. Pedestrian circulation shall
5 be as provided in 1250.04.06 Pedestrian and Bicycle Oriented Design Features.
- 6 (j) **Parking.** The number and dimensions of off-street parking spaces shall be sufficient to meet the
7 minimum required by Chapter 1254 parking. Parking lots shall be designed to minimize the
8 amount of impermeable surface. Bicycle parking shall be provided as required in Section 1254.02.
- 9 (k) **Loading.** All loading and unloading areas and outside storage areas, including waste receptacles,
10 shall be accessed and screened in accordance with Section 1254.01.17 Loading.
- 11 (l) **Waste Receptacles.** Waste receptacles shall be provided as required in 1250.04.04 Waste
12 Receptacles and Enclosures.
- 13 (m) **Lighting.** Exterior lighting shall be arranged so that it is deflected away from adjacent properties
14 and so that it does not impede the vision of traffic along adjacent streets in accordance with Section
15 1250.04.03 Exterior Lighting.
- 16 (n) **Mechanical Equipment and Utilities.** Mechanical equipment and utilities, including roof-, building-
17 and ground-mounted, shall be screened in accordance with the requirements of Section 1250.04.02
18 Mechanical Equipment.
- 19 (o) **Landscaping.** Landscaping, landscape buffers and greenbelts shall be provided and designed in
20 accordance with the provisions of Chapter 1252 – Landscaping. Potable water consumption for
21 irrigation shall be minimized to the extent practical through utilization of plant species that
22 minimizes the need for irrigation, irrigation efficiency, use of captured rainwater or use of recycled
23 wastewater.
- 24 (p) **Utilities and Storm Water Management.** Public water and sewer facilities shall be available or shall
25 be provided for by the developer as part of the site development. All utilities and storm water
26 management facilities shall be reviewed and approved by the city engineer. Low impact stormwater

management techniques shall be used wherever possible such as pervious pavement, bio-swales, rain gardens and green roofs.

(q) Noise. The site has been designed, buildings so arranged, and activities/equipment programmed to minimize the emission of noise, particularly for sites adjacent to residential districts and to comply with the city's noise ordinance.

(r) Other Agency Reviews. The applicant has provided documentation of compliance with other appropriate agency review standards, including, but not limited to, the Board of Water & Light, the Michigan Department of Environment, Great Lakes, and Energy (EGLE), Michigan Department of Transportation (MDOT) and other federal, state and county agencies, as applicable.

1260.04 SUBMITTAL REQUIREMENTS

A site plan shall be dated, submitted in electronic format, drawn to a scale of not less than one inch equals 50 feet, if the subject property is less than three acres, and one inch equals 100 feet, if three acres or more. The site plan shall contain all of the following information, provided that the Zoning Administrator may waive certain submittal requirements for a reoccupancy or minor change on an existing site where it is determined such information is not necessary to determine compliance with this Ordinance:

(a) The names, addresses, telephone number and email address of the applicant, owner and the architect, engineer, or other design professional who prepared the plan;

(b) The parcel numbers, addresses and legal descriptions of all parcels that are related to the project for which site plan approval is being sought;

(c) Location map and north arrow;

(d) Existing and proposed lot lines, acreage and dimensions of the site including width, length and frontage;

(e) Locations and dimensions for all existing and proposed easements, sidewalks, fire lanes, streets/alley rights-of-way,

(f) Location of existing access points (driveways) adjacent to, and across the street from, the site including the spacing from the proposed access points.

- (g) Location and dimensions (width, radii, grades) of proposed access points and existing or proposed acceleration/deceleration tapers or lanes along or adjacent to the site;**
- (h) Location of all existing and proposed buildings;**
- (i) Required and proposed setbacks for all buildings and parking lots;**
- (j) The height of all proposed buildings and structures;**
- (k) The location and dimensions of all bicycle parking spaces, vehicular parking spaces/aisles, loading and unloading areas and driveways on or within 120 feet of the site;**
- (l) Number of required and proposed vehicular and bicycle parking spaces;**
- (m) The location of all existing and proposed right-of-way trees and a landscaping, screening and buffering plan that demonstrates compliance with the requirements of Chapter 1252 – Landscaping;**
- (n) The location and enclosure details for all waste receptacles;**
- (o) A photometric plan and a detail of the proposed exterior lighting poles/fixtures;**
- (p) Existing and proposed land elevations and/or contours to appropriately illustrate and direction of drainage flow;**
- (q) The location and elevations of existing water courses and water bodies, including county drains and manmade surface drainage ways, floodplains, and wetlands;**
- (r) A soil erosion and sedimentation control plan unless no earth changes are proposed as part of the site plan (an associated permit may also be required consistent with the requirements of City of Lansing Ordinance 1218.06.);**
- (s) Where required consistent with City of Lansing Ordinance 1219.04, a proposed, post-construction storm water management plan consistent with the requirements of Chapter 1219 of the City Code, including design of storm sewers, stormwater outlets, and stormwater retention or detention ponds;**
- (t) The location and status of any floor drains in existing or proposed structures on the site. The point of discharge for all drains and pipes shall be specified on the site plan;**
- (u) Location of any on-site wastewater treatment and disposal systems;**

- (v) Location of existing and proposed public water mains, public and private drinking water wells, monitoring wells, irrigation wells, test wells or wells used for industrial processes;**
- (w) Inventory of hazardous substances (including include CAS numbers) to be stored, used or generated on-site, presented in a format acceptable to the City Fire Marshal;**
- (x) Descriptions of type of operations proposed for the project and drawings show size, location, and description of any proposed interior or exterior areas of structures for storing, using, loading or unloading of hazardous substances, hazardous wastes, and/or polluting materials;**
- (y) Description and location for any existing or proposed above ground and below ground storage tanks;**
- (z) Delineation of areas on the site which are known or suspected to be contaminated, together with a report on the status of cleanup or closure.**

1260.05 COMPLIANCE AND CONSTRUCTION WITH APPROVED SITE PLAN

- (a) Property which is the subject of site plan approval must be developed in strict compliance with the approved site plan including any approved revisions, amendments or modifications made thereto. Failure to conform to the approved site plan shall constitute a violation of this Chapter. In order to assure compliance with the approved site plan, a completion bond equivalent to the value of the site work shall be submitted to the Planning Office prior to commencement of construction. If construction and development does not conform to the approved plan, the approval thereof shall be revoked by the Zoning Administrator by written notice of such revocation. Upon revocation of such approval, all further construction activities shall cease upon the site, other than for the purpose of correcting the violation. If necessary based upon continued non-compliance, the City may also elect to invoke the provisions of the completion bond for the purposes of mobilizing forces to correct any non-compliant aspects of the development. The completion bond shall be released by the Planning Office upon confirmation that the development is compliant with the approved site plan including any approved revisions, amendments or modifications made thereto.**

1 **(b) For all approved site plans, as-built drawings for all site work and utility construction shall be**
2 **submitted to the Public Service Department within fourteen (14) days of completion of**
3 **construction.**

4 **(c) No Certificate of Occupancy for any development on a site subject to the requirements of this**
5 **chapter shall be issued until all components of the approved site plan are completed and in place.**

6 **(d) The approval of any site plan under this provision shall expire one year after the date of such**
7 **approval, unless actual construction and development have been commenced in accordance with**
8 **said site plan prior thereto. If such construction and development is commenced within said one**
9 **year period, then such approval shall continue for a period of two years from the date thereof;**
10 **provided, however, that should a lapse of more than six months in continuous substantial**
11 **construction and development not occur, said approval shall expire.**

CHAPTER 1262 SPECIAL LAND USE PERMITS

1262.01 COMPLIANCE REQUIRED

Special land uses shall be permitted as provided in this Zoning Code if the requirements of this chapter are met.

1262.02 APPLICATIONS; REVIEW PROCEDURES

(a) An application for a special land use permit may be made by an applicant on forms provided by the Planning Office and shall be accompanied by the fees established by Council and the documents required by Chapter 1260.

(b) The Planning Office shall refer the application described in subsection (a) hereof to the Planning Commission for consideration and recommendation to Council.

(c) The Planning Office, shall publish one notice in a newspaper of general circulation in the City that a request for a special land use approval has been received. The Planning Office shall also send a notice by first class mail to all persons to whom real property is assessed, according to the records maintained in the office of the City Assessor, within 300 feet of the boundary of the lot. If the name of the occupant is not known, the term "occupant" may be used in making notification.

(d) The notice described in subsection (c) hereof shall be given not less than ten days and not more than 15 days before the public hearing described in subsection (f) hereof.

(e) The notice shall:

- (1) Describe the nature of the special land use request;
- (2) Indicate the lot which is the subject of the special land use request;
- (3) State when and where the special land use request will be considered;
- (4) Indicate when and where written comments concerning the request will be received; and
- (5) Indicate that a public hearing will be held by the Commission on the special land use request and give the date, time and location of the public hearing described in subsection (f) hereof.

(f) The Commission shall hold a public hearing for the purpose of considering the special land use request and recommend to Council whether it should approve, approve with conditions or deny the

1 special land use. In making its recommendation, the Commission shall consider each of the
2 following standards:

- 3 (1) If the special land use is designed, constructed, operated and maintained in a manner
4 harmonious with the character of adjacent property and the surrounding area;
- 5 (2) If the special land use changes the essential character of the surrounding area;
- 6 (3) If the special land use interferes with the general enjoyment of adjacent property;
- 7 (4) If the special land use represents an improvement to the use or character of property under
8 consideration and the surrounding area in general and also is in keeping with the natural
9 environment of the lot;
- 10 (5) If the special land use is not hazardous to adjacent property, or does not involve uses,
11 activities, materials or equipment which are detrimental to the health, safety or welfare of
12 persons or property through the excessive production of traffic, noise, smoke, odor, fumes
13 or glare;
- 14 (6) If the special land use is adequately served by essential public facilities and services, or it is
15 demonstrated that the person responsible for the proposed special land use is able to
16 continually provide adequately for the services and facilities deemed essential to the special
17 land use under consideration;
- 18 (7) If the special land use does not place demands on public services and facilities in excess of
19 current capacity;
- 20 (8) If the special land use is consistent with the intent and purpose of this Zoning Code and the
21 objectives of any currently adopted Comprehensive Plan; and
- 22 (9) If the special land use meets the dimensional requirements of the district in which the
23 property is located.

24 (g) The Commission shall state to Council, in writing, its recommendations as to each special land use
25 request and the reasons for its recommendation.

- (h) Council, upon receiving the recommendation from the Commission, shall hold a public hearing for the purpose of a de novo review of the recommendation of the Commission and deciding whether to concur in such recommendation.
- (i) A notice that a request for special land use approval has been received by Council and that a public hearing will be held, shall be published in a newspaper of general circulation in the City. Notice shall also be sent by first class mail to those persons described in subsection c) hereof.
- (j) The notice described in subsection (i) hereof shall meet all of the requirements described in subsections (d) and (e) hereof.
- (k) Council may deny, approve or approve with conditions a request for special land use approval, based upon the standards described in subsection (f) hereof. If conditions are imposed, they shall meet the requirements of Section 1262.03. The decision of Council shall be reduced to writing. The writing shall state Council's decision and shall specify the basis for the decision and conditions imposed upon the special land use, if any.

1262.03 CONDITIONS ON SPECIAL LAND USES

- (a) Council may impose conditions on its grant of a special land use to achieve any of the following findings:
- (1) Compatibility of the special land use with existing adjacent land uses;
 - (2) Protection of the natural environment and natural resources;
 - (3) Energy conservation;
 - (4) Accommodation of increased public service needs likely to result from the special land use;
 - (5) Protection of the health, safety, and welfare of the property owner and the community;
 - (6) Accommodation of considerations listed in section 1262.02 (f).
- (b) A new building or building addition, that is 1,000 square feet or more in area, and on a parcel of land for which a special land use permit has been granted on or after the effective date of this ordinance, shall require an amendment to the special land use permit after review and approval by the City Council in accordance with the following procedure:

- 1 **(1) Within five (5) days upon receipt of a site plan for a new building or building addition 1,000**
2 **square feet or greater in area, the planning office shall refer the matter to the City Council**
3 **which shall schedule a public hearing on amending the special land use permit. Notification**
4 **of the public hearing, in accordance with requirements of section 1262.02 e) shall be sent by**
5 **first class mail to the following, not less than seven days prior to the hearing:**
- 6 a. **All property owners within 500 feet of the subject property;**
7 b. **The applicable neighborhood watch officer, if any; and**
8 c. **The applicable neighborhood association, if any.**
- 9 **(2) Following the public hearing, the Council shall review the site plan for compliance with the**
10 **criteria contained in this chapter for evaluating special land use permits and shall deny,**
11 **approve or approve with conditions the amendment to the original special land use permit.**
- 12 **(3) The Council shall complete its review and render its decision within 60 days from the date**
13 **that the site plan was referred by the planning office. Failure to act shall be deemed**
14 **approval of the amended special land use permit.**
- 15 **(c) Conditions of approval, if any, shall be recorded in the written decision described in section**
16 **1262.02 (k) and shall remain unchanged, except upon the mutual consent of the applicant and**
17 **Council.**

CHAPTER 1264 PLANNED UNIT DEVELOPMENTS

1264.01 APPLICABILITY

The Planned Unit Development (PUD) process is an option for properties within all zoning districts, and is mandatory for some larger parcels, or groups of parcels, as designated on the Form-Based Code zoning map.

1264.02 INTENT

(a) The intent of this article is to offer an alternative to conventional development by permitting flexibility in the regulations for development. The standards contained herein are intended to promote and encourage development on parcels of land which are suitable in size, location and character for the uses proposed while ensuring compatibility with adjacent land uses.

(b) The PUD zoning standards are provided as a design option to:

- (1) Encourage innovation in land development in terms of variety, design, layout and type of structures constructed;
- (2) Accommodate development on sites that exhibit difficult development constraints;
- (3) Encourage redevelopment of brownfield or greyfield sites as mixed-use neighborhoods;
- (4) Encourage the adaptive reuse of historic buildings;
- (5) Provide the opportunity to mix compatible uses, or residential types;
- (6) Preserve and protect significant natural features, open space and cultural/historic resources;
- (7) Ensure that new developments are consistent with the historic character of the community;
- (8) Promote efficient provision of public services and utilities;
- (9) Minimize adverse traffic impacts;
- (10) Encourage development of convenient recreational facilities; and
- (11) Encourage the use and improvement of land where site conditions make development under conventional zoning difficult or less desirable.

(c) For properties approved for PUD designation, these PUD standards provide the developer with flexibility in design and permit variation of the specific bulk, area, and in some situations, the

density requirements of this chapter on the basis of the total PUD plan, subject to the approval of the PUD by the Planning Commission in accordance with the requirements set forth herein. The PUD standards shall not be sought primarily to avoid the imposition of standards and requirements of other zoning classifications rather than to achieve the stated purposes set forth in this section.

1264.03 ELIGIBILITY CRITERIA

The following criteria shall apply all planned unit developments (PUDs):

(a) Unified Control. The planned unit development shall be under the control of one (1) owner or group of owners and shall be capable of being planned and developed as one (1) integral unit.

(b) Recognizable Benefit.

(1) The applicant shall demonstrate to the Planning Commission that the PUD provides at least three (3) of the following site design elements that could not be attained through a project designed under conventional zoning:

- a. Mixed-use development with residential, and nonresidential uses or a variety of housing types;
- b. Redevelopment of brownfield or greyfield sites;
- c. Pedestrian/transit-oriented design with buildings oriented to the sidewalk and parking to the side or rear of the site;
- d. High quality architectural design beyond the site plan requirements of this chapter;
- e. Extensive landscaping beyond the site plan requirements of this chapter;
- f. Preservation, enhancement or restoration of natural resources (trees, slopes, nonregulated wetland areas, views to the river);
- g. Preservation or restoration of historic resources;
- h. Provision of open space or public plazas or features;
- i. Efficient consolidation of poorly dimensioned parcels or property with difficult site conditions (e.g., topography, shape etc.);

- j. **Effective transition between higher and lower density uses, and/or between nonresidential and residential uses; or allow incompatible adjacent land uses to be developed in a manner that is not possible using a conventional approach;**
- k. **Shared vehicular access between properties or uses;**
- l. **Mitigation to offset impacts on public facilities (such as road improvements); or**
- m. **Significant use of sustainable building and site design features such as: water use reduction, water-efficient landscaping, innovative wastewater technologies, low impact stormwater management, optimize energy performance, on-site renewable energy, passive solar heating, reuse/recycled/renewable materials, indoor air quality or other elements identified as sustainable by established groups such as the U.S. Green Building Council (LEED) or ANSI National Green Building Standards.**

(2) In granting the relaxation of any district standard for a PUD, the Planning Commission may require the applicant to demonstrate through bona fide documentation that the project will not be detrimental to the public health, safety or welfare of the future occupants of the PUD, the surrounding neighborhood, or the city as a whole. Such documentation may include, but is not limited to, traffic impacts studies, environmental impact studies, market needs assessments, infrastructure impact studies and any other such reports or studies.

(c) Compatibility with Adjacent Uses. The proposed location of uses or structures that are of a significantly different scale or character than the abutting residential districts, such as access drives, parking areas, waste receptacles, swimming pools, tennis courts and facilities of a similar nature, shall not be located near the perimeter of the PUD unless designed to prevent any negative impacts on adjoining residential uses.

(d) Comprehensive Plan. The proposed PUD shall be consistent with the City of Lansing Comprehensive Plan.

1264.04 PERMITTED USES

The uses permitted in the PUD shall be consistent with and in accordance with the uses permitted by right or by special land uses in the underlying zoning district. Other uses, however, may be permitted upon a

finding by the Planning Commission that such uses will be appropriate and compatible with the uses proposed for the development and with surrounding uses. The Planning Commission may permit additional uses to create an integrated, mixed-use development based upon the recommendations of the City of Lansing Comprehensive Plan. Approval of a PUD shall include the specific identification of the uses permitted within the PUD, and only those uses so approved shall be permitted.

1264.05 HEIGHT, AREA AND BULK REGULATIONS

The height, bulk and area conditions set forth in the underlying district requirements shall be used as guidelines for the use areas set forth in the PUD. However, to encourage flexibility and creativity consistent with the intent of the PUD, the Planning Commission may permit specific departures from the requirements of this chapter. Any regulatory modification shall be approved through a finding by the Planning Commission that the deviation shall result in a higher quality of development than would be possible using conventional zoning standards.

- (a) Modifications to Dimensional Requirements.** Where modification of the zoning ordinance standards is requested, the applicant shall provide a table for each specific standard proposed to be modified. Unless modifications are specifically requested and approved by the city, the site plan shall comply with the appropriate requirements of the city.

1264.06 APPROVAL PROCEDURE

- (a) Overview of PUD Review and Approval Process.** The PUD review and approval process includes the following steps:

- (1) Preapplication conference with Planning Office on the PUD concept plan.**
- (2) Planning Office review of PUD concept plan.**
- (3) Planning Commission public hearing and recommendation on PUD concept plan.**
- (4) City Council review and approval of PUD overlay zone, PUD concept plan and PUD agreement.**

- (b) Preapplication Conference with Planning Office.**

- (1) Applicant Request.** An optional pre-application conference with the Planning Commission Office may be requested by the applicant to discuss the appropriateness of a PUD and the

concept plan to solicit feedback and to receive requests for additional materials supporting the proposal.

(c) Planning Office Review of PUD Concept Plan.

(1) PUD Concept Plan. A concept plan for the PUD that contains all of the following information, along with fees established by City Council, shall be submitted for Planning Office review:

a. A conceptual plan for the development, drawn to an engineer's scale of not less than one (1) inch = fifty (50) feet for property less than three (3) acres, or one (1) inch = one hundred (100) feet for property three (3) acres or more in size, that includes all of the following:

1. Title block with sheet number/title; name, address and telephone number of the applicant and firm or individual who prepared the plans; and date(s) of submission and any revisions;
2. Scale and north-point;
3. Location map drawn to a separate scale;
4. Legal description of property;
5. Zoning classification of site and all abutting parcels;
6. Net acreage (minus rights-of-way) and total acreage;
7. Existing lot lines, building lines, structures, parking areas and other improvements on the site and within one hundred (100) feet of the site;
8. Proposed lot lines, lot dimensions, property lines, setback dimensions and other improvements;
9. Location and height of all proposed buildings or structures;
10. Location of existing and proposed roads, driveways, parking lots, sidewalks and pathways on or within two hundred fifty (250) feet of site;
11. Proposed off-street parking lots and number of spaces;
12. Conceptual landscape plan;

13. The general location of existing plant material;
 14. Location of existing drainage courses, floodplains, rivers and EGLE regulated wetlands;
 15. Location of existing and proposed sanitary sewers;
 16. Location of existing and proposed water mains;
 17. Stormwater retention and detention pond locations and existing, or proposed storm sewers;
 18. Number and location of residential units;
 19. Density calculations by type of residential unit; and
 20. Location and size of recreation and open space areas.
- b. Documentation indicating how the criteria for qualification for a PUD have been met.
 - c. A table which details all deviations from the established zoning district uses; area, height and setback requirements; off-street parking regulations; general provisions; or subdivision regulations which would otherwise be applicable to the uses and development proposed in the absence of this PUD article; this table shall clearly identify the allowed regulation in comparison to the requested deviation.
 - d. The manner of the ownership and dedication, and any mechanism to protect and maintain any areas designated as common areas or open space.
 - e. Any additional information requested by the Planning Commission to better assist in the determination of PUD qualification such as, but not limited to: market studies, fiscal impact analysis, traffic impact studies, and environmental impact assessments.
- (d) **Planning Commission Public Hearing.** A public hearing for the Planning Commission to review the requested PUD concept Plan shall be scheduled in accordance with the Michigan Zoning Enabling Act (P.A. 110 of 2006, as amended).
- (e) **Planning Commission Review, Decision, and Recommendation.**

(1) PUD Concept Plan. The Planning Commission shall review the PUD concept plan in consideration of public hearing comments, technical reviews from city staff, correspondence from applicable review agencies and compliance with the standards of this article and other applicable standards and requirements of this chapter. The Planning Commission shall recommend approval, approval with conditions or denial of the PUD request to the City Council. The recommendation shall be based on the following:

- a. Whether the proposal provides the recognizable benefits intended in this Chapter;**
- b. Promotes the land use goals and objectives of the City or the Comprehensive Plan;**
- c. Whether all applicable provisions of this article and this chapter are met;**
- d. Whether there is, or will be at the time of development, adequate facilities to accommodate the sanitary sewage, stormwater, solid waste, water supply needs and traffic generated by the proposed project; and**
- e. Whether the project successfully provides a transition between higher and lower density uses and/or between nonresidential and residential.**

(f) Draft PUD Agreement. The applicant shall submit a draft PUD agreement for review and approval by the City Council after review by the city attorney. The agreement shall provide:

- (1) A survey of the acreage comprising the proposed development.**
- (2) The manner of ownership of the developed land.**
- (3) The manner of the ownership and of dedication or mechanism to protect any areas designated as common areas or open space.**
- (4) Provision assuring that open space areas shown on the plan for use by the public or residents of the development will be or have been irrevocably committed for that purpose; the city may require conveyances or other documents to be placed in escrow to accomplish this.**
- (5) Satisfactory provisions have been made to provide for the future financing of any improvements shown on the plan for site improvements, open space areas and common**

- 1 areas which are to be included within the development and that maintenance of such
2 improvements is assured by a means satisfactory to the City Council.
- 3 (6) The cost of installing, improving and maintaining streets and the necessary utilities has
4 been assured by a means satisfactory to the City Council.
- 5 (7) Provisions to ensure adequate protection of natural features.
- 6 (8) The PUD site plan shall be incorporated by reference and attached as an exhibit.
- 7 (g) City Council Review of PUD Overlay Zoning PUD Concept Plan and PUD Agreement.
- 8 (1) Following receipt of a recommendation from the Planning Commission on the PUD overlay
9 zoning and PUD concept plan and draft PUD agreement; the City Council shall conduct a
10 public hearing to review the concept plan and PUD agreement.
- 11 (2) Notice regarding this public hearing shall be given in accordance with Section 3-303 of the
12 Lansing City Charter.
- 13 (3) After the public hearing, City Council shall either approve, deny, or approve with a list of
14 conditions made part of the approval.
- 15 (h) Conditions. In accordance with the Michigan Zoning Enabling Act (P.A. 110 of 2006, as amended),
16 reasonable conditions may be required with the approval of a PUD for the purpose of ensuring that
17 public services and facilities affected by a proposed land use or activity will be capable of
18 accommodating increased service and facility loads caused by the land use or activity, protecting
19 the natural environment and conserving natural resources, ensuring compatibility with adjacent
20 uses of land, promoting the use of land in a socially and economically desirable manner, and
21 further the implementation of the City of Lansing Comprehensive Plan. Conditions attached shall
22 be included in the PUD agreement.
- 23 (i) Time Limits for PUD Concept Plan Approval. Approval of the PUD concept plan by the City
24 Council shall confer upon the owner the right to proceed through the subsequent planning phase
25 for a period not to exceed two (2) years from date of approval. If application for final site plan
26 approval for the PUD or a phase of the PUD is not requested within this time period, the PUD
27 concept plan approval shall automatically become null and void and all rights thereunder shall

1 terminate. The Planning Commission may for good cause extend the period up to an additional two
2 (2) years, if requested in writing by the applicant prior to the expiration date. Upon expiration of a
3 PUD concept plan, the City Council may direct the Planning Commission to conduct a public
4 hearing and make a recommendation to remove the PUD overlay district.

5 **(j) Final Approval of Site Plan**

6 **(1) Following City Council approval of the PUD concept plan, a final site plan for the PUD or**
7 **individual phases of the PUD shall be submitted in accordance with Chapter 1260 Site Plan**
8 **Review procedures.**

9 **(2) All site plans subsequently submitted shall conform with the PUD concept plan, all**
10 **conditions attached to preliminary approval, the PUD agreement and the requirements of**
11 **this ordinance. Where the Planning Office determines that changes to the final site plan**
12 **significantly deviate from the PUD concept plan, the Planning Commission Office shall**
13 **refer the PUD to the Planning Commission to conduct another public hearing, review the**
14 **plan as an amended resubmission of the PUD concept plan under the requirements of this**
15 **article, and make a recommendation on the proposed changes to the City Council for**
16 **approval, denial, or approval with conditions.**

CHAPTER 1270 NONCONFORMITIES

1270.01 PURPOSE AND INTENT

- (a) Within the districts established by this chapter or amendments that may later be adopted, there exist lots, structures uses of land, and sites which were lawful before this chapter was passed or amended but which would be prohibited, regulated or restricted under the terms of this chapter or future amendment. It is the intent of this Chapter to permit non-conforming lots, buildings, structures, uses, and sites to continue until they are removed, but not to encourage their continued use or survival.
- (b) No Expansion of Nonconformities. Non-conforming lots, buildings, structures, uses, and sites are hereby declared to be incompatible with the zoning districts in which they are located. It is the intent of this Chapter that these nonconformities shall not be enlarged upon, expanded, or extended, nor be used as grounds for adding other buildings, structures or uses prohibited elsewhere in the zoning district, except as may be provided for in this Chapter.
- (c) Required upgrades to Nonconforming Sites. Similar to other types of non-conforming situations noted herein, there exist sites that were developed consistent with an approved site plan and other site regulated standards applicable at that time said use or site plan was approved, but that do not fully meet the requirements of this ordinance. Those site design features include parking space and aisle sizes, access, parking lot, landscaping/buffering, waste receptacle screening, lighting and similar standards. One purpose is this chapter is to define the extent to which a site plan must be upgraded to meet the current site plan related standards when changes or minor modifications to a conforming use and/or conforming building are proposed for a lot that does not fully meet the current standards. The intent is to require a level of upgrade that is reasonable to improve compliance given the nature of the existing nonconforming site features and extent of the changes proposed on the lot.
- (d) Construction Prior to Effective Date of this Chapter. Nothing in this Chapter shall be deemed to require a change in the plans, construction, or designated use of any building on which actual

1 construction was lawfully begun prior to the effective date of this Chapter, or an amendment
2 thereto, and upon which actual building construction has been diligently conducted.

3 (e) **Exempt Properties and Uses.** Existing residential buildings with six (6) or fewer dwelling units and
4 its accessory structures, that were lawfully constructed prior to the effective date of this ordinance,
5 but do not conform to the zoning district or dimensional requirements of this Chapter shall have
6 conforming status, and thus, may be restored or reconstructed in the event of damage or
7 destruction caused by an act of nature or as is necessary to effectuate the removal or repair of a
8 dilapidated or unsafe structure, subject to the following conditions:

9 (1) Must be rebuilt or restored in compliance with current building code requirements.

10 (2) May be rebuilt or restored to its original building massing, placement, and density level,
11 unless, if being reconstructed, it can reasonably be brought into compliance with existing
12 setback requirements. This determination shall be made by the Zoning Administrator and
13 shall be based upon the size and configuration of the lot, the location of other structures on
14 the subject property and adjoining properties, whether requiring compliance with a
15 required setback would impede parking or access to a garage or would result in reducing
16 the size of a structure below what is permitted or required under the provisions of this
17 Chapter.

18 **1270.02 NON-CONFORMING LOTS OF RECORD**

19 If two or more lots or combinations of lots and portions of lots with continuous frontage in single
20 ownership are of record and if all or part of the lots do not meet the requirements for lot width and area,
21 the lands involved shall be considered to be an undivided parcel for the purposes of this chapter, and no
22 portion of said parcel shall be used or sold in a manner which diminishes compliance with lot width and
23 area requirements established by this chapter, nor shall any division of any parcel be made which creates a
24 lot with width or area below the requirements stated in this chapter.

25 **1270.03 NON-CONFORMING BUILDINGS OR STRUCTURES**

26 (a) **Continuation of Non-conforming Buildings or Structures.** Where a lawful building or structure
27 exists prior to the effective date of this Chapter, or an amendment hereto, that does not comply

1 with the requirements of this Chapter because of restrictions such as parking, lot area, coverage,
2 width, height, or yards, that building or structure may be continued so long as it remains otherwise
3 lawful, subject to the following provisions:

4 (1) No such structure may be enlarged or altered in a way which increases its nonconformity.

5 (2) Should such structure be destroyed by any means to an extent of more than 50 percent of its
6 replacement cost at time of destruction, it shall not be reconstructed except as may be
7 permitted by the Board of Zoning Appeals upon a finding that the repair and
8 reconstruction shall:

9 a. Not have a substantial detrimental effect on the use and enjoyment of adjacent uses
10 or lots

11 b. Comply with any reasonable conditions imposed by the Board of Zoning Appeals
12 that are necessary to ensure that the repair and reconstruction shall not prove
13 detrimental to adjacent properties, the neighborhood, or the community.

14 c. The owner shall provide the necessary information to make a determination as to
15 whether or not repairs to the structure will exceed 50 percent of the replacement
16 cost, exclusive of the foundation.

17 (3) Should a non-conforming building or structure be destroyed to an amount equal to or less
18 than fifty percent (50%) of its estimated replacement cost, exclusive of the foundation, it
19 may be reconstructed in its previously non-conforming location.

20 (4) An owner shall commence repair and reconstruction work within twelve (12) calendar
21 months of the Board of Zoning Appeals approval of the application. Upon request, the
22 Zoning Administrator may approve an administrative extension of up to an additional six
23 (6) calendar months where a property owner can demonstrate a good faith effort to start
24 work or demonstrate third-party delays beyond their control. Extensions beyond the six (6)
25 months must be approved by the Board of Zoning Appeals.

1270.04 NON-CONFORMING USES

- (a) **Enlargement or Increase of Non-conforming Use.** No non-conforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied prior to the effective date of this Chapter, or an amendment thereto, except as may be permitted by the Board of Zoning Appeals in determining that the proposed enlargement, increase, or greater area shall:
- (1) Not have a substantial detrimental effect on the use and enjoyment of adjacent uses or lots;
 - (2) Comply with all parking, sign, or other applicable regulations for accessory uses for the area affected by the proposed enlargement, increase, or greater area;
 - (3) Comply with any reasonable conditions imposed by the Board of Zoning Appeals that are necessary to ensure that the proposed enlargement, increase, or greater area shall not prove detrimental to adjacent properties, the neighborhood, or the community.
- (b) **Extension within a Building.** Any non-conforming use may be extended throughout any parts of a building which were manifestly arranged or designed for that use at the time of adoption or amendment of this Chapter and would have been permitted by right, but the use shall not be extended to occupy any land outside the building.
- (c) **Reduction in Non-conforming Use.** If any part of a non-conforming use is moved or reduced in size by action of the owner, the part of the non-conforming use that is moved or reduced in size shall be considered to be abandoned and any subsequent use shall conform to the requirements of this Chapter.
- (d) **Abandonment of a Non-conforming Use.** If a non-conforming use is abandoned for any reason for a period of more than twelve (12) calendar months, any subsequent use shall conform to the requirements of this Chapter. Where nonconforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the nonconforming status of the land.
- (e) **Extensions.** Upon request, the Zoning Administrator may approve an administrative extension of up to an additional six (6) calendar months where a property owner can demonstrate a good faith

effort to sell or lease the premises to another, similar use prior to determining abandonment.

Requested extensions beyond the six (6) months must be approved by the Board of Zoning Appeals.

(f) **Change to Other Non-conforming Use.** A non-conforming use may be changed to another non-conforming use provided the Zoning Administrator makes all of the following determinations:

(1) The proposed use shall be as compatible as, or more compatible with, the surrounding area than the previous non-conforming use.

(2) The proposed non-conforming use shall not be enlarged or increased, nor extended to occupy a greater area of land than the previous non-conforming use, except as may otherwise be permitted by this Article.

(3) That appropriate conditions of approval and safeguards are provided that ensure compliance with the intent and purpose of this Chapter.

1270.05 NON-CONFORMING SITES

This section applies when a change in use or a site plan is proposed on a site that does not conform with the current ordinance standards,

(a) **New development or a replacement of the existing building(s).** Where a new building is being constructed, full compliance with the current ordinance standards shall be required.

(b) **Building Façade Renovations.** Renovations to a building that does not include changes to the site, shall not be required to be brought into compliance with the ordinance, except for conforming features that impact safety such as building code compliance.

(c) **Change in use, expansion or reconstruction on part of the site.** The Zoning Administrator may review the extent of the non-compliance and may require full or partial compliance, or allow certain non-conforming features to remain, based on the relationship to the extent of the change proposed for the lot. In making such a determination, the Zoning Administrator may require an upgrade to the site based upon the following standards.

(1) Reasonable site improvements to be made in relation to the scale and construction cost of the improvements

- (2) Improvements to the site are necessary to address safety-related site issues in accordance with the building code, fire code and other safety regulations.
- (3) Existing parking and loading spaces do not meet the current requirements of Chapter 1254 – Parking. The Zoning Administrator may allow for continued use of parking and loading spaces that do not meet the current required dimensions within all or a portion of the existing parking area if the intensity of the use will not increase. The Zoning Administrator may require improvements to the pavement and parking lot striping.
- (4) The closing, relocating, redesigning or reconfiguring of access points to allow shared access with an adjacent parcel for the purpose of reducing conflicts with traffic and non-motorized travel along the public street. (For example, driveways closest to signalized intersections or that have a poor offset spacing from driveways across the street may need to be closed, relocated or restrict certain turning movements to improve traffic flow and reduce crash potential). The Zoning Administrator may defer to the City Transportation Engineer for required changes to access design. See Section 1254.01.12 - Ingress And Egress.
- (5) Improved landscaping, to the extent practical, is necessary to provide sufficient buffering from less intensive adjacent uses, to improve the streetscape, mitigate the impact of non-conforming buildings or structures, and reduce the flowrate and improve the quality of stormwater runoff.
- (6) Conformance with the standards of section will result in reduced glare onto adjacent residential or institutional properties and public rights-of-way.
- (7) Relocating and screening waste receptacles that are not fully conforming to current placement and screening standards will reduce conflicts with vehicles, improve views from the public street, and reduce impacts on adjacent residential property.

CHAPTER 1272 ADMINISTRATION, ENFORCEMENT, AND PENALTY

**1272.01 ENFORCEMENT BY PLANNING OFFICE, CODE COMPLIANCE OFFICE
AND BUILDING SAFETY OFFICE; VIOLATIONS; REVIEWS**

- (a) The Planning Office, the Code Compliance Office and the Building Safety Office are hereby authorized and directed to enforce this Zoning Code, and for such purpose the authorized representatives of such Offices shall have the powers of a law enforcement officer. The Director of Economic Development and Planning, the Zoning Administrator, the Planning Manager and all code compliance officers are designated as the authorized City officials to issue Municipal civil infraction citations (directing alleged violators to appear in court) or Municipal civil infraction violation notices (directing alleged violators to appear at the Municipal Ordinance Violations Bureau) as provided in Chapter 203 of these Codified Ordinances. As used in this section and throughout these Codified Ordinances, “Planning Office”, “Code Compliance Office” and “Building Safety Office” means the Offices within the Department of Economic Development and Planning.
- (b) Whenever necessary to make an inspection to enforce any provision of this Zoning Code, or whenever the Planning Office, the Code Compliance Office and the Building Safety Office or their authorized representatives have reasonable cause to believe that there exists in any structure or upon any lot a violation of this Zoning Code, any authorized City representative may, if entry would not otherwise be lawful, enter the structure or upon the lot to inspect the same, after obtaining the consent of the owner or person having charge or control of the structure or lot, or after obtaining a warrant authorizing entry.
- (c) The Planning Office, the Code Compliance Office, and the Building Safety Office are hereby authorized to conduct inspections beyond normal business hours as necessary to enforce the provisions of this Zoning Code, subject to compliance with all other provisions of this Section.
- (d) The Planning Office, the Code Compliance Office and the Building Safety Office and their authorized representatives charged with enforcement of this Zoning Code, acting in good faith and without malice in the discharge of their duties, shall be indemnified and held harmless by the City

1 against any liability for any damage that may accrue to persons or property as the result of any act
2 or by reason of any act or omission in the discharge of their duties. Any suit brought against the
3 Planning Office, the Code Compliance Office and/or the Building Safety Office and/or any
4 employee of the Planning Office, the Code Compliance Office or the Building Safety Office, because
5 of such act or omission performed by the employee in the enforcement of any provision of this
6 Zoning Code, shall be defended by legal counsel provided by the City.

7 (e) No person shall erect, construct, enlarge, alter, repair, move, improve, remove, convert, demolish,
8 equip, use, occupy or maintain any building, structure or lot, or cause or permit the same to be
9 done, in violation of this Zoning Code.

10 (f) Any building, structure or lot erected, constructed, enlarged, altered, repaired, moved, improved,
11 removed, converted, demolished, equipped, used, occupied or maintained in violation of this Zoning
12 Code shall be a nuisance per se. The City may enjoin or abate any violation of any of the provisions
13 of this Zoning Code by appropriate action.

14 **1272.02 FEES**

15 Fees required by this Zoning Code shall be set by resolution of Council.

16 **1272.03 PENALTY; NOTICE TO ABATE VIOLATIONS; EQUITABLE REMEDIES**

17 (a) Except as otherwise provided in this Zoning Code, whoever violates any of the provisions of this
18 Zoning Code is responsible for a Municipal civil infraction and shall be subject to the civil fine
19 provided in Section 203.06 of these Codified Ordinances, plus costs and other sanctions, for each
20 infraction. Repeat offenses shall be subject to increased fines as provided in Section 202.99(c)(2).

21 (b) In all cases where penalties or forfeitures are provided for any act or omission, they shall be held to
22 apply to each and every such act or omission. Each and every day the violation exists shall be a
23 separate act or omission. In addition to the foregoing penalties, the City may enjoin or abate any
24 violation of any of the provisions of this Zoning Code by appropriate action.

CHAPTER 1274 BOARD OF ZONING APPEALS

1274.01 ESTABLISHMENT

There is hereby established a Board of Zoning Appeals as provided in Section 5 of Public Act 207 of 1921, as amended, being M.C.L.A. 125.585.

1274.02 COMPOSITION; TERMS OF OFFICE; VACANCIES

(a) The Board of Zoning Appeals shall consist of nine members who are appointed by the Mayor with the advice and consent of Council. To be eligible for appointment, each person shall possess the qualifications required by the City Charter for holding office.

(b) After the effective date of this Zoning Code (Ordinance 1273, passed March 8, 2021), each subsequent appointment to the Board shall be for one, two or three years, respectively, so as to provide for the appointment of an equal number of members each year. Thereafter, each member shall be appointed for a full three-year term. The Planning Commission shall annually appoint one of its members to the Board of Zoning Appeals to serve as a voting member. The Chairperson of the Board of Zoning Appeals shall be elected annually by the membership of the Board.

(c) Members may be removed at the pleasure of the Mayor, with the advice and consent of Council. Appointments to fill vacancies shall be made upon the occurrence of the vacancy and each person so appointed shall take office immediately upon the confirmation of Council, to serve for the remainder of the unexpired term. If a vacancy is not filled within 60 days after the occurrence of the vacancy, Council shall appoint a committee of three of its members to act instead of the Mayor in the making of such appointment.

1274.03 POWERS AND DUTIES

(a) The Board of Zoning Appeals shall hear and decide appeals from, and review any order, requirement, decision or determination made by, the Planning Office related to the Zoning Code.

(b) The Board of Zoning Appeals shall determine if a nonconformity may be restored or reconstructed pursuant to Section 1270.03 (a)(2).

(c) The duty to alter or change the Zoning Code or the Zoning Map is reserved to Council in the manner provided by law.

- 1 **(d) The Board of Zoning Appeals shall hear and determine requests for variances in accordance with**
2 **Section 1274.06.**

3 **1274.04 APPEAL PROCEDURES**

- 4 **(a) Either of the following may take an appeal to the Board of Zoning Appeals pursuant to the**
5 **procedures described in this section:**

- 6 **(1) A person aggrieved by a Planning Office decision regarding this Zoning Code; or**
7 **(2) Any officer, department, board or bureau of the City aggrieved by a Planning Office**
8 **decision regarding this Zoning Code.**

- 9 **(b) An applicant shall file with the Planning Office all of the following:**

- 10 **(1) A notice of appeal on forms provided by the Office. The notice of appeal shall specify the**
11 **grounds for the appeal.**
12 **(2) A drawing which, by a decision of the Office, reasonably reflects the factors involved in the**
13 **appeal.**

- 14 **(c) The Office shall, upon the proper filing of the notice of appeal, immediately transmit to the Board**
15 **of Zoning Appeals all the papers constituting the record of the appeal.**

- 16 **(d) An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Office**
17 **certifies to the Board, after the notice of appeal is filed, that by reason of facts stated in an Office**
18 **certification, a stay would, in the opinion of the Office, cause imminent peril to life or property. If**
19 **the Office so certifies, proceedings shall not be stayed, otherwise than by a restraining order which**
20 **may be granted by the Board or by the Circuit Court by giving notice to the Office and showing**
21 **due cause.**

22 **1274.05 HEARINGS**

- 23 **(a) The Board of Zoning Appeals shall fix a reasonable time for the hearing of an appeal filed pursuant**
24 **to Section 1274.04.**

- 25 **(b) The Board shall give notice of the appeal to the persons to whom real property within 300 feet of**
26 **the lot in question is assessed, according to the records held in the office of the City Assessor. The**

board shall also give notice to the occupants of single-family and two-family dwellings within 300 feet of the lot. If the occupant's name is not known, the term "occupant" may be used.

(c) The notices described in subsection (b) hereof shall be delivered personally or by mail at the address given in the last assessment roll.

(d) The Board shall decide an appeal within a reasonable time.

(e) At the hearing a party may appear in person, by agent or by attorney.

(f) The Board may reverse or affirm, wholly or partly, or may modify, the order, requirement, decision or determination appealed from, and shall make an order, requirement, decision or determination as in its opinion ought to be made on the lot, and to that end shall have all the powers of the officer or body from whom the appeal is taken.

1274.06 VARIANCES

(a) The Board of Zoning Appeals may authorize a variance described in subsection (b) hereof. For the purposes of this section, "variance" means a modification of the strict letter of this Zoning Code, granted when strict enforcement of this Zoning Code would cause practical difficulties or unnecessary hardship.

(b) The Board may grant variances for the following:

(1) Modification of the dimensional requirements as may be necessary to secure appropriate improvement of a lot, which lot is of such shape or so located with relation to surrounding development or physical characteristics that it cannot otherwise be appropriately improved without such modification; and

(2) Modification of zoning requirements for additions or enlargements to existing structures, provided that all requirements for the particular use in the zoning district where such use is first permitted cannot be met without physical hardship pertaining to the shape of the lot and adjacent land uses or topography.

(c) When considering a variance described in subsection b) hereof, the Board shall consider the following criteria in determining if a practical difficulty or unnecessary hardship exists:

- (1) If the owner of the lot complies with this Zoning Code, he or she can secure no reasonable return from, or make no reasonable use of, his or her property.
 - (2) The hardship results from the application of this Zoning Code to his or her lot, rather than from some other factor.
 - (3) The hardship is not the result of his or her own actions.
 - (4) The hardship is peculiar to the lot of the applicant.
- (d) The procedure for obtaining a variance in accordance with this section shall be the same as that outlined in Section 1274.04.
- (e) In considering a proposed variance from this Zoning Code, the Board shall first, in each specific case, determine that practical difficulties or unnecessary hardships exist, according to the following standards:
- (1) The proposed use will be of such location, size and character that it will be in harmony with the appropriate and orderly development of the surrounding neighborhood.
 - (2) The proposed use will be of a nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved, taking into consideration vehicular turning movements in relation to routes of traffic flow, proximity and relationship to intersections, adequacy of sight distances, location and access of off-street parking and provisions for pedestrian traffic, with particular attention to minimizing child-vehicle contacts in residential districts.
 - (3) The location, size, intensity, site layout and periods of operation of any such proposed use will be designed to eliminate a possible nuisance emanating therefrom, which nuisance might be noxious to the occupants of any other nearby permitted use, whether by reason of dust, noise, fumes, vibration, smoke or lights.
 - (4) The location and height of structures and joint driveways and the location, nature and height of walls and fences will be such that the proposed use will not interfere with or discourage the appropriate development and use of adjacent land and structures or unreasonably affect their value.

1274.07 VOTE REQUIRED

The concurring vote of a majority of the members serving on the Board of Zoning Appeals shall be necessary to reverse an order, requirement, decision or determination of the Planning Office or to decide in favor of the applicant a matter upon which it is required to pass under an ordinance, or to effect a variance of such ordinance.

1274.08 CONDITIONS FOR APPROVAL

The Board of Zoning Appeals, in acting favorably in connection with an appeal or variance, may attach any condition to its approval which it finds necessary to accomplish the reasonable application of the standards described in Section 1274.06 e).

1274.09 APPEALS TO CIRCUIT COURT

(a) The decision of the Board of Zoning Appeals shall be final. However, a person having an interest affected by this Zoning Code may appeal to the Circuit Court. Upon appeal, the Court shall review the record and decision of the Board to ensure that the decision:

- (1) Complies with the Constitution and laws of the State;
- (2) Is based upon proper procedure;
- (3) Is supported by competent material and substantial evidence on the record; and
- (4) Represents the reasonable exercise of discretion granted by law to the Board.

(b) If the Court finds that the record of the Board is inadequate to make the review required by this section, or that there is additional evidence which is material and with good reason was not presented to the Board, the Court shall order further proceedings before the Board on conditions which the Court considers proper. The Board may modify its findings and decision as a result of the new proceedings, or may affirm its original decision. The supplementary record and decisions shall be filed with the Court.

(c) As a result of the review required by this section, the Court may affirm, reverse or modify the decision of the Board.

CHAPTER 1276 AMENDMENTS

1276.01 APPLICATION FOR AMENDMENT

(a) An application to amend, supplement or change the regulations and boundaries of zoning districts may be made by any of the following persons:

(1) A person having a legal or equitable interest in the property;

(2) The authorized representative of a person having a legal or equitable interest in the property; or

(3) City Council.

(b) The application described in subsection (a) hereof shall be made on forms provided by the Planning Office and accompanied by the fees required by Council.

(c) After the Planning Office refers the application to the Planning Commission, the Commission shall hold not less than one public hearing before submitting a final report to Council and shall provide notice of the public hearing as described in subsection (d) hereof.

(d) Not less than 15 days' notice of the time and place of the public hearing described in this subsection shall first be published in an official paper or a paper of general circulation in the City. In addition, not less than 15 days' notice of the time and place of the public hearing shall be given by mail to each public utility company and to each railroad company owning or operating any public utility or railroad within the districts or zones affected, if the public utility company or railroad registers its name and mailing address with the City Clerk for the purpose of receiving the notice. An affidavit of mailing shall be maintained by the Planning Office. In addition, the Planning Office shall provide not less than 15 days' notice of a public hearing on a proposed amendment to a zoning district boundary to the owner of the property in question, as represented on the tax records held in the office of the City Assessor. A hearing shall be granted an interested person at the time and place specified on the notice.

1276.02 APPROVAL

(a) After the public hearing described in subsection 1276.01 (d), the Commission shall make its final report to Council. A summary of the comments submitted at the public hearing shall be

transmitted with the report of the Commission to Council. Council shall hold at least one public hearing and shall provide notice of a public hearing as described in subsection 1276.01 (e).

(b) Council shall not determine the boundaries of districts nor impose regulations until after the final report of the Commission, nor shall this Zoning Code or the maps be amended after they are adopted in the first instance until the proposed amendment has been submitted to the Commission and it has held at least one hearing and made a report. In either case, Council may adopt the ordinance and maps, with or without amendments, after receipt of the Commission's report, or refer this Zoning Code and maps again to the Commission for a further report.

(c) Upon presentation of a protest petition meeting the requirements of this subsection, an amendment to this Zoning Code which is the object of the petition shall be passed only by a two-thirds vote of Council. The protest petition shall be presented to Council before final legislative action on the amendment, and shall be signed by one of the following:

(1) The owners of at least 20 percent of the area of land included in the proposed change; or

(2) The owners of at least 20 percent of the area of land included within an area extending outward 100 feet from any point on the boundary of the land included in the proposed change.

(d) For purposes of subsection 1276.02 (c) hereof, publicly owned land shall be excluded in calculating the 20 percent land area requirement.

(e) Following the adoption of this Zoning Code and following the adoption of subsequent amendments to this Zoning Code by Council, one notice of adoption shall be published by the Planning Office in a newspaper of general circulation in the City within 15 days after adoption. The notice shall include the following information:

(1) In the case of a newly adopted zoning ordinance, the following statement: "A zoning ordinance regulating the development and use of land has been adopted by Council;"

(2) In the case of an amendment to an existing ordinance, either a summary of the regulatory effect of the amendment, including the geographic area affected, or the text of the amendment;

(3) The effective date of the ordinance; and

(4) The place and time where a copy of the ordinance may be purchased or inspected.

1276.03 CONDITIONAL REZONING

(a) Intent. It is recognized that there are certain instances when it would be in the best interests of the City, as well as advantageous to land owners seeking a change in zoning boundaries, if specific conditions were to be proposed by the land owner as part of a request for a rezoning. It is the intent of this section to provide a process consistent with MCL Section 125.3405 by which a land owner seeking a rezoning may voluntarily propose conditions regarding the use and/or development of land as part of the rezoning request.

(b) Application and offer of conditions.

(1) A land owner or a land owner's agent may voluntarily offer in writing conditions relating to the use and/or development of land for which a rezoning is requested. This offer may be made either at the time the application for rezoning is filed or at a later time during the rezoning process.

(2) The required application and process for considering a rezoning request with conditions shall be the same as that for considering rezoning requests made without any offer of conditions, except as modified by the requirements of this section.

(3) The land owner's offer of conditions may not purport to authorize uses or developments not permitted in the requested new zoning district.

(4) Any use or development proposed as part of an offer of conditions that would require a special land use permit under the terms of this ordinance may only be commenced if a special land use permit for such use or development is ultimately granted in accordance with the provisions of this ordinance.

(5) Any use or development proposed as part of an offer of conditions that would require a variance under the terms of this ordinance may only be commenced if a variance for such use or development is ultimately granted by the zoning board of appeals in accordance with the provisions of this ordinance.

(6) Any use or development proposed as part of an offer of conditions that would require site plan approval under the terms of this ordinance may only be commenced if site plan approval for such use or development is ultimately granted in accordance with the provisions of this ordinance.

(7) The offer of conditions may be amended during the process of rezoning consideration provided that any amended or additional conditions are offered voluntarily by the owner. an owner may withdraw all or part of its offer of conditions any time prior to final rezoning action of the City Council provided that, if such withdrawal occurs subsequent to the Planning Commission's public hearing on the original rezoning request, then the rezoning application shall be referred to the Planning Commission for a new public hearing with appropriate notice and a new recommendation.

(c) Planning Commission review. The Planning Commission, after public hearing and consideration of the factors for rezoning set forth in this ordinance, may recommend approval, approval with recommended changes or denial of the rezoning; provided, however, that any recommended changes to the offer of conditions are acceptable to and thereafter offered by the land owner.

(d) City Council review. After receipt of the Planning Commission's recommendation, the City Council shall deliberate upon the requested rezoning and may approve or deny the conditional rezoning request. The City Council's deliberations shall include, but not be limited to a consideration of the factors for rezoning set forth in this ordinance.

(e) Approval.

(1) If City Council finds the rezoning request and offer of conditions acceptable, the offered conditions shall be incorporated into a formal written statement of conditions acceptable to the land owner and conforming in form to the provisions of this ordinance. The statement of conditions shall be incorporated by attachment or otherwise as an inseparable part of the ordinance adopted by City Council to accomplish the requested rezoning.

(2) The statement of conditions shall:

a. Contain a legal description of the land to which it pertains.

- 1 **b. Contain a statement acknowledging that the statement of conditions runs with the**
2 **land and is binding upon successor owners of the land.**
- 3 **c. Incorporate by attachment or reference any diagram, plans or other documents**
4 **submitted or approved by the land owner that are necessary to illustrate the**
5 **implementation of the statement of conditions. If any such documents are**
6 **incorporated by reference, the reference shall specify where the document may be**
7 **examined.**
- 8 **d. Contain the notarized signatures of all of the land owners of the subject land**
9 **preceded by a statement attesting to the fact that they voluntarily offer and consent**
10 **to the provisions contained within the statement of conditions.**
- 11 **(3) Upon the rezoning taking effect, the zoning map shall be amended to reflect the new zoning**
12 **classification along with a designation that the land was rezoned with a statement of**
13 **conditions. The City Clerk shall maintain a listing of all lands rezoned with a statement of**
14 **conditions.**
- 15 **(4) The City Council shall have authority to require that the statement of conditions be**
16 **recorded with the register of deeds if it determines that, given the nature of the conditions,**
17 **the recording of such a document would be of material benefit to the City or to any**
18 **subsequent owner of the land.**
- 19 **(5) Upon the rezoning taking effect, the use of the land so rezoned shall conform thereafter to**
20 **all of the requirements regulating its use and development as contained in the statement of**
21 **conditions.**
- 22 **(f) Compliance with conditions.**
- 23 **(1) Any person who establishes a development or commences a use upon land that has been**
24 **rezoned with conditions shall continuously operate and maintain the development or use in**
25 **compliance with all of the conditions set forth in the statement of conditions. Any failure to**
26 **comply with a condition contained within the statement of conditions shall constitute a**
27 **violation of this zoning ordinance and be punishable accordingly. Additionally, any such**

violation shall be deemed a nuisance per se and subject to judicial abatement as provided by law.

(2) No permit or approval shall be granted under this ordinance for any use or development that is contrary to a statement of conditions.

- (g) Time period for establishing development or use. Unless another time period is specified in the ordinance rezoning the subject land, the approved development and/or use of the land pursuant to building and other required permits must be commenced upon the land within 18 months (or shorter if specified) after the rezoning takes effect and thereafter proceed diligently to completion. This time limitation may, upon written request, be extended by the City Council if: [1] It is demonstrated to the City Council's satisfaction that there is a strong likelihood that the development and/or use will commence within the period of extension and proceed diligently thereafter to completion and [2] the City Council finds that there has not been a change in circumstances that would render the zoning with statement of conditions incompatible with other zones and uses in the surrounding area or otherwise renders it inconsistent with zoning policy.
- (h) Reversion of zoning. If approved development and/or use of the rezoned land does not occur within the time frame specified under subsection (g) above, then the land shall revert to its former zoning classification as set forth in MCL § 125.3405.
- (i) Subsequent rezoning of land. When land that is rezoned with a statement of conditions is thereafter rezoned to a different zoning classification or to the same zoning classification but with a different or no statement of conditions, whether as a result of a reversion of zoning or otherwise, the statement of conditions imposed under the former zoning classification shall cease to be in effect. Upon the land owner's written request, the City Clerk shall record with the register of deeds a notice that the statement of conditions is no longer in effect.
- (j) Amendment of conditions when extension requested. If a conditional zoning has been approved and the applicant requests an extension of time for commencement of the development, the City Council may add to, delete or modify the conditions in the previously approved statement of conditions as

1 **part of its decision to grant the requested extension so long as the changes are proposed by the**
2 **developer.**

3 **(k) City's right to rezone. Nothing in the statement of conditions nor in the provisions of this section**
4 **shall be deemed to prohibit the City from rezoning all or any portion of land that is subject to a**
5 **statement of conditions to another zoning classification. Any rezoning shall be conducted in**
6 **compliance with City Ordinances and City Charter.**

7 **(l) Failure to offer conditions. The City shall not require a land owner to offer conditions as a**
8 **requirement for rezoning. The lack of an offer of conditions shall not affect a land owner's rights**
9 **under this ordinance.**

10 ~ * ~

11 Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules inconsistent with the
12 provisions hereof are hereby repealed in their entirety and shall be null and void and of no effect.

13 Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not
14 affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

15 Section 4. All applications for site plan approval or zoning classification amendment made prior to the effective
16 date of this ordinance will proceed under the existing zoning ordinance and map.

17 Section 5. This ordinance shall take effect on the 30th day after enactment by City Council and pursuant to Section
18 3-307 of the City Charter, this Chapter shall expire December 31, 2033.

PASSAGE OF ORDINANCE

An ordinance of the City of Lansing, Michigan, to repeal and replace the existing Zoning Ordinance and map, being Part 12, Title 6 of the Lansing Codified Ordinances in its entirety, except for Chapter 1300 – marihuana operations, with a Form Based Code and Zoning Map.

Is read a second time by its title. The Ordinance was reported from the Committee _____ and is on the order of immediate passage.

COUNCIL MEMBER	YEAS	NAYS
Brown	☐	☐
Carter	☐	☐
Garza	☐	☐
Hussain	☐	☐
Jackson	☐	☐
Kost	☐	☐
Pehlivanoglu	☐	☐
Spadafore	☐	☐
	_____	_____
☐ ADOPTED	☐ FAILED	

INTRODUCTION OF ORDINANCE

An ordinance of the City of Lansing, Michigan, to repeal and replace the existing Zoning Ordinance and map, being Part 12, Title 6 of the Lansing Codified Ordinances in its entirety, except for Chapter 1300 – marihuana operations, with a Form Based Code and Zoning Map.

The Ordinance is read a first time by its title and referred to the Committee _____

CITY OF LANSING
NOTICE OF PUBLIC HEARING

The Lansing City Council will hold a public hearing on Monday , 2024 at 7 p.m. in the Tony Benavides Lansing City Council Chambers, 124 W Michigan Avenue, Lansing, Michigan to consider amendments to the Zoning Ordinance, being Part 12, Title 6, of the City of Lansing Codified Ordinances, except for Chapter 1300 – Marihuana Operations.

For more information please call 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m. on the day of the Public Hearing at the City Clerk's Office, Ninth Floor, City Hall, 124 W Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov

Chris Swope, Lansing City Clerk, MMC/MiPMC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope

Resolution #2024-###

By the Committee _____

Resolved by the City Council of the City of Lansing

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday _____, 2024 at 7 p.m. in the Tony Benavides Lansing City Council Chambers, 124 W Michigan Avenue, Lansing, Michigan for the purpose of:

Approving or opposing the adoption of a form-based code and zoning map that would repeal and replace the current zoning ordinance/map, being Part 12, Title 6 of the City of Lansing Codified Ordinances in its entirety, except for Chapter 1300 – Marihuana Operations.

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE LANSING
CODIFIED ORDINANCES BY AMENDING PART 12, TITLE 6, CHAPTER 1250, TO ADD
1250.04.08, ALLOWING FOR ACCESSORY DWELLING UNITS ON PARCELS IN
CERTAIN ZONING DISTRICTS WITH PRINCIPAL A USE OF SINGLE-FAMILY
DWELLING.

THE CITY OF LANSING ORDAINS:

Section 1. That Part 12, Title 6, Chapter 1250, of the Code of Ordinances of the City of Lansing,
Michigan be and is hereby amended to include 1250.04.08 as follows:

1250.04.08 ACCESSORY DWELLING UNITS

(a) Definitions:

ACCESSORY DWELLING UNIT. A dwelling unit detached from and accessory to a
principal Single-Family dwelling, also known as an ADU.

(b) In general, Applies to all Accessory Dwelling Units only.

**(1) In addition to the following requirements, an Accessory Dwelling Unit is
subject to all requirements of Section 1244.02, unless otherwise permitted.**

**(2) Only one (1) ADU is allowed on lots with an existing Single-Family principal
dwelling in the R-1, R-2, R-3, R-MX, and DT-1 zoning districts.**

**(3) An ADU shall be detached in the rear yard subject to the size limitations of
this chapter or be part of an accessory building (such as a converted garage or
carriage house), subject to the size limitations of Maximum Square Footage of
Detached Accessory Garages in Table 1250.04.01.**

(4) An ADU may have its first-floor finish elevation built at finished grade.

(5) A principal structure shall not be divided into two (2) dwelling units for use as an Accessory Dwelling Unit.

(6) An ADU is limited to a maximum of two (2) bedrooms.

(7) An ADU must be registered and properly licensed as a rental by the City Code Compliance Office, unless the occupants of both structures are named in the property deed.

(c) Site Layout Requirements.

(1) Building Massing		
Minimum Height	12'	1 Story
Maximum Height	15'	1.5 Stories
Maximum Height of second story unit of a garage	20'	2 stories
ADU Ground Floor Area	Min. 400 sq. ft.	Max. Not to exceed the ground floor area of the principal structure, up to 1,000 square feet

(2) Building Placement		
Front Setback	ADU is prohibited from being placed anywhere within the Front Yard.	
Minimum Setback from all side and rear property lines and other structures, if unattached	10'	
Minimum Setbacks if second story unit of a garage	May maintain existing setbacks, subject to all Building Code and Fire Code requirements.	
Minimum Lot Size	R-1	7,500 sq. ft.

FBC ADU Amendment

	R-2, R-3, R-MX, DT-1	6,000 sq. ft.
Maximum Coverage of rear yard	33%	
Maximum Lot Coverage with ADU	65%	

1

(3) Parking	
Parking	One (1) unobstructed parking space, in addition to the parking for the principal residence

2 Section 2. All ordinances, resolutions or rules, parts of ordinances inconsistent with these
3 provisions are repealed.

4 Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the
5 same shall not affect the validity of the ordinance as a whole, or any part thereof other than the
6 part so declared to be invalid.

7 Section 4. This ordinance shall take effect on the 30th day after enactment by City Council and
8 pursuant to Section 3-307 of the City Charter, this Chapter shall expire December 31, 2033.

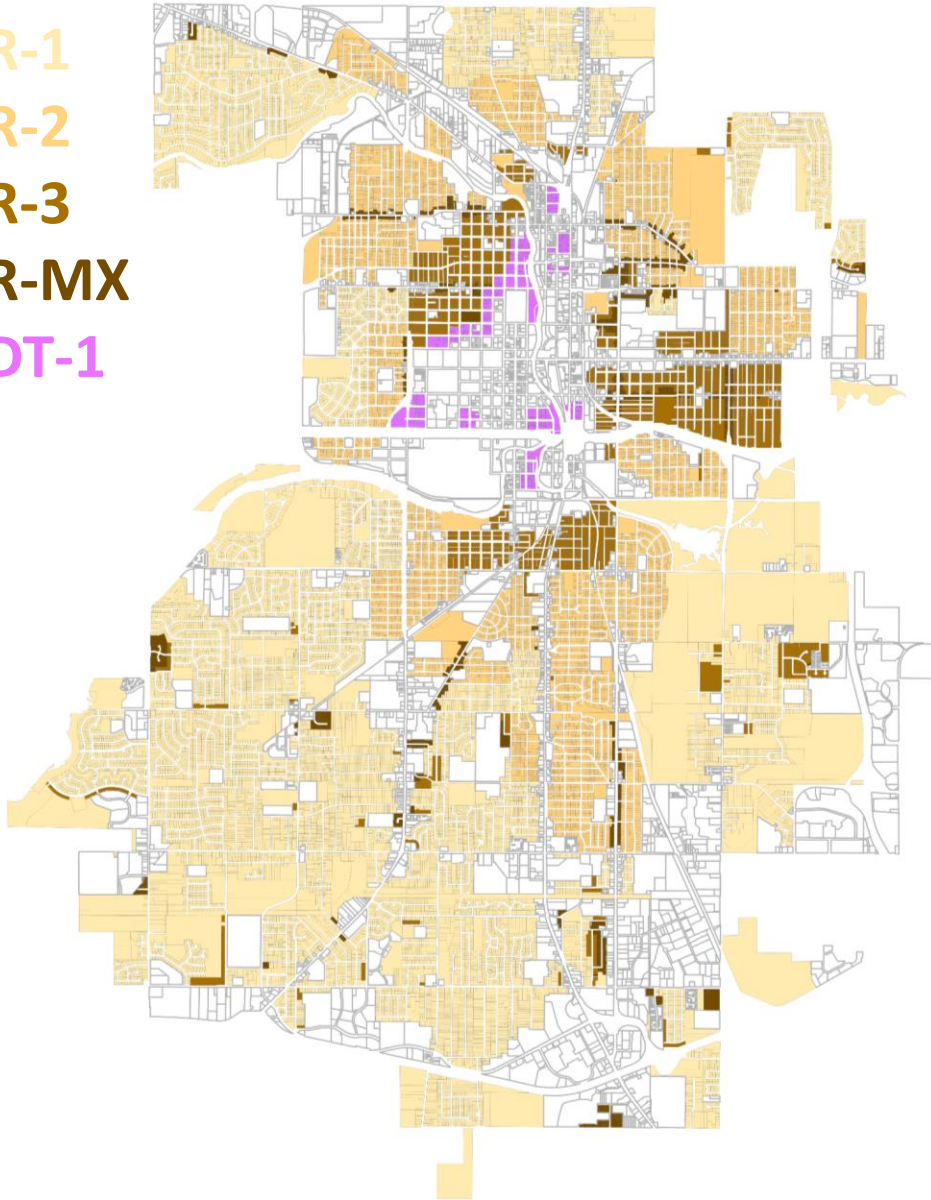
Draft Accessory Dwelling Units Ordinance

CITY OF LANSING

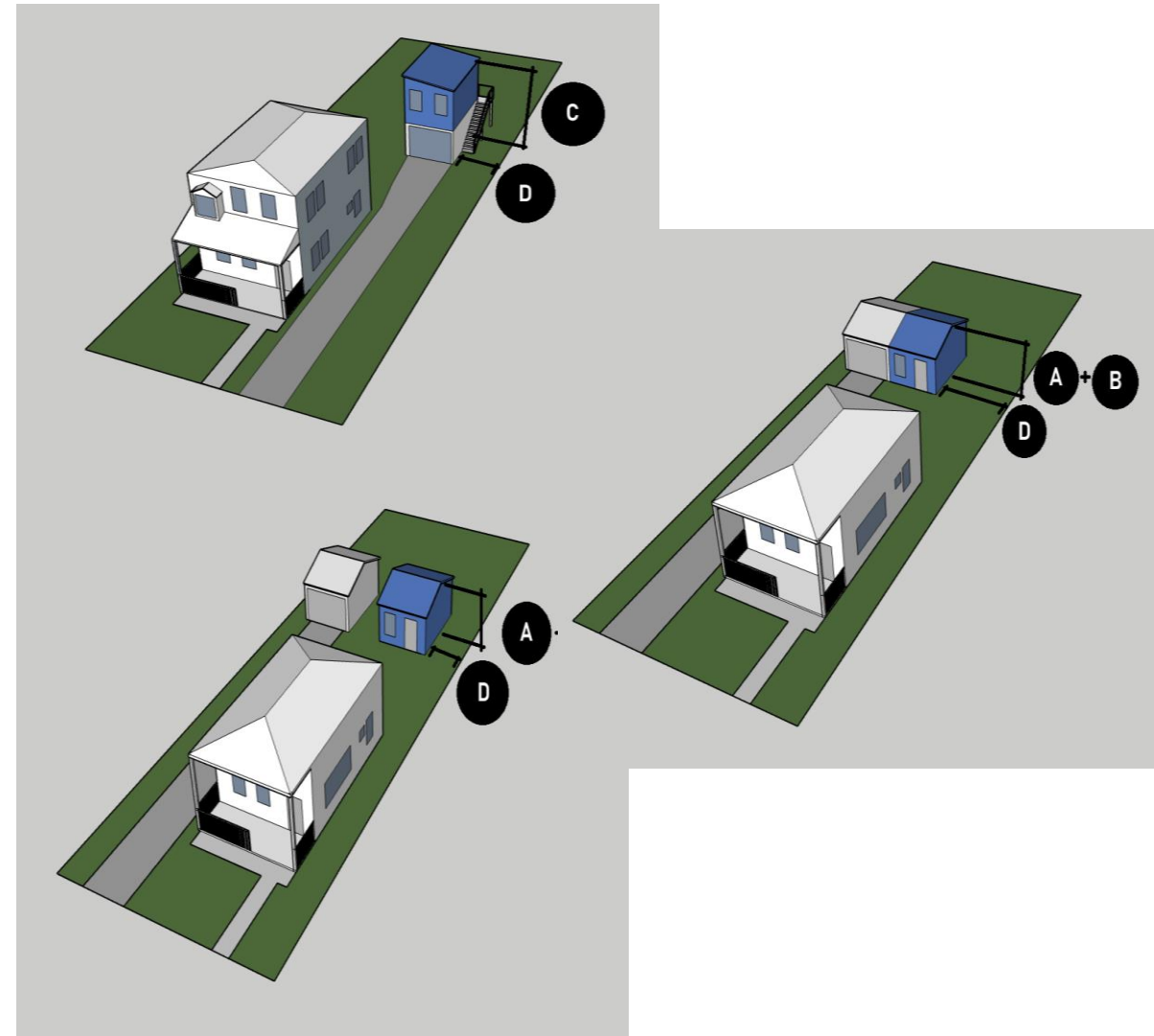
CITY COUNCIL PRESENTATION

Allowed Districts

R-1
R-2
R-3
R-MX
DT-1



Orientations



Eligible Parcels

To accommodate an ADU, a parcel must be 1.5x the minimum lot size of that zoning district

R-1:	5,000 square feet
R-2:	4,000 sq. ft.
R-3:	4,000 sq. ft.
R-MX:	4,000 sq. ft.
DT-1:	4,000 sq. ft.

R-1 minimum lot size: (7,500 square feet)
15,731 of 15,782 parcels (99.7%)

R-2, R-3, R-MX, DT-1 (6,000 square feet):
22,079 of 22,591 parcels (97.7%)

Properties with large houses, corner lots, and existing lot coverages impact the number of buildable parcels for an ADU.

The minimum lot size requirement should not be overly restrictive while guaranteeing a standard of buildable space.

Site Layout Requirements

Building Massing

Minimum Height	12'	1 Story
Maximum Height	15'	1.5 Stories
Max. Height of second story unit of garage	20'	2 Stories
ADU Ground Floor Area	Min. 400 square feet	Max. not to exceed ground floor area of the principal structure, up to 1,000 sq. ft.

Building Placement

Front Setback	ADU is prohibited within Front Yard
Minimum Setback from side and rear property lines, other structures	10'
Min. Setbacks if second story unit of a garage	Maintain existing setbacks, subject to Building and Fire Codes
Maximum Coverage of rear yard	33%
Maximum Lot Coverage with ADU	65%
Parking required	1 unobstructed parking space

Additional Standards

Subject to Section 1244.02 (building requirements for single-family homes. e.g. foundation, proper siding, compatible design)

One ADU per parcel with existing single-family home

May be slab-on-grade

Principal dwelling may not be subdivided

Maximum of two bedrooms

City will accept all pre-approved plans of other communities that meet Lansing requirements

An ADU must be registered and properly licensed as a rental by the City Code Enforcement Office, unless the occupants of both structures are named in the property deed.

No owner-occupancy requirement (i.e. both primary dwelling and ADU may be rented)

No prohibition on short-term rental (AirBNB)

ADU Benefits

Affordable Housing Options

- Lansing area rentals in the 500-750 sq. ft range, average \$500-1045 per month

Multigenerational Living

- Allows independent spaces that provide privacy while keeping family nearby
- Affordable option for area students

Additional Rental Income

- Provide homeowners with an opportunity to generate rental income

Gentle Density

- Limit metro-area sprawl

ADUs

#1 comment/request of Planning and Zoning Office since implementation of Form-Based Code in 2021

Staff has identified six existing ADUs within City limits

20 other municipalities have ADU ordinances

PASSAGE OF ORDINANCE

An ordinance of the City of Lansing, Michigan, to amend the Lansing Codified Ordinances by amending Part 12, Title 6, Chapter 1250, to add 1250.04.08, allowing for accessory dwelling units on parcels in certain zoning districts with principal a use of single-family dwelling.

Is read a second time by its title. The Ordinance was reported from the Committee _____ and is on the order of immediate passage.

COUNCIL MEMBER	YEAS	NAYS
Brown	☐	☐
Carter	☐	☐
Garza	☐	☐
Hussain	☐	☐
Jackson	☐	☐
Kost	☐	☐
Pehlivanoglu	☐	☐
Spadafore	☐	☐
	_____	_____
☐ ADOPTED	☐ FAILED	

Resolution #2024-###

By the Committee _____

Resolved by the City Council of the City of Lansing

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday _____, 2024 at 7 p.m. in the Tony Benavides Lansing City Council Chambers, 124 W Michigan Avenue, Lansing, Michigan for the purpose of:

Approving or opposing the adoption of an Ordinance of the City of Lansing, Michigan, to amend the Lansing Codified Ordinances by amending Part 12, Title 6, Chapter 1250, to add 1250.04.08, allowing for accessory dwelling units on parcels in certain zoning districts with principal a use of single-family dwelling.

CITY OF LANSING
NOTICE OF PUBLIC HEARING

The Lansing City Council will hold a public hearing on Monday , 2024 at 7 p.m. in the Tony Benavides Lansing City Council Chambers, 124 W Michigan Avenue, Lansing, Michigan to consider an Ordinance of the City of Lansing, Michigan, to amend the Lansing Codified Ordinances by amending Part 12, Title 6, Chapter 1250, to add 1250.04.08, allowing for accessory dwelling units on parcels in certain zoning districts with principal a use of single-family dwelling.

For more information please call 517-483-4177. If you are interested in this matter, please attend the public hearing or send a representative. Written comments will be accepted between 8 a.m. and 5 p.m. on City business days if received before 5 p.m. on the day of the Public Hearing at the City Clerk's Office, Ninth Floor, City Hall, 124 W Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov

Chris Swope, Lansing City Clerk, MMC/MiPMC
www.lansingmi.gov/Clerk
www.facebook.com/LansingClerkSwope

ORDINANCE NO. _____

An ordinance of the City of Lansing, Michigan, to amend Chapter 1236 of the Lansing Codified Ordinances Section 1236.02, 1236.03, and 1236.07 to correct internal references and clarify lot size requirements for residentially zoned lots

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 1236, Section 1236.02 of the Codified Ordinances of the City of Lansing, Michigan, be and is hereby amended to read as follows:

1236.02. - Floodplain development.

(a) No building shall be located on any portion of a lot lying within a floodplain, unless approved in accordance with ~~Chapter 1288~~ **Chapter 1250, Section 1250.06**.

(b) The natural floodplain may be altered if its original discharge capacity is preserved and the stream flow is not revised so as to affect the riparian rights of the other owners.

(c) Alteration of any floodplain area shall be based upon a plan approved by the Planning Board and the Department of Natural Resources.

(d) The floodplain shall be shown within a contour line, established by the studies of the U.S. Army Corps of Engineers and the Michigan Water Resources Commission, until such time as a flood insurance rate map is issued by the Federal Insurance Administrator.

(e) The floodplain area shall be clearly labeled on any and all plats hereafter filed with the words "floodplain area."

Section 2. That Chapter 1236, Section 1236.03 of the Codified Ordinances of the City of Lansing, Michigan, be and is hereby amended to read as follows:

1236.03. - Streets.

(a) The arrangement, character, extent, width, grade and location of all streets shall conform to the major street plan as adopted by the Planning Board and shall be considered in their relation to existing and planned streets, to topographic conditions, to public convenience and safety and to the proposed uses of the land to be served by such streets.

(b) Public right-of-way widths shall be as shown on the major street plan and, unless otherwise indicated on the major street plan, shall be not less than the following:

	Classification	Right-Of-Way Width (ft.)
(1)	Freeway	300
(2)	Expressway	200—300
(3)	Parkway	Variable (minimum 120)
(4)	Major arterial	100—175
(5)	Minor arterial	100-120
(6)	Collector	86—100
(7)	Local	60—66
(8)	Cul-de-sac	50—66
(9)	Alleys	20
(10)	Crosswalks (pedestrian ways)	10
(11)	Utility easements	12

(c) Additional street right-of-way may be required to ensure adequate access, circulation and parking in subdivisions within high density residential areas, commercial areas and industrial areas.

1 (d) Where a subdivision abuts or contains an existing street of inadequate right-of-way
2 width, additional width for the existing street may be required in conformity with the
3 standards outlined in paragraph (b)(6) hereof.

4 (e) If Council deems that right-of-ways in excess of 120 feet are necessary, it shall enter
5 into an agreement to purchase the land within 90 days and shall accomplish acquisition
6 within three years, expressways and freeways excepted.

7 (f) Dedication of expressway and freeway right-of-ways shall not be required. Such
8 right-of-ways may be reserved for public acquisition in accordance with Public Act 222
9 of 1943, as amended.

10 (g) Local streets shall be so arranged as to discourage their use by through traffic.

11 ~~Curvilinear street design is recommended for residential streets to discourage excessive~~
12 ~~speeds and to provide attractive vistas.~~

13 (h) The street arrangement in a subdivision shall provide for the continuation of existing
14 streets in surrounding areas and shall provide for suitable access to adjoining unplatted
15 areas at points not more than 1,320 feet apart.

16 (i) Where a proposed subdivision abuts or contains a major street as defined in the
17 major street plan, the Planning Board may require marginal access streets, reverse
18 frontage lots containing a ten-foot nonaccess, reservation with screen planting along the
19 rear property line or such other treatment as may be necessary for the adequate
20 protection of residential properties and the separation of through and local traffic.

21 (j) Intersections on major or minor arterial streets shall be located not less than 800 feet
22 apart, measured from centerline to centerline.

1 (k) When a tentative layout, including streets, of the general area or neighborhood has
2 been made by the Department of Planning and Municipal Development and approved
3 and adopted by the Planning Board, the proposed subdivision shall be in general
4 conformity thereto.

5 (l) Where a proposed subdivision abuts or contains a railroad right-of-way, expressway
6 or other limited access highway, the Planning Board may require a street approximately
7 parallel to and on each side of such right-of-way at a distance suitable for the
8 appropriate use with due regard for the requirements of approach grades for future
9 bridge or grade separations.

10 (m) Street jogs with centerline offsets of less than 125 feet shall be prohibited, except as
11 provided in Section 1236.11.

12 (n) There shall be no private streets, lanes or ways platted in any subdivision, except
13 under the special design considerations mentioned under Section 1236.10(a).

14 (o) Half streets shall be prohibited, except where unusual circumstances make it
15 essential to the reasonable development of a tract in conformity with these Subdivision
16 Regulations and where satisfactory assurance for dedication of the remaining part of the
17 street is provided. Whenever a tract to be subdivided borders on an existing half or
18 partial street, the other part of the street shall be dedicated within such tract.

19 (p) Dead-end streets are prohibited, except those designed as permanent cul-de-sacs
20 or those required for future access to adjacent unplatted property. Temporary
21 turnaround arrangements for dead-end streets which will be extended in the future may
22 be required by the Planning Board.

(q) Cul-de-sac streets shall be not longer than 600 feet or seven times the average lot width of the lots fronting the cul-de-sac and shall contain at the closed end a turnaround having an outside road pavement of 90 feet and a street property line diameter of 120 feet. Special consideration will be given to longer cul-de-sacs under unusual topographical conditions.

(r) Streets shall be not greater than five percent or less than one-half percent, except as provided in Section 1236.11.

(s) To ensure adequate sight distance, horizontal curves shall have the following minimum centerline ratio:

(1) Local streets150 feet

(2) Collector300 feet

(3) Minor arterial500 feet

(4) Major arterial750 feet

A tangent at least 100 feet long shall be provided between reverse curves on collector streets and at least 250 feet long on minor and major arterial streets.

(t) Streets shall intersect one another at right angles or as nearly at right angles as conditions permit. No street shall intersect another at an angle of less than 80 degrees.

(1) "T" intersections of minor streets shall be encouraged.

(2) Multiple intersections involving the junction of more than two streets shall be prohibited.

(3) Minor streets intersecting with a major street or thoroughfare shall have a tangent section of centerline not less than 50 feet in length.

(u) No street names shall be used which will duplicate or be confused with the names of existing streets within the area of jurisdiction of these Subdivision Regulations. Street and subdivision names and house numbers shall be subject to the approval of the Director of Public Service.

Section 3. That Chapter 1236, Section 1236.07 of the Codified Ordinances of the City of Lansing, Michigan, be and is hereby amended to read as follows:

1236.07. - Lot area.

(a) Lot size, width, depth, shape and orientation shall be appropriate for the location and contemplated use of each subdivision, but in no case shall any of the lot dimensions, building set-back lines or lot area requirements be less than the minimum specified in the Zoning Code for the particular district in which the subdivision is located.

(b) The minimum lot width of all **residential** lots ~~platted~~ **of record** or created from existing parcels, lots, or unplatted land shall be ~~60 feet~~ **that which is specified in the Zoning Code for the particular district**, at the building line, except on corner lots where the minimum lot width shall be ~~70~~ **60** feet, except as provided in Sections 1236.10(a) and 1236.11.

(c) The minimum lot depth for residential lots shall be 100 feet ~~and 135 feet on major streets~~, except as provided in Section 1236.11.

(d) The general ~~width to depth~~ **depth to width** ratio of lots ~~shall not exceed one to 2.5, except as provided in Section 1236.11.~~ **all residential lots of record or created from existing parcels may exceed four to one as permitted in Public Act 288 of 1967, as amended, if the minimum width of Section 1236.07 (b) and minimum depth of Section 1236.07 (c) are met.**

1 (e) Every lot shall abut upon and have permanent access to a public street, provided
2 that in subdivisions designed under conditions specified in Section 1236.10(a), this
3 requirement may be modified or waived by the Planning Board.

4 (f) Side lot lines shall be at approximately right angles or radial to the street right-of-way
5 line.

6 Section 4. All ordinances, resolutions or rules, parts of ordinances, resolutions or
7 rules inconsistent with the provisions are repealed.

8 Section 5. Should any section, clause or phrase of this ordinance be declared to
9 be invalid, the same shall not affect the validity of the ordinance as a whole, or any part
10 thereof other than the part so declared to be invalid.

11 Section 6. This ordinance shall take effect on the 30th day after enactment,
12 unless given immediate effect by City Council, and shall expire December 31, 2033.

The Subdivision Regulations Ordinance Part 12, Title 4

Basis: the Land Division Act, Public Act 288 of 1967, governs subdivision developments (plats), land divisions (lot splits) of established land, and construction of infrastructure improvements such as streets and utilities.

Issue: PA 288 of 1967 has a provision that restricts the depth of a parcel to a maximum of 4 times the width. A municipality can create a more restrictive ratio standard and in fact, the City of Lansing has done so by restricting the depth of a lot to 2.5 times the width. They can also set a less restrictive ratio, if based on some standard.

There are many platted parcels in the City that exceed the width to depth ratio restriction. Since there is a market for new housing in the City, we are receiving requests for variances to the width to depth ratio restriction, all of which are being approved and should continue to be approved. By eliminating the restriction on depth to width ratio, it will drastically reduce the number of variance requests. These lot splits can be approved administratively. The only exceptions will be to lots that do not comply with the minimum lot width and/or depth. Those requirements, however, are also outdated and need to be changed.

Reasoning: PA 288 is meant *to promote better utilization of land while maintaining rural character. reduce sprawling and fragmented development that often results from the division of large parcels of land. A minimum lot width-to-depth ratio prevents the creation of long and narrow lots, as well as the crowding of buildings along access roads while leaving the land behind buildings vacant and unserviceable.* These concerns are not relevant to Lansing.

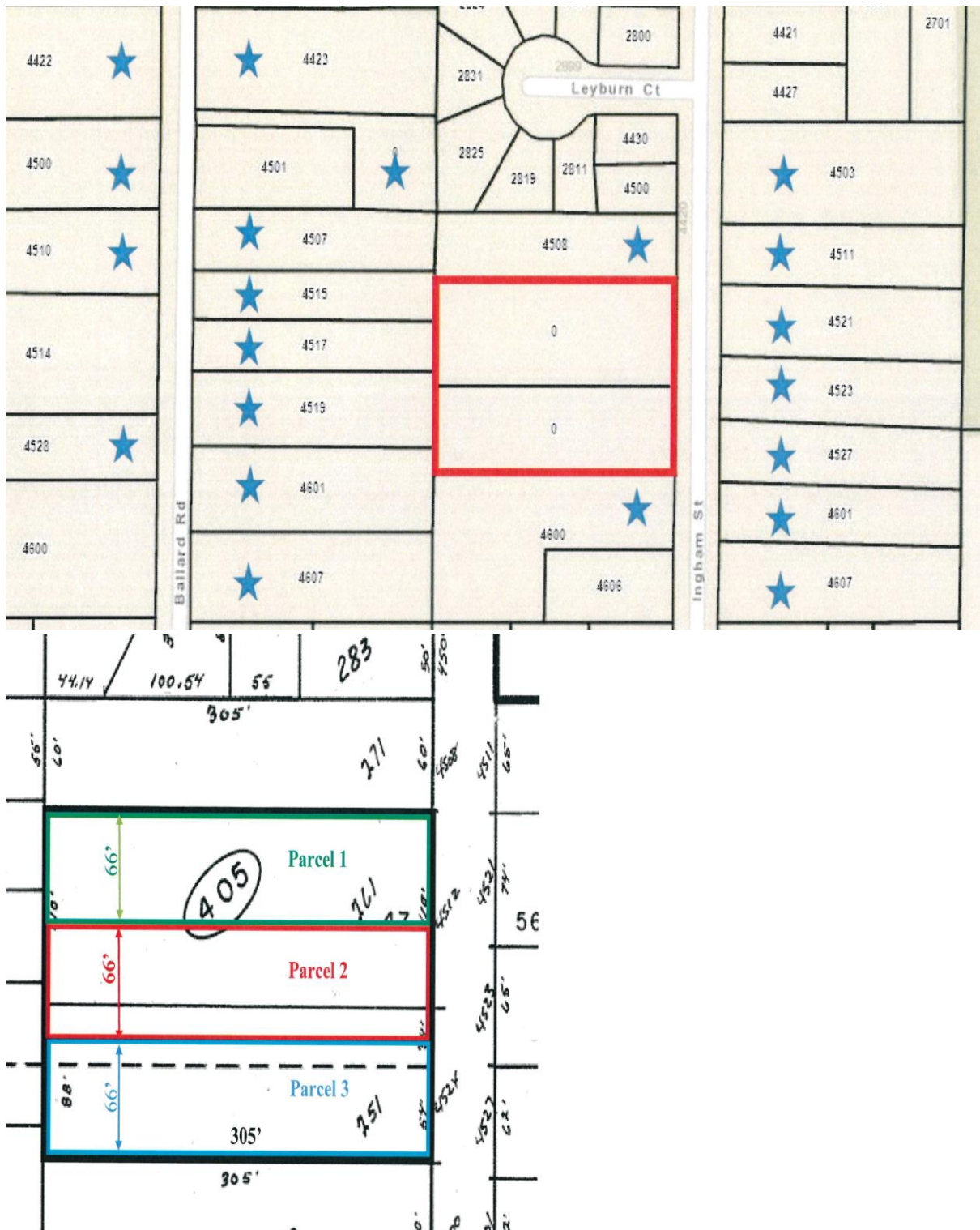
Process: Lot splits are reviewed and approved by the Zoning Administrator if they comply with the minimum lot requirements in terms of width, depth, and depth to width ratio.

If a proposal exceeds the ratio or does not comply with the required lot width or depth, the necessary variances to those requirements must be reviewed by the Planning Commission which will make a recommendation to the City Council after holding a public hearing. The Council has the final authority to approve or deny the request. Sometimes this results in two variances; the ratio and if the resulting parcel width is less than 60'.

Planning Commission: The Planning Commission reviewed the request and recommended approval of the ordinance revision at their August 1, 2023 meeting. No questions or comments were made.

Bottom Line: The City ordinance is even more restrictive than the 1967 state statute and limits lot dimensions to an extent that is contrary to proper planning for an urban environment. This is not protecting the built environment since the minimum width of residential districts is still required. Most City parcels are platted between 33' - 60' wide and 100' – 305 feet in depth. Removing the width to depth ratio restriction will result in creating more buildable lots and additional much needed housing.

Example:



Two parcels combined and split to make three, resulting in identical parcels of 66' x 305', a ratio of 1:4.62.

21 other properties in the direct vicinity exceed the ratio by a similar amount.

Proposal:

1236.02 Floodplain Development, no changes except to reference the current chapter number. Chapters were changed during the adoption of the Form-Based Zoning Code.

1236.03 Streets (g) remove language about curvilinear street design. This is not an actual rule, only a recommendation. An ordinance must have actual rules or allowances, not recommendations. Further, requiring curvilinear streets results in sprawl-like development patterns.

1236.07 Lot Area (b) minimum lot width. Change from minimum of 60' to reference that which is in the zoning code. Residential districts have a range from 40' – 50' in the zoning code based on if a residential zoning district is more urban (central neighborhoods) or developed post-1950s and have more space. The proposed change is meant to maintain the nature of different neighborhoods and not introduce a hardship of a second variance during lot splits. (e.g. some applicants would have to apply for a second variance if their split resulted in parcels less than the current minimum of 60')

1236.07 (c) minimum lot depth. Remove 135' minimum on major streets. Unnecessary because all districts have the same front setback. Minimum depth set at 100'.

1236.07 (d) general depth to width ratio. Removal of 2.5:1 language and statement that every parcel can exceed state's standard of 4:1 if the minimum width and minimum depth are met.

PASSAGE OF ORDINANCE

An ordinance of the City of Lansing, Michigan to amend the Lansing Codified Ordinances by amending Part 12, Title 4, Chapter 1236, Sections 1236.02, 1236.03, and 1236.07 to correct internal references and clarify lot size requirements for residentially zoned lots.

Is read a second time by its title. The Ordinance was reported from the Committee _____ and is on the order of immediate passage.

COUNCIL MEMBER	YEAS	NAYS
Brown	☐	☐
Carter	☐	☐
Garza	☐	☐
Hussain	☐	☐
Jackson	☐	☐
Kost	☐	☐
Pehlivanoglu	☐	☐
Spadafore	☐	☐
	_____	_____
☐ ADOPTED	☐ FAILED	

INTRODUCTION OF ORDINANCE

An ordinance of the City of Lansing, Michigan to amend the Lansing Codified Ordinances by amending Part 12, Title 4, Chapter 1236, Sections 1236.02, 1236.03, and 1236.07 to correct internal references and clarify lot size requirements for residentially zoned lots.

The Ordinance was introduced by the Lansing City Council, read a first time by its title and referred to the Committee on Development and Planning.

Resolution #
By the Committee on Development and Planning
Resolved by the City Council of the City of Lansing

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday , 2024 at 7:00 p.m. in Tony Benavides Lansing City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan for the purpose of:

Approving or opposing the adoption of an ordinance of the City of Lansing, Michigan to amend the Lansing Codified Ordinances by amending Part 12, Title 4, Chapter 1236, Sections 1236.02, 1236.03, and 1236.07 to correct internal references and clarify lot size requirements for residentially zoned lots.

The Subdivision Regulations Ordinance Part 12, Title 4

Basis: the Land Division Act, Public Act 288 of 1967, governs subdivision developments (plats), land divisions (lot splits) of established land, and construction of infrastructure improvements such as streets and utilities.

Issue: PA 288 of 1967 has a provision that restricts the depth of a parcel to a maximum of 4 times the width. A municipality can create a more restrictive ratio standard and in fact, the City of Lansing has done so by restricting the depth of a lot to 2.5 times the width. They can also set a less restrictive ratio, if based on some standard.

There are many platted parcels in the City that exceed the width to depth ratio restriction. Since there is a market for new housing in the City, we are receiving requests for variances to the width to depth ratio restriction, all of which are being approved and should continue to be approved. By eliminating the restriction on depth to width ratio, it will drastically reduce the number of variance requests. These lot splits can be approved administratively. The only exceptions will be to lots that do not comply with the minimum lot width and/or depth. Those requirements, however, are also outdated and need to be changed.

Reasoning: PA 288 is meant *to promote better utilization of land while maintaining rural character. reduce sprawling and fragmented development that often results from the division of large parcels of land. A minimum lot width-to-depth ratio prevents the creation of long and narrow lots, as well as the crowding of buildings along access roads while leaving the land behind buildings vacant and unserviceable.* These concerns are not relevant to Lansing.

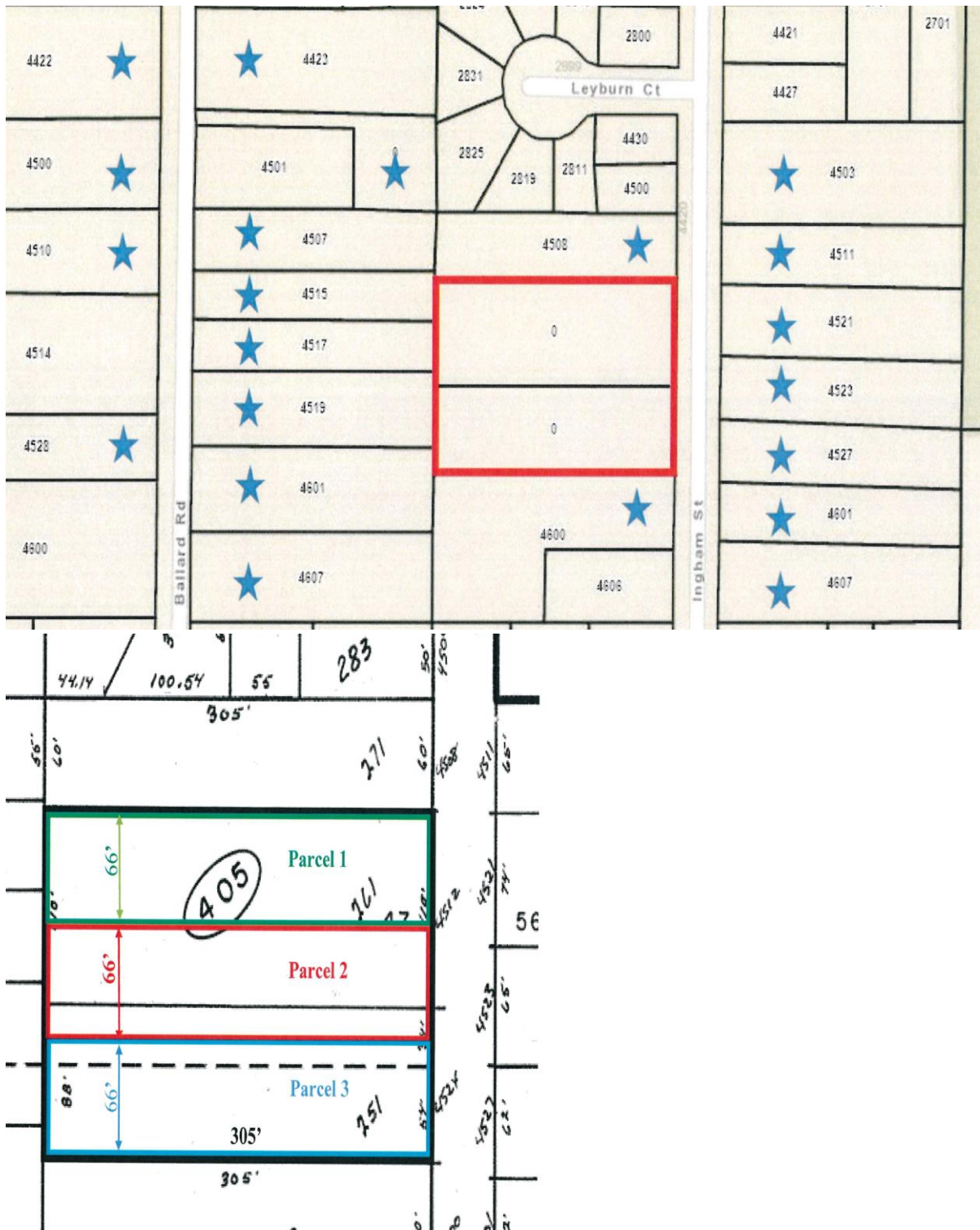
Process: Lot splits are reviewed and approved by the Zoning Administrator if they comply with the minimum lot requirements in terms of width, depth, and depth to width ratio.

If a proposal exceeds the ratio or does not comply with the required lot width or depth, the necessary variances to those requirements must be reviewed by the Planning Commission which will make a recommendation to the City Council after holding a public hearing. The Council has the final authority to approve or deny the request. Sometimes this results in two variances; the ratio and if the resulting parcel width is less than 60'.

Planning Commission: The Planning Commission reviewed the request and recommended approval of the ordinance revision at their August 1, 2023 meeting. No questions or comments were made.

Bottom Line: The City ordinance is even more restrictive than the 1967 state statute and limits lot dimensions to an extent that is contrary to proper planning for an urban environment. This is not protecting the built environment since the minimum width of residential districts is still required. Most City parcels are platted between 33'- 60' wide and 100' – 305 feet in depth. Removing the width to depth ratio restriction will result in creating more buildable lots and additional much needed housing.

Example:



Proposal:

1236.02 Floodplain Development, no changes except to reference the current chapter number. Chapters were changed during the adoption of the Form-Based Zoning Code.

1236.03 Streets (g) remove language about curvilinear street design. This is not an actual rule, only a recommendation. An ordinance must have actual rules or allowances, not recommendations. Further, requiring curvilinear streets results in sprawl-like development patterns.

1236.07 Lot Area (b) minimum lot width. Change from minimum of 60' to reference that which is in the zoning code. Residential districts have a range from 40' – 50' in the zoning code based on if a residential zoning district is more urban (central neighborhoods) or developed post-1950s and have more space. The proposed change is meant to maintain the nature of different neighborhoods and not introduce a hardship of a second variance during lot splits. (e.g. some applicants would have to apply for a second variance if their split resulted in parcels less than the current minimum of 60')

1236.07 (c) minimum lot depth. Remove 135' minimum on major streets. Unnecessary because all districts have the same front setback. Minimum depth set at 100'.

1236.07 (d) general depth to width ratio. Removal of 2.5:1 language and statement that every parcel can exceed state's standard of 4:1 if the minimum width and minimum depth are met.

**CITY OF LANSING
NOTICE OF PUBLIC HEARING**

Chapter 1236 Subdivision Regulations Amendments

The Lansing City Council will hold a public hearing on Monday, , 2024 at 7:00 p.m. in the Tony Benavides Lansing City Council Chambers, 10th Floor, 124 W. Michigan Avenue, Lansing, Michigan to consider an ordinance of the City of Lansing, Michigan to amend the Lansing Codified Ordinances by amending Part 12, Title 4, Chapter 1236, Sections 1236.02, 1236.03, and 1236.07 to correct internal references and clarify lot size requirements for residentially zoned lots. Descriptions of the proposed changes can be found on www.lansingmi.gov/374/Zoning.

If you are interested in this matter, please attend the public hearing. Written comments will be accepted between 8 a.m.-5 p.m. on city business days if received before 5 p.m., Monday, , 2024 at the City Clerk's Office, Ninth Floor, City Hall, 124 W. Michigan Ave., Lansing, MI 48933 or email city.clerk@lansingmi.gov.

Chris Swope, City Clerk



CITY OF LANSING HISTORIC DISTRICT COMMISSION

316 N. CAPITOL AVENUE, SUITE D-1 • LANSING, MI 48933-1236 • (517) 483-4066 •

Andy Schor, Mayor

City Council
City of Lansing
10th Floor City Hall
124 W Michigan Avenue
Lansing, MI 48933

Dear Lansing City Council Members,

City of Lansing residents, the Lansing Eastern High School Alumni Association, and the Committee to Preserve Historic Eastern and Promote Mental Health, have approached the City of Lansing Historic District Commission with concerns over the preservation of the former Eastern High School. With recognition of the critical need of the University of Michigan Health-Sparrow's expansion to improve healthcare access in our community, we also share these concerns and feel a strong responsibility to ensure that the history and significance of Eastern High School are not lost.

Eastern High School has been an integral part of the Eastside for generations and has contributed to the sense of place for the neighborhood, the community, and the city at-large for nearly 100 years. The school was designed by the Chicago architectural firm of Irving K. and Allen B. Pond, blending elements of the arts and crafts, Elizabethan revival, and Collegiate Gothic styles with an incredible limestone façade, copper gutters, and an intact slate roof. Constructed in 1927 and opened to students in 1928, it is truly one of a kind in Lansing and would be eligible for designation on the National Register of Historic Places.

The Historic District Commission, while fully aware and supportive of UM Health-Sparrow's timely focus upon the mental health needs of the Lansing community, still echo the concerns expressed in public comments about utilization of other areas of the hospital campus covered by surface parking lots for potential building sites. The Commission is also a strong advocate of adaptive reuse of historic buildings in which portions of the historic façade are maintained, while more modern additions are constructed to meet 21st century facility needs. Such efforts maintain the historic legacy of the structure while fulfilling the contemporary needs of the community as a whole.

Recognizing that the City Council does not want to pursue the process of adding Eastern High School to the National Register, we request that the Council, in partnership with the City of Lansing and UM Health-Sparrow, still afford an opportunity to study the building for its historic significance. We respectfully request that a study group or committee, with individuals including an architectural historian and qualified professionals, be permitted to study and document historic features of the building and the school's impact on the generations of community members that have come through it, without pursuing a local historic district designation.

The aim of this group would be to document the building's history, through recording its architectural details both interior and exterior, explore alternative opportunities for preservation, and educate the public on its history and ensure the community is aware of steps being taken to honor its legacy. We hope that working together, we can help document and preserve its history during UM Health-Sparrow's planning and pre-construction stages.

With a study group, we can ensure that even as Eastern High School makes way for the future of healthcare in our city, its past will be remembered and respected. We believe that this is a balanced approach that acknowledges the need for progress while also valuing our shared history.

We ask for your support in establishing this study group and look forward to working collaboratively to ensure that the story of Eastern High School is preserved for future generations.

Lansing Historic District Commission Members

Carol Skillings (Chairperson)
James Bell (Vice-Chairperson)
Jackie Lillis-Warwick
Cassandra Nelson
Sam Troutman

IPLANGROUP agent
1288 Labrosse Drive
Waterford, MI 48328

Claim #
2059

8/22/2024
VIA HAND DELIVERY

Lansing City Council
124 W Michigan Avenue
Floor 10
Lansing MI 48933

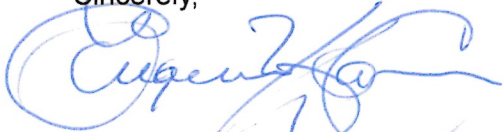
Re: Appeal of CRC City of Lansing Office of the City Attorney Claims re 1504 Lansing Ave

Dear Sirs/Madams:

IPLANGROUP seeks to appeal the decision of the Claims Review Committee pursuant to a letter issued 8/24/2024. We seek to appeal to the Lansing City Council regarding a red tag violation in the amount of \$1762.50. Please advise regarding scheduling the appeal. Current dates of unavailability are 8/27, 9/13, and 9/27.

Thank you in advance for your consideration.

Sincerely,



Eugenia Zacks-Carney, Agent for IPLANGROUP
517-614-2438

Cc: Gregory S. Venker, Interim City Attorney , City of Lansing office of the City Attorney 124 W Michigan Ave 5th Floor, Lansing MI 48933 city atty @Lansingmi .gov



Real Advantage, LLC dba Orange Coast Lender Services
1000 Commerce Drive, Suite 520, Pittsburgh, PA 15275
Phone: 877-788-2923 Fax: 412-788-2925
www.oclenderservices.com

Wire Instructions

File Number: 790061
Loan Number: 0630734549
Borrower/Buyer: iPlanGroup Agent for Custodian FBO 3340593 SEP
Property Address: 1504 LANSING Avenue, Lansing, MI 48915-2215

Beneficiary Bank Name:	Wells Fargo Bank, N.A.
Bank Address:	420 Montgomery Street San Francisco, CA 94104
ABA Number:	121000248
Account Number:	4306213349
Account Name:	Real Advantage LLC dba Orange Coast Lender Services

Our office cannot accept ACH (Automated Clearing House) Transfers such as Direct Deposits, these instructions are for the purpose of sending Wire Transfers only

American Land Title Association	ALTA Settlement Statement - Combined Adopted 05-01-2015
---------------------------------	--

File No./Escrow No.: 790061 Officer/Escrow Officer: Heather Moeser	Real Advantage LLC dba Orange Coast Lender Services 1000 Commerce Drive Suite 520 Pittsburgh, PA 15275 (877) 788-2923
---	--

Property Address:	1504 LANSING AVENUE LANSING, MI 48915-2215 (INGHAM) (33-01-01-08-228-162)
Borrower:	IPLANGROUP AGENT FOR CUSTODIAN FBO 3340593 SEP 1288 Labrosse Drive Waterford, MI 48328
Seller:	CITIZENS BANK, N.A. 10 Tripps Lane Riverside, RI 02915
Lender:	CASH Transaction
Settlement Date:	6/16/2023

Seller			Description	Borrower		
P.O.C.	Debit	Credit		P.O.C.	Debit	Credit
			Deposits, Credits, Debits			
		\$35,399.00	Sale Price of Property		\$35,399.00	
			Deposit			\$2,500.00
			Prorations			
		\$85.33	County Taxes 6/16/2023 to 7/1/2023 @ \$2,076.40/Year		\$85.33	
		\$597.15	County Taxes 6/16/2023 to 12/1/2023 @ \$1,297.38/Year		\$597.15	
			Title Charges			
			Title - Lender's Title Insurance to Real Advantage, LLC dba Orange Coast Lender Services		\$0.00	
			Title - Owner's Title Insurance to Real Advantage, LLC dba Orange Coast Lender Services		\$477.40	
			Title - Endorsement(s) to Real Advantage, LLC dba Orange Coast Lender Services			
			Title - Abstract or title search to Real Advantage, LLC dba Orange Coast Lender Services		\$200.00	
			Settlement or closing fee to Real Advantage, LLC dba Orange Coast Lender Services		\$700.00	
			Title - Tax Lien Search to Real Advantage, LLC dba Orange Coast Lender Services		\$100.00	
			Title - Examination to Real Advantage, LLC dba Orange Coast Lender Services		\$200.00	
			Title - Document Preparation to Real Advantage, LLC dba Orange Coast Lender Services		\$60.00	
			Title - Courier Fee to Real Advantage, LLC dba Orange Coast Lender Services		\$25.00	
			Title - Wire Transfer Fee to Real Advantage, LLC dba Orange Coast Lender Services		\$25.00	
			Title - Title Update Fee to Real Advantage, LLC dba Orange Coast Lender Services		\$50.00	
			Title - Title Curative to Real Advantage, LLC dba Orange Coast Lender Services		\$175.00	
			Title - Mortgage Connect Fee to Mortgage Connect c/o Auction.com		\$55.00	
			Government Recording and Transfer Charges			
			County Deed Tax/Stamps to Orange Coast Lender Services - Recording Account		\$39.05	
			Recording fees: Deed \$35.00		\$35.00	
			State Deed Tax/Stamps to Orange Coast Lender Services - Recording Account		\$266.25	
			Additional Settlement Charges			
	\$1,769.95		Auction Fee (TPP 5%) to Auction.com			
	\$4,591.50		Collections, Judgments and Liens to CITY OF LANSING TREASURER			
Seller				Borrower		
P.O.C.	Debit	Credit		P.O.C.	Debit	Credit
\$0.00	\$6,361.45	\$36,081.48	Subtotals	\$0.00	\$38,489.18	\$2,500.00
			Due From Borrower			\$35,989.18
	\$29,720.03		Due To Seller			
\$0.00	\$36,081.48	\$36,081.48	Totals	\$0.00	\$38,489.18	\$38,489.18

Acknowledgement

We/I have carefully reviewed the ALTA Settlement Statement and find it to be a true and accurate statement of all receipts and disbursements made on my account or by me in this transaction and further certify that I have received a copy of the ALTA Settlement Statement. We/I authorize Real Advantage LLC dba Orange Coast Lender Services to cause the funds to be disbursed in accordance with this statement.

BORROWER(S)

iPlanGroup Agent for Custodian FBO 3340593 SEP
by Jennifer Watchhorn, Authorized Signatory

SELLER(S)

DocuSigned by:

6/15/2023

Samantha Makela

Citizens Bank, N.A.

by Wells Fargo Bank, N.A., As Attorney In Fact

Samantha Makela
Authorized Signer

Settlement Agent or Escrow Officer

Heather Moeser

All amounts and prorations, including without limitation, taxes, liens, judgments, fees, utilities, dues and/or assessments are final as set forth on the fully executed settlement statement.

DS
SM



1000 Commerce Drive, Suite 520, Pittsburgh, PA 15275
Phone: 877-788-2923 Fax: 412-788-2925
www.oclenderservices.com

CLOSING CONDITIONS:

In order for Orange Coast Lender Services to fund the purchase,
iPlanGroup Agent for Custodian FBO 3340593 SEP, the following items
are needed:

1. Copy of valid government issued ID MUST be provided for ALL parties and returned with package for Orange Coast Lender Services
2. Execute Settlement Statement
3. Email copy of signed documents to
4. A copy of the tax sheet and title commitment are enclosed for buyer's own records



1000 Commerce Drive, Suite 520, Pittsburgh, PA 15275

Phone: 877-788-2923 Fax: 412-788-2925

www.oclenderservices.com

IMPORTANT: PROPERTY TAX INFORMATION

Property Address: 1504 LANSING Avenue, Lansing, MI 48915-2215

PARCEL: 33-01-01-08-228-162

TAX YEAR: 2022

\$1297.38 (winter) and \$2076.40 (summer) paid / unpaid

Next Due: August 2023

Please review the above tax breakdown as the tax pro-rations on the settlement statement are considered final. It is your responsibility as the buyer to contact your local taxing authority to inform them of your purchase and to update their mailing records. It is your responsibility as the buyer to ensure future tax bills are paid.



1000 Commerce Drive, Suite 520, Pittsburgh, PA 15275
Phone: 877-788-2923 Fax: 412-788-2925
www.oclenderservices.com

ESCROW ADMINISTRATION FEE ACKNOWLEDGMENT

By my/our signature(s) below, I/we acknowledge the following:

- I/we participated in a purchase or refinance transaction on the property referenced here:

1504 LANSING Avenue, Lansing, MI 48915-2215

- It is possible that related to the aforementioned transaction, I/we may receive funds in the form of a check
- Orange Coast Lender Services adheres to a due diligence process designed to ensure that all escrow funds are paid to the appropriate parties
- Any check that is uncashed within one (1) year of its dated date is subject to an administrative fee of \$25.00 per year, deducted from the amount of the check, payable to Orange Coast Lender Services
- Uncashed check funds are considered unclaimed property and will be turned over to the appropriate government office in accordance with state guidelines

Name: iPlanGroup Agent for Custodian FBO 3340593 SEP Date

Name:

Date

TAX REPORT									
File#:	766191								
Owner	CITIZENS BANK, N.A.								
Address	1504 LANSING Avenue				Date Completed:		04/25/2023		
Address					# of Jurisdiction(s):		1		
City, State, Zip	Lansing, MI 48915-2215				# of Parcel(s):		1		
Tax Summary (County)									
Status	Parcel	Tax Year	Inst	Tax Amount	Penalty	Total Due	Good Thru	Due Date	
Paid	33-01-01-08-228-162	2022	1	\$2,065.00	\$11.40	\$0.00	NA	08/31/2022	
Paid	33-01-01-08-228-162	2022	2	\$1,297.38	\$0.00	\$0.00	NA	02/14/2023	
Notes									
Subject	Note								
Tax Notes	2022 taxes paid. As per agency there are no prior year taxes due.								
Water/Sewer/Trash	Water/Sewer/Trash: Final bill follows the Property or Bank or Individuals: property. Final bill obtained: yes Procedure to obtain a final bill: As per lansing utility website the account is active and h/o authorization is require to obtain bill information on this property. Account status : Active Amount balance : Confidential Account No : Confidential Ph : (517)-702-6006 (Repository attached)								
Special Assessments	As per Lansing City Treasurer's Office there are no special assessments on this property. PH : (517) 483-4121 (Repository attached)								
Code Compliance	As per Lansing City building department/BSAONLINE website there are open code violations and amount due IAO : \$3,569.00 on this property. PH : (517) 483-4121 (Repository attached)								
Permits	As per Lansing City building department/BSAONLINE website there are no open or expired permits on this property. PH : (517) 483-4121 (Repository attached)								
Inspections	If any inspections are needed before closing: YES/NO: No. PH : (517) 483-4121 (Repository attached)								
Duplicate Bill Fees	No duplicate bill fee required.								
Property Value Summary									
Jurisdiction	Parcel	Year	Assessed Land	Assessed Improvement	Total Assessment	Exempt Type	Exempt Amount		
Lansing City	33-01-01-08-228-162	2022	NA	NA	\$29,300.00	NA	NA		
Payment Information For									
Status	Parcel	Tax Year	Inst	Tax Amount	Total Amount Paid	Penalty	Total Due	Good Thru	Date Paid
Paid	33-01-01-08-228-162	2022	1	\$2,065.00	\$2,076.40	\$11.40	\$0.00	NA	09/01/2022
Paid	33-01-01-08-228-162	2022	2	\$1,297.38	\$1,297.38	\$0.00	\$0.00	NA	12/27/2022
Jurisdiction	Lansing City			Phone:	(517) 483-4121		Payment Requirements:		
Payable To:	Lansing City Treasurer's Office			Inst Per Year:	2		Municipality will accept dummy bill		
Mail To:	124 W Michigan Ave, Lansing, MI 48933						Post mark accepted. No duplicate bill fee required.		
Upcoming Due Date(s):	08/31/2023	2023	Inst:	1	Discount%:	NA			
					Disc Due Date(s):	NA			

1504 LANSING AVE MI 48915 (Property Address)

Parcel Number: 33-01-01-08-228-162



Property Owner: CITIZENS BANK, N.A.

Summary Information

> Residential Building Summary

- Year Built: 1920

- Full Baths: 1

- Sq. Feet: 928

- Bedrooms: 0

- Half Baths: 0

- Acres: 0.192

> 1 Invoice Found, Amount Due: 0.00

> Assessed Value: \$33,600 | Taxable Value: \$24,811

> Property Tax information found

> 17 Building Department records found

Item 1 of 64 Images / 2 Sketches

Owner and Taxpayer Information

Owner	CITIZENS BANK, N.A. 1 HOME CAMPUS DES MOINES, IA 50328	Taxpayer	SEE OWNER INFORMATION
-------	--	----------	-----------------------

Legal Description

LOTS 446 & 447 NORTH HIGHLAND SUB

Other Information

Recalculate amounts using a different Payment Date

You can change your anticipated payment date in order to recalculate amounts due as of the specified date for this property.

Enter a Payment Date

4/25/2023

Recalculate

Tax History

Year	Season	Total Amount	Total Paid	Last Paid	Total Due	
2022	Winter	\$1,297.38	\$1,297.38	12/27/2022	\$0.00	
General Information for 2022 Winter Taxes						
School District	33020	PRE/MBT	100.0000%			
Taxable Value	\$23,630	S.E.V.	\$29,300			
Property Class	401 - RESIDENTIAL-IMPROVED	Assessed Value	\$29,300			
Tax Bill Number	No Data to Display	Last Receipt Number	00001350			
Last Payment Date	12/27/2022	Number of Payments	1			
Base Tax	\$1,295.07	Base Paid	\$1,295.07			
Admin Fees	\$2.31	Admin Fees Paid	\$2.31			
Interest Fees	\$0.00	Interest Fees Paid	\$0.00			
Total Tax & Fees	\$1,297.38	Total Paid	\$1,297.38			
Renaissance Zone	Not Available	Mortgage Code	Not Available			
Tax Bill Breakdown for 2022 Winter						
Taxing Authority		Millage Rate	Amount	Amount Paid		
INGHAM COUNTY		4.530800	\$107.06	\$107.06		
		0.699000	\$16.51	\$16.51		
		9.779300	\$1,297.38	\$1,297.38		

Taxing Authority	Millage Rate	Amount	Amount Paid
CATA	2.989500	\$70.64	\$70.64
CADL-LIBRARY	1.560000	\$36.86	\$36.86
TAG MONITORING	0.000000	\$900.00	\$900.00
TAG LATE FEE	0.000000	\$45.00	\$45.00
RCYCL/YARD	0.000000	\$119.00	\$119.00
Admin Fees		\$2.31	\$2.31
Interest Fees		\$0.00	\$0.00
9.779300		\$1,297.38	\$1,297.38

[Click here for a printer friendly version of Winter 2022 Tax information](#)

2022	Summer	\$2,076.40	\$2,076.40	09/01/2022	\$0.00
------	--------	------------	------------	------------	--------

General Information for 2022 Summer Taxes

School District	33020	PRE/MBT	100.0000%
Taxable Value	\$23,630	S.E.V.	\$29,300
Property Class	401 - RESIDENTIAL-IMPROVED	Assessed Value	\$29,300
Tax Bill Number	No Data to Display	Last Receipt Number	00022938
Last Payment Date	09/01/2022	Number of Payments	1
Base Tax	\$2,065.00	Base Paid	\$2,065.00
Admin Fees	\$11.40	Admin Fees Paid	\$11.40
Interest Fees	\$0.00	Interest Fees Paid	\$0.00
Total Tax & Fees	\$2,076.40	Total Paid	\$2,076.40
Renaissance Zone	Not Available	Mortgage Code	Not Available

Tax Bill Breakdown for 2022 Summer

Taxing Authority	Millage Rate	Amount	Amount Paid
LANSING OPER	19.440000	\$459.36	\$459.36
LANS COM COLLEGE	3.769200	\$89.06	\$89.06
LANSING SCH DEBT	4.100000	\$96.88	\$96.88
LANSING SCH OPER	17.447800	\$0.00	\$0.00
LANSING SCH SINK	2.957500	\$69.88	\$69.88
INGHAM INTERMED	4.937800	\$116.68	\$116.68
STATE EDUCATION	6.000000	\$141.78	\$141.78
INGHAM CNTY SUM	6.780700	\$160.22	\$160.22
MONTGOMERY DRAIN	0.260000	\$6.14	\$6.14
TRASH REMOVAL	0.000000	\$610.00	\$610.00
TAG MONITORING	0.000000	\$300.00	\$300.00
TAG LATE FEE	0.000000	\$15.00	\$15.00
Admin Fees		\$11.40	\$11.40
Interest Fees		\$0.00	\$0.00
65.693000		\$2,076.40	\$2,076.40

[Click here for a printer friendly version of Summer 2022 Tax information](#)

2021	Winter	\$364.14	\$364.14	12/27/2021	\$0.00
2021	Summer	\$1,108.64	\$1,108.64	08/31/2021	\$0.00
2020	Winter	\$357.19	\$357.19	12/29/2020	\$0.00
			\$106.04	08/27/2020	\$0.00

By continuing to use this website you agree to the [BS&A Online Terms of Use](#)

1504 LANSING AVE MI 48915 (Property Address)

Parcel Number: 33-01-01-08-228-162



Item 1 of 6

[4 Images / 2 Sketches](#)**Property Owner: CITIZENS BANK, N.A.****Summary Information**

> Residential Building Summary

- Year Built: 1920
- Full Baths: 1
- Sq. Feet: 928
- Bedrooms: 0
- Half Baths: 0
- Acres: 0.192

> 1 Invoice Found, Amount Due: 0.00

> Assessed Value: \$33,600 | Taxable Value: \$24,811

> Property Tax information found

> 17 Building Department records found

Owner Information

Not Available

Amount Due

Property Total

\$3,569.00**Projects**

Project Number	Filed As	Status	Number of Items
No records to display.			
Displaying items 0 - 0 of 0			

Permits

To request an inspection or pay on a record, click View

Permit Type	Permit Number	Associated Project	Status	Date Issued	Last Inspection	Amount Due	
Burn Permit	PFB16-0339		FINALED			\$0.00	View
Burn Permit	PFB17-0468		FINALED	5/5/2017		\$0.00	View
Recreational Fire Permit	PFB19-0124		FINALED	3/17/2019		\$0.00	View
Displaying items 1 - 3 of 3							

[Apply for a Permit](#)**Enforcements**

To pay on a record, click View

Enforcement Type	Enforcement Number	Status	Filed Date	Last Inspection	Amount Due	
Enforcement - Trash	E21-42094	Complied	8/5/2021	8/18/2021	\$0.00	View
Enforcement - Safety	E21-44027	NEAT Unsafe	10/8/2021	10/7/2021	\$1,095.00	View
Enforcement - Trash	E23-01222	Complied	2/8/2023	2/17/2023	\$0.00	View
Enforcement - Trash	E23-02601	Resolved	4/3/2023	4/12/2023	\$2,474.00	View
Displaying items 11 - 14 of 14						

Attachments

Date Created	Title	Record
No records to display.		
Displaying items 0 - 0 of 0		

****Disclaimer:** BS&A Software provides BS&A Online as a way for municipalities to display information online and is not responsible for the content or accuracy of the data herein. This data is provided for reference only and WITHOUT WARRANTY of any kind, expressed or inferred. Please contact your local municipality if you believe there are errors in the data.

1504 LANSING AVE MI 48915 (Property Address)

Parcel Number: 33-01-01-08-228-162



Item 1 of 6 4 Images / 2 Sketches

Property Owner: CITIZENS BANK, N.A.

Summary Information

- > Residential Building Summary

- Year Built: 1920

- Full Baths: 1

- Sq. Feet: 928

- Bedrooms: 0

- Half Baths: 0

- Acres: 0.192
- > Assessed Value: \$33,600 | Taxable Value: \$24,811

> Property Tax information found

> 17 Building Department records found
- > 1 Invoice Found, Amount Due: 0.00

Important Message

2023 values are subject to change by the March Board of Review.

Owner and Taxpayer Information

Owner	CITIZENS BANK, N.A. 1 HOME CAMPUS DES MOINES, IA 50328	Taxpayer	SEE OWNER INFORMATION
-------	--	----------	-----------------------

General Information for Tax Year 2023

Property Class	401 RESIDENTIAL-IMPROVED	Unit	33 CITY OF LANSING - INGHAM
School District	LANSING PUBLIC SCHOOL DIST	Assessed Value	\$33,600
MAP #	P -2080 -0735	Taxable Value	\$24,811
TOP TEN	Not Available	State Equalized Value	\$33,600
NEW PERMITS	Not Available	Date of Last Name Change	01/13/2023
USER ALPHA 3	Not Available	Notes	Not Available
Historical District	Not Available	Census Block Group	Not Available
TYPE CODE	Not Available	Exemption	No Data to Display

Principal Residence Exemption Information

Homestead Date 04/25/2019

Principal Residence Exemption	June 1st	Final
2023	0.0000 %	0.0000 %

Previous Year Information

Year	MBOR Assessed	Final SEV	Final Taxable
2022	\$29,300	\$29,300	\$23,630
2021	\$28,300	\$28,300	\$22,876
2020	\$27,100	\$27,100	\$22,561

Land Information

Zoning Code	Total Acres	0.192
Land Value	Land Improvements	\$0
Renaissance Zone	Renaissance Zone Expiration Date	No Data to Display
ECF Neighborhood	Mortgage Code	No Data to Display
Lot Dimensions/Comments	Neighborhood Enterprise Zone	No

Lot(s)	Frontage	Depth
Lot 1	70.00 ft	119.30 ft
Total Frontage: 70.00 ft		Average Depth: 119.30 ft

By continuing to use this website you agree to the [BS&A Online Terms of Use](#)

LOTS 446 & 447 NORTH HIGHLAND SUB

Sale History

Sale Date	Sale Price	Instrument	Grantor	Grantee	Terms of Sale	Liber/Page
06/16/2022	\$40,572.00	SD	MORROW DENNIS SR & JOYCE - SHERIFF	CITIZENS BANK, N.A.	10-FORECLOSURE	2022 026342
07/01/2015	\$70,000.00	LC	MORROW REGINA	DEAN DAVID EDWARD	33-TO BE DETERMINED	UNRECORDED
03/23/2006	\$0.00	QC	MORROW DENNIS & DAHLKE REGINA	MORROW DENNIS & DAHLKE REGINA&BROWN	21-NOT USED/OTHER	L3210-P158
01/06/2006	\$0.00	QC	MORROW DENNIS C SR	MORROW DENNIS & DAHLKE REGINA	21-NOT USED/OTHER	L3200P320
08/29/2000	\$45,000.00	WD	ESTRADA LORENZA	MORROW DENNIS C	03-ARM'S LENGTH	2865/645

Building Information - 928 sq ft 1 STY (Residential)

General

Floor Area	928 sq ft	Estimated TCV	Not Available
Garage Area	0 sq ft	Basement Area	928 sq ft
Foundation Size	928 sq ft		
Year Built	1920	Year Remodeled	No Data to Display
Occupancy	Single Family	Class	D
Effective Age	50 yrs	Tri-Level	No
Percent Complete	100%	Heat	Forced Air w/ Ducts
AC w/Separate Ducts	No	Wood Stove Add-on	No
Basement Rooms	0	Water	Not Available
1st Floor Rooms	0	Sewer	Not Available
2nd Floor Rooms	0	Style	1 STY
Bedrooms	0		

Area Detail - Basic Building Areas

Height	Foundation	Exterior	Area	Heated
1 Story	Basement	Siding	928 sq ft	1 Story

Basement Finish

Recreation	0 sq ft	Recreation % Good	0%
Living Area	0 sq ft	Living Area % Good	0%
Walk Out Doors	0	No Concrete Floor Area	0 sq ft

Plumbing Information

3 Fixture Bath	1
----------------	---

Porch Information

WCP (1 Story)	160 sq ft	Foundation	Standard
---------------	-----------	------------	----------

****Disclaimer:** BS&A Software provides BS&A Online as a way for municipalities to display information online and is not responsible for the content or accuracy of the data herein. This data is provided for reference only and WITHOUT WARRANTY of any kind, expressed or inferred. Please contact your local municipality if you believe there are errors in the data.

COVENANT DEED
(Michigan)

CITIZENS BANK, N.A., a National Association organized under the laws of the United States, whose mailing address is 10 Tripps Lane, Riverside, RI, 02915, hereinafter grantor, for Thirty-Five Thousand, Three Hundred Ninety-Nine and 00/100 Dollars (\$35,399.00) in consideration paid, conveys to IPLANGROUP AGENT FOR CUSTODIAN FBO 3340593 SEP, in fee simple, hereinafter grantee(s), whose tax mailing address is 1288 Labrosse Dr., Waterford, MI 48328, with the covenant to defend title to the property described herein against all persons and demands claiming by, through or under the grantor and no other persons and claims/demands whatsoever, the following real property:

All that certain parcel of land situate in the City of Lansing, County of Ingham, State of Michigan described as:

Lots 446 and 447, North Highland Subdivision, of a part of the Northeast 1/4 of Section 8, Town 4 North, Range 2 West, City of Lansing, Ingham County, Michigan, as recorded in Liber 6 of Plats, Page 14, Ingham County Records.

Parcel No.: 33-01-01-08-228-162-2

Property Address is: 1504 Lansing Avenue, Lansing, MI 48915-2215

For title reference see prior Deed dated June 16, 2022 and recorded on July 8, 2022 with the Ingham County Register of Deeds in Book N/A, Page N/A, and/or Instrument Number 2022-026342.

Grantor covenants to Grantee(s) and agrees that Grantor has not done, committed or willingly suffered to be done or committed, anything that would cause the premises granted in this deed, or any part of them to be charged or encumbered in title, estate, or otherwise.

Seller makes no representations or warranties, of any kind or nature whatsoever, other than those set out above, whether expressed, implied, implied by law, or otherwise, concerning the condition of the title of the property prior to the date the seller acquired title.

The real property described above is conveyed subject to the following: All easements, covenants, conditions and restrictions of record; all legal highways; Zoning, building and other

laws, ordinances and regulations; Real estate taxes and assessments not yet due and payable;
Rights of tenants in possession.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto
belonging or in anywise appertaining, and all the estate, right, title interest, lien equity and claim
whatsoever of the said grantor, either in law or equity, to the only proper use, benefit and behalf
of the grantee(s) forever.

The said Grantor has caused this deed to be executed on MAY 15, 2023.

CITIZENS BANK, N.A.

By: R W Parmele

Name: RYAN W PARMELE

Its: VICE PRESIDENT

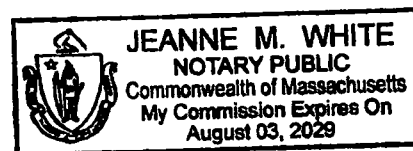
Date: 5/15/2023

State of Massachusetts

County Bristol

On this 15th day of May, A.D., 2023, before me, a Notary Public in
and for said county, personally appeared Ryan Parmele, to me
personally known, who being by me duly sworn (or affirmed) did say that that person is
Vice President (title) of said Citizens Bank, N.A., by authority of its board of (directors or
trustees) and the said (officer's name) Ryan Parmele acknowledged
the execution of said instrument to be the voluntary act and deed of said (corporation or
association) by it voluntarily executed.

[Signature] (Signature)
Notary Public



Prepared by: Lionel J. Postic, Esq. – Michigan Bar No.: P37120
1300 Ridenour Boulevard, Suite 100, Kennesaw, Georgia 30152

When recorded return to:
Orange Coast Lender Services,
1000 Commerce Drive, Suite 520, Pittsburgh PA 15275

To: Wells Fargo - CWCOT
420 Montgomery Street
San Francisco, CA 94104
Client Number: 0630734549
ATTN:
Phone:

From: Real Advantage, LLC dba Orange Coast
Lender Services
1000 Commerce Drive, Suite 520
Pittsburgh, PA 15275
Phone: (877) 788-2923
Fax:

This Commitment is subject to and hereby incorporates the Conditions and Stipulations and all other terms expressed in the standard Commitment for Title Insurance issued by: **Old Republic National Title Insurance Company**

SCHEDULE A

1. Search Date: April 27, 2023
2. Commitment Date: April 13, 2023 10:00PM
3. Policy or Policies to be issued: Proposed Policy Amount
4. Loan Policy:\$0.00 Premium: \$0.00
Proposed Insured: CASH Transaction

Endorsements to be issued:

5. The estate or interest in the Land described or referred to in this Commitment is: FEE SIMPLE
6. The Title is, at the Commitment Date, vested in:
Citizens Bank, N.A.
7. The Land is described as follows:
SEE ATTACHED EXHIBIT A

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Old Republic National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; [and] Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.



Real Advantage, LLC dba Orange Coast Lender Services

By: 
Ken Julian
Authorized Signatory

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Old Republic National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; [and] Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

Copyright 2006-2016 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited.
Reprinted under license from the American Land Title Association.
Print Date: June 21, 2022 12:59PM



SCHEDULE B, Part I**Requirements**

All of the following Requirements must be met:

1. Payment to, or for the account of, the grantors and/or the mortgagors of the full consideration for the estate or interest to be insured.
2. Payment of all taxes, charges, dues, fees and assessments levied and/or assessed against the subject premises, which are due and payable.
3. Proof of identity, legal age, competency and marital status for all parties to the transaction.
4. The Proposed Insured must notify the Company in writing of the name of any party not referred to in this Commitment who will obtain an interest in the Land or who will make a loan on the Land. The Company may then make additional Requirements or Exceptions.
5. Pay the agreed amount for the estate or interest to be insured.
6. Payoff, release and/or subordination of all liens shown under Schedule B, Section II of this commitment.
7. Payoff letter from existing lender(s) verifying balance and an executed notice from the borrowers to the lender stating that they are terminating their rights to accept any further advances, if any, to be submitted to lender being paid off.
8. Pay the premiums, fees, and charges for the Policy to the Company.
9. Payment in full of real estate taxes and any water and sewer charges, if any, now due and due within the next 60 days, past due, delinquent and unpaid AND positive proof of payment of the last three (3) years of real estate taxes.
10. Documents satisfactory to the Company that convey the Title or create the Mortgage to be insured, or both, must be properly authorized, executed, delivered, and recorded in the Public Records.

Deed from Citizens Bank, N.A. to iPlanGroup Agent for Custodian FBO 3340593 SEP to be recorded among the Land Records of Ingham County, State of Michigan.

Deed of Trust or Mortgage from iPlanGroup Agent for Custodian FBO 3340593 SEP to CASH Transaction in the amount of \$0.00 to be recorded among the Land Records of Ingham County, State of Michigan.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Old Republic National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; [and] Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.



11. Properly drafted and executed deed from seller to buyer(s) encumbering the real estate described under Schedule A of the commitment.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Old Republic National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; [and] Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.



SCHEDULE B, PART II**Exceptions**

THIS COMMITMENT DOES NOT REPUBLISH ANY COVENANT, CONDITION, RESTRICTIONS, OR LIMITATION CONTAINED IN ANY DOCUMENT REFERRED TO IN THIS COMMITMENT TO THE EXTENT THAT THE SPECIFIC COVENANT, CONDITION, RESTRICTION, OR LIMITATION VIOLATES STATE OR FEDERAL LAW BASED ON RACE, COLOR, RELIGION, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, HANDICAP, FAMILIAL STATUS, OR NATIONAL ORIGIN.

The Policy will not insure against loss or damage resulting from the terms and provisions of any lease or easement identified in Schedule A, and will include the following Exceptions unless cleared to the satisfaction of the Company:

1. Rights of dower, homestead or other marital right of the spouse, if any, of any individual insured.
2. Encroachments, overlaps, boundary line disputers or other matters which would be disclosed by an accurate survey and inspection of the premises.
3. Any defect, lien, encumbrance, adverse claim, or other matter that appears for the first time in the Public Records or is created, attaches, or is disclosed between the Commitment Date and the date on which all of the Schedule B, Part I—Requirements are met.
4. Any rights, interests or claims, which are not shown by the public records but which could be ascertained by an inspection of Land or which may be asserted by persons in possession thereof.
5. Easements or claims of easement not shown of public record.
6. Taxes, assessments or municipal claims which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public record or for any improvements which are erected upon the property in the current year, which may be hereafter assessed or levied by virtue of new construction completed or partially completed during the current year. Proceedings by a public agency which may result in taxes or assessments, or notice of such proceedings, whether or not shown by the records of such agency.
7. Covenants, conditions, restrictions, rights of ways, easements, reservations, riparian rights of water rights affection said premises as contained in prior chain of title or as shown on the recorded plan.
8. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other matters which a correct survey would disclose and which are not shown by the public records. (a) Unpatented

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Old Republic National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; [and] Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.



mining claims;(b) reservations or exceptions in patents or in Acts authorizing the issuance thereof;(c) water rights, claims or title to water, whether or not the matters excepted under (a),(b) or (c) are shown in the public records.

9. Subject to all documents of record, if any, relating to title to all of the oil, gas, and other minerals within and underlying the premises, together with appurtenant mining, drilling and extraction rights and all other rights privileges appurtenant thereto.
10. Taxes and assessments for the current tax year and all subsequent years are a lien but not yet due and payable.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Old Republic National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; [and] Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.



Taxes as follows:

A. Tax Type: County Tax ID #: 33-01-01-08-228-162 Tax
Year: 2021
Taxing Entity: Lansing City Treasurer's Office
Taxing Entity Address: 124 W Michigan Ave, , Lansing MI 48933

NOTES: 2022 Taxes are not available. 2021 Taxed are paid in full. As per agency there are no prior year taxes due.

1st Installment Amount: \$1,108.64

1st Installment Status: Paid

1st Installment Paid, Due or Due & Delinquent Date: August 31, 2021 August 31, 2021

2nd Installment Amount: \$364.14

2nd Installment Status: Paid

2nd Installment Paid, Due or Due & Delinquent Date: December 14, 2021 February 14, 2022

B. Tax Type: Other Tax ID #: 33-01-01-08-228-162 Tax
Year: 2022
Taxing Entity: lansing utility website
Taxing Entity Address: ,
Phone: (517) 483-4121

NOTES: Water/Sewer/Trash: Final bill follows the Property or Bank or Individuals: property.

C. Final bill obtained: yes Procedure to obtain a final bill: As per lansing utility website the account is inactive and there is a balance due IAO \$17.13 on this property.

D. Account status : Inactive Amount balance : \$17.13 last Due date : 08/01/2019

E. Account No : 037173 Last Bill date : 08/01/2019

1st Installment Amount: \$17.13

1st Installment Status: Due

1st Installment Paid, Due or Due & Delinquent Date: June 20, 2022

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Old Republic National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; [and] Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.



F. Tax Type: Other

Tax ID #: 33-01-01-08-228-162

Tax

Year: 2022

Taxing Entity: tax collector website

Taxing Entity Address: ,

Phone: (517) 483-4121

NOTES: As per tax collector website there are no open code violations on this property. As per tax collector website there are no open or expired permits on this property.

1st Installment Amount: \$0.00

1st Installment Status: Paid

11. Mortgage(s) as follows:

A. None found of record

12. Judgements and other liens as follows:

A. None found of record

13. Easements and Restrictions as follows:

A. Subject to any unextinguished or unexercised statutory right of redemption up 3-6 month period following the foreclosure sale referenced in the recorded deed from foreclosure Ingham County, Michigan on 7/8/2022 - redemption period expired 12/16/22 - this will be removed from final policy.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Old Republic National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; [and] Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.



Exhibit A Legal Description

The following described real estate situated in the County of Ingham, State of Michigan:

Lots 446 and 447, North Highland Subdivision, of a part of the Northeast 1/4 of Section 8, Town 4 North, Range 2 West, City of Lansing, Ingham County, Michigan, as recorded in Liber 6 of Plats, Page 14, Ingham County Records.

Being the same property conveyed to Citizens Bank, N.A., from George A. Lammers, a Deputy Sheriff, in Deed dated 06/16/2022, in Deed recorded 07/08/2022, Inst# 2022-026342, in the County of Ingham, State of Michigan.

Property Address 1504 Lansing Avenue, Lansing, MI 48915-2215

Parcel ID: 33-01-01-08-228-162

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Old Republic National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; [and] Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

COMMITMENT CONDITIONS**1. DEFINITIONS**

- (a) "Knowledge" or "Known": Actual or imputed knowledge, but not constructive notice imparted by the Public Records
- (b) "Land": The land described in Schedule A, and affixed improvements that by law constitute real property. The term "Land" does not include any property beyond the lines of the area described in Schedule A, nor any right, title, interest, estate, or easement in abutting streets, roads, avenues, alleys, lanes, ways, or waterways, but this does not modify or limit the extent that a right of access to and from the Land is to be insured by the Policy.
- (c) "Mortgage": A mortgage, deed of trust, or other security instrument, including one evidenced by electronic means authorized by law.
- (d) "Policy": Each contract of title insurance, in a form adopted by the American Land Title Association, issued or to be issued by the Company pursuant to this Commitment.
- (e) "Proposed Insured": Each person identified in Schedule A as the Proposed Insured of each Policy to be issued pursuant to this Commitment.
- (f) "Proposed Policy Amount": Each dollar amount specified in Schedule A as the Proposed Policy Amount of each Policy to be issued pursuant to this Commitment.
- (g) "Public Records": Records established under state statutes at the Commitment Date for the purpose of imparting constructive notice of matters relating to real property to purchasers for value and without Knowledge.
- (h) "Title": The estate or interest described in Schedule A.

- 2. If all of the Schedule B, Part I – Requirements have not been met within the time period specified in the Commitment to Issue Policy, this Commitment terminates and the Company's liability and obligation end.
- 3. The Company's liability and obligation is limited by and this Commitment is not valid without:
 - (a) the Notice;
 - (b) the Commitment to Issue Policy;
 - (c) the Commitment Conditions;
 - (d) Schedule A;
 - (e) Schedule B, Part I – Requirements; and
 - (f) Schedule B, Part II – Exceptions; and
 - (g) a counter-signature by the Company or its issuing agent that may be in electronic form.

4. COMPANY'S RIGHT TO AMEND

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Old Republic National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; [and] Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.



The Company may amend this Commitment at any time. If the Company amends this Commitment to add a defect, lien, encumbrance, adverse claim, or other matter recorded in the Public Records prior to the Commitment Date, any liability of the Company is limited by Commitment Condition 5. The Company shall not be liable for any other amendment to this Commitment.

5. LIMITATIONS OF LIABILITY

- (a) The Company's liability under Commitment Condition 4 is limited to the Proposed Insured's actual expense incurred in the interval between the Company's delivery to the Proposed Insured of the Commitment and the delivery of the amended Commitment, resulting from the Proposed Insured's good faith reliance to:
 - (i) comply with the Schedule B, Part I – Requirements;
 - (ii) eliminate, with the Company's written consent, any Schedule B, Part II - Exceptions; or
 - (iii) acquire the Title or create the Mortgage covered by this Commitment.
- (b) The Company shall not be liable under Commitment Condition 5(a) if the Proposed Insured requested the amendment or had Knowledge of the matter and did not notify the Company about it in writing.
- (c) The Company will only have liability under Commitment Condition 4 if the Proposed Insured would not have incurred the expense had the Commitment included the added matter when the Commitment was first delivered to the Proposed Insured.
- (d) The Company's liability shall not exceed the lesser of the Proposed Insured's actual expense incurred in good faith and described in Commitment Conditions 5(i) through 5(iii) or the Proposed Policy Amount.
- (e) The Company shall not be liable for the content of the Transaction Identification Data, if any.
- (f) In no event shall the Company be obligated to issue the Policy referred to in this Commitment unless all of the Schedule B, Part I – Requirements have been met to the satisfaction of the Company.
- (g) In any event, the Company's liability is limited by the terms and provisions of the Policy.

6. LIABILITY OF THE COMPANY MUST BE BASED ON THIS COMMITMENT

- (a) Only a Proposed Insured identified in Schedule A, and no other person, may make a claim under this Commitment.
- (b) Any claim must be based in contract and must be restricted solely to the terms and provisions of this Commitment.
- (c) Until the Policy is issued, this Commitment, as last revised, is the exclusive and entire agreement between the parties with respect to the subject matter of this Commitment and supersedes all prior commitment negotiations, representations, and proposals of any kind, whether written or oral, express or implied, relating to the subject matter of this Commitment.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Old Republic National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; [and] Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.



- (d) The deletion or modification of any Schedule B, Part II – Exception does not constitute an agreement or obligation to provide coverage beyond the terms and provisions of this Commitment or the Policy.
- (e) Any amendment or endorsement to this Commitment must be in writing and authenticated by a person authorized by the Company.
- (f) When the Policy is issued, all liability and obligation under this Commitment will end and the Company's only liability will be under the Policy.

7. IF THIS COMMITMENT HAS BEEN ISSUED BY AN ISSUING AGENT

The issuing agent is the Company's agent only for the limited purpose of issuing title insurance commitments and policies. The issuing agent is not the Company's agent for the purpose of providing closing or settlement services.

8. PRO-FORMA POLICY

The Company may provide, at the request of a Proposed Insured, a pro-forma policy illustrating the coverage that the Company may provide. A pro-forma policy neither reflects the status of Title at the time that the pro-forma policy is delivered to a Proposed Insured, nor is it a commitment to insure.

9. ARBITRATION

The policy contains an arbitration clause. All arbitrable matters when the Proposed Policy Amount is \$2,000,000 or less shall be arbitrated at the option of either the Company or the Proposed Insured as the exclusive remedy of the parties. A Proposed Insured may review a copy of the arbitration rules at <http://www.alta.org/arbitration>.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Old Republic National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; [and] Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.



COMMITMENT FOR TITLE INSURANCE

Issued by

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY**NOTICE**

IMPORTANT – READ CAREFULLY: THIS COMMITMENT IS AN OFFER TO ISSUE ONE OR MORE TITLE INSURANCE POLICIES. ALL CLAIMS OR REMEDIES SOUGHT AGAINST THE COMPANY INVOLVING THE CONTENT OF THIS COMMITMENT OR THE POLICY MUST BE BASED SOLELY IN CONTRACT.

THIS COMMITMENT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACONTRACTUAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

THE COMPANY’S OBLIGATION UNDER THIS COMMITMENT IS TO ISSUE A POLICY TO A PROPOSED INSURED IDENTIFIED IN SCHEDULE A IN ACCORDANCE WITH THE TERMS AND PROVISIONS OF THIS COMMITMENT. THE COMPANY HAS NO LIABILITY OR OBLIGATION INVOLVING THE CONTENT OF THIS COMMITMENT TO ANY OTHER PERSON.

COMMITMENT TO ISSUE POLICY

Subject to the Notice; Schedule B, Part I – Requirements; Schedule B, Part II – Exceptions; and the Commitment Conditions, Old Republic National Title Insurance Company, a company (the “Company”) commits to issue the Policy according to the terms and provisions of this Commitment. This Commitment is effective as of the Commitment Date shown in Schedule A for each Policy described in Schedule A, only when the Company has entered in Schedule A both the specified dollar amount as the Proposed Policy Amount and the name of the Proposed Insured.

If all of the Schedule B, Part I – Requirements have not been met within 180 days* after the Commitment Date, this Commitment terminates and the Company’s liability and obligation end.

If an instrument affecting title or creating a lien is recorded during the “gap”, and not reported to the insured lender before recordation of the insured mortgage or deed of trust, then it will be covered by or insured against under the terms of the title insurance policy.

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Old Republic National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; [and] Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.





Orange Coast Title Company
2461 W. La Palma Ave, Suite 120
Anaheim, CA 92801
714-822-3211

File Number: 790061

Buyer(s): iPlanGroup Agent for Custodian FBO 3340593 SEP

Supplemental Report

The above numbered report (including any supplements or amendments thereto) is hereby modified and/or supplemented in order to reflect the following additional items relating to the issuance of an American Land Title Association loan policy form as follows:

- A. This Report is preparatory to this issuance of an American Land Title Association loan policy of title insurance.
- B. The property address of said land is reported to be designated as:

With an Address of:

1504 LANSING Avenue, in the City of Lansing, County of Ingham, State of Michigan

- C. The only conveyance(s) affecting said land recorded are as follows:

Sheriff's Deed

Grantees: Citizens Bank, N.A.,

Grantors: George A. Lammers, a Deputy Sheriff

Dated: June 16, 2022

Recorded Date: July 8, 2022, (instrument) 2022-026342

Consideration:

Comments:

Quit Claim Deed

Grantees: Jamie Brown and Regina Dahlke and Dennis Morrow

Grantors: Dennis Morrow and Regina Dahlke

Dated: March 23, 2006

Recorded Date: March 23, 2006, (book) 3210 (page) 158 (instrument) 2006-013872

Consideration: \$1.00

Comments:

Quit Claim Deed

Grantees: Regina Dahlke and Dennis Morrow

Grantors: Dennis Morrow, Married

Dated: January 6, 2006

Recorded Date: January 9, 2006, (book) 3200 (page) 320 (instrument) 2006-001211

Consideration: \$1.00

Comments:

Warranty Deed

Grantees: Dennis C. Morrow, Sr., a married man

Grantors: Lorenza Estrada

Dated: August 29, 2000

Recorded Date: September 8, 2000, (book) 2865 (page) 645 (instrument) 2000-038351

Consideration: \$45,000.00

Comments:

Warranty Deed

Grantees: Lorenza Estrada

Grantors: Charlotte A. King (f/k/a Charlotte A. Brown), survivor of the herself and Richard G. Brown

Dated: October 21, 1992

Recorded Date: October 21, 1992, (book) 2004 (page) 90 (instrument) 087625

Consideration: \$15,200.00

Comments:

Warranty Deed

Grantees: Richard G. Brown and Charlotte A. Brown, his wife

Grantors: William A. Young and Dolores H. Young, his wife

Dated: November 2, 1980

Recorded Date: December 10, 1980, (book) 1351 (page) 1027 (instrument) B36887

Consideration: \$15,200.00

Comments:

Real Advantage, LLC dba Orange Coast Lender Services

PRIVACY POLICY

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information - particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information that you provide to us. Therefore, we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use information we have obtained from any other source, such as information obtained from a public record or from another person or entity.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means.
- Information we receive from providers of services to us, such as appraisers, appraisal management companies, real estate agents and brokers and insurance agencies (this may include the appraised value, purchase price and other details about the property that is the subject of your transaction with us).
- Information about your transactions with us, our Affiliated Companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you. Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

Opting Out

We may also share the information we collect about you within our family of companies (our "Affiliated Companies"). We may also provide this information to companies that perform marketing or other services on our behalf, or on behalf of our Affiliated Companies ("Service Providers"). However, we will not share this information with our Affiliated Companies or our Service Providers if you choose to opt out, in writing. To opt out, please use the form entitled "Request Not to Share Nonpublic Personal Information", which is attached hereto. This form provides instructions on how to request us not to share information with third parties. *This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Old Republic National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; [and] Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.*

Copyright 2006-2016 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited.

Reprinted under license from the American Land Title Association.

Print Date: June 21, 2022 12:59PM



parties.

Please be aware that Real Advantage, LLC dba Orange Coast Lender Services and its Affiliated Companies maintain high standards to safeguard nonpublic, personal information, and do not rent or sell such information. Please note, however, that unless you opt out in writing, our Affiliated Companies and Service Providers will have access to the information in our files.

Other Important Information

We reserve the right to modify or supplement this Privacy Policy at any time. If our Privacy Policy changes, we will provide the new Privacy Policy and the ability to opt out (as required by law) before the new policy becomes effective

This page is only a part of a 2016 ALTA® Commitment for Title Insurance issued by Old Republic National Title Insurance Company. This Commitment is not valid without the Notice; the Commitment to Issue Policy; the Commitment Conditions; Schedule A; Schedule B, Part I—Requirements; [and] Schedule B, Part II—Exceptions; and a counter-signature by the Company or its issuing agent that may be in electronic form.

Copyright 2006-2016 American Land Title Association. All rights reserved.

The use of this Form (or any derivative thereof) is restricted to ALTA licensees and ALTA members in good standing as of the date of use. All other uses are prohibited.

Reprinted under license from the American Land Title Association.

Print Date: June 21, 2022 12:59PM



REQUEST NOT TO SHARE NONPUBLIC PERSONAL INFORMATION

Please read the following information carefully.

Real Advantage, LLC dba Orange Coast Lender Services may share nonpublic, personal information we collect about you within our family of companies (our “Affiliated Companies”). We may also provide this information to companies that perform marketing or other services on our behalf, or on behalf of our Affiliated Companies (“Service Providers”). By sharing this information, we can better understand your service needs. We can then send you notification of new products and services offered by Real Advantage, LLC dba Orange Coast Lender Services, its Affiliated Companies or its Service Providers that you may not otherwise know about.

However, you may prohibit the sharing of non-public personal information within our Affiliated Companies, or with any third parties at any time. If you would like to limit disclosures of non-public, personal information about you as described herein, please check the appropriate box or boxes to indicate your privacy choices, and return this form to us at the address below.

_____ Please do not share personal information about me with non-affiliated third parties.

_____ Please do not share personal information about me with any of your Affiliated Companies, except as necessary to affect, administer, process, service or enforce a transaction requested or authorized by me.

_____ Please do not contact me with offers of products or services by mail.

_____ Please do not contact me with offers of products or services by e-mail.

_____ Please do not contact me with offers of products or services by telephone.

Real Advantage, LLC dba Orange Coast Lender Services
1000 Commerce Drive, Suite 520
Pittsburgh, PA 15275

COVENANT DEED
(Michigan)

CITIZENS BANK, N.A., a National Association organized under the laws of the United States, whose mailing address is 10 Tripps Lane, Riverside, RI, 02915, hereinafter grantor, for Thirty-Five Thousand, Three Hundred Ninety-Nine and 00/100 Dollars (\$35,399.00) in consideration paid, conveys to IPLANGROUP AGENT FOR CUSTODIAN FBO 3340593 SEP, in fee simple, hereinafter grantee(s), whose tax mailing address is 1288 Labrosse Dr., Waterford, MI 48328, with the covenant to defend title to the property described herein against all persons and demands claiming by, through or under the grantor and no other persons and claims/demands whatsoever, the following real property:

All that certain parcel of land situate in the City of Lansing, County of Ingham, State of Michigan described as:

Lots 446 and 447, North Highland Subdivision, of a part of the Northeast 1/4 of Section 8, Town 4 North, Range 2 West, City of Lansing, Ingham County, Michigan, as recorded in Liber 6 of Plats, Page 14, Ingham County Records.

Parcel No.: 33-01-01-08-228-162-2

Property Address is: 1504 Lansing Avenue, Lansing, MI 48915-2215

For title reference see prior Deed dated June 16, 2022 and recorded on July 8, 2022 with the Ingham County Register of Deeds in Book N/A, Page N/A, and/or Instrument Number 2022-026342.

Grantor covenants to Grantee(s) and agrees that Grantor has not done, committed or willingly suffered to be done or committed, anything that would cause the premises granted in this deed, or any part of them to be charged or encumbered in title, estate, or otherwise.

Seller makes no representations or warranties, of any kind or nature whatsoever, other than those set out above, whether expressed, implied, implied by law, or otherwise, concerning the condition of the title of the property prior to the date the seller acquired title.

The real property described above is conveyed subject to the following: All easements, covenants, conditions and restrictions of record; all legal highways; Zoning, building and other

laws, ordinances and regulations; Real estate taxes and assessments not yet due and payable; Rights of tenants in possession.

TO HAVE AND TO HOLD the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title interest, lien equity and claim whatsoever of the said grantor, either in law or equity, to the only proper use, benefit and behalf of the grantee(s) forever.

The said Grantor has caused this deed to be executed on MAY 15, 2023.

CITIZENS BANK, N.A.

By: Ryan W Parmele

Name: RYAN W PARMELLE

Its: VICE PRESIDENT

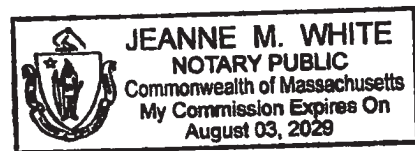
Date: 5/15/2023

State of Massachusetts

County Bristol

On this 15th day of May, A.D., 2023, before me, a Notary Public in and for said county, personally appeared Ryan Parmele, to me personally known, who being by me duly sworn (or affirmed) did say that that person is Vice President (title) of said Citizens Bank, N.A., by authority of its board of (directors or trustees) and the said (officer's name) Ryan Parmele acknowledged the execution of said instrument to be the voluntary act and deed of said (corporation or association) by it voluntarily executed.

[Signature] (Signature)
Notary Public



Prepared by: Lionel J. Postic, Esq. – Michigan Bar No.: P37120
1300 Ridenour Boulevard, Suite 100, Kennesaw, Georgia 30152

When recorded return to:
Orange Coast Lender Services,
1000 Commerce Drive, Suite 520, Pittsburgh PA 15275



iPlanGroup

RETIREMENT DRIVEN BY YOU

July 11, 2024

To Whom It May Concern,

This letter is to certify that Dmitriy Selektor is the account owner of iPlanGroup Agent for Custodian FBO Dmitri Selektor, Account Nr. 3340593. iPlanGroup gives permission to Eugenia Zacks-Carney to represent iPlanGroup Agent for Custodian FBO Dmitri Selektor in legal matters.

Should you have any questions, please contact our office at 440-484-5566 Monday - Friday between the hours of 9AM-5PM Eastern Standard Time.

Sincerely,

Aulona Hoxha

Head of Compliance and Investments

DATE: 4/09/2024

PPN: 33 01 01 08 228 162
 DATE SUBMITTED: 12/22/2024
 ADDRESS OF VIOLATION: 1504 Lansing Ave.
 LISTED TAXPAYER OF RECORD: IPLANGROUP AGENT FBO 3340593
 OTHER TAXPAYER OF RECORD:
 CLAIMANT: IPLANGROUP AGENT FBO 3340593
 CLAIMANT'S ADDRESS: 1288 LABOSSE DR
 WATERFORD, MI 48328
 TYPE OF ACTIONS CONTESTED: 4TH NOTICE FEE, TAG
 MONITORING, TRASH
 REMOVAL
 VIOLATION DATE: MULTIPLE
 NOTIFICATION DATE: MULTIPLE
 2ND NOTICE ASSESSMENT DATE:
 AMOUNT OF ASSESSMENT: \$150.00 per month if not paid a
 \$7.50 late fee is applied.
 \$1,252.50 current
 balance, \$75.00 2nd notice fee
 CONTRACTOR NAME - INVOICE NO. - DATE:
 AMOUNT OF CLAIM: \$1,672.50

ADDITIONAL ACTIONS CONTESTED:
 VIOLATION DATE:
 NOTIFICATION DATE:
 2ND NOTICE ASSESSMENT DATE:
 AMOUNT OF ASSESSMENT:
 CONTRACTOR NAME - INVOICE NO. - DATE:
 AMOUNT OF CLAIM:
 MEMO DATE – INVOICE NO.:

HISTORY:	Red Tagged 10/08/2021 to present	2 nd notice fee \$75.00 9/08/2023	Trash Violation 8/10/2023	Grass Violation 9/08/2023 (\$75.00 applied)
----------	--	--	---------------------------------	--

CITATIONS IN PREVIOUS YEAR:

CLAIMANT'S CIRCUMSTANCES: **See Attached**

CODE OFFICER'S NOTES: This office agrees the claimant should not have been charged a 4th notice fee on 8/10/2023. The owner did not contact our office to let us know they were a new owner when they received the fee. The claimant purchased this home Red Tagged per the ordinance the property is to be charged monthly until the property can be untagged, to date the owner has not contacted our office to remove the Red Tag. The owner must have all utilities turned on and contact Officer Everett Coates at 517-483-7621 to conduct a complete inspection to remove the tag. This office recommends denial of the monitoring fees and agrees \$300.00 should be approved.



RECEIVED DEC 22 2023
City of Lansing
OFFICE OF THE CITY ATTORNEY

2059

Claims Review Committee Form

(Commonly including: Grass, Trash, Weeds and Board-Up Violations)

NAME: Elplan group Agent FBO DATE: 12/22/2023
3340593
MAILING ADDRESS: 1288 Labrosse Dr EMAIL: dselektor@gmail.com
e3acksCarney@gmail.com
CITY: Waterford STATE: MI ZIP CODE: 48328
TELEPHONE: Home (1) 248.496.4080 Work (2) 517.614.2438

Please provide the following information on the incident(s) for which you are filing a claim. WE MAY NOT BE ABLE TO PROCESS YOUR CLAIM IF YOU DO NOT PROVIDE ALL OF THE INFORMATION BELOW.

8/7/2023 claim acknowledged as received

ADDRESS: 1504 Lansing Ave PARCEL NO. 33-01-01-08-228-162

DATE OF INCIDENT: see below AMOUNT YOU WERE BILLED: see below

TOTAL AMOUNT YOU ARE CONTESTING: \$1672.50

TYPE OF ASSESSMENT: Nuisance & tag monitoring on property purchased 6/23/2023

Please give a detailed description of the circumstances surrounding the incident, including why you feel the City should not have charged you this fee. You may attach additional pages or documentation to this form as needed. Per FOIA:

8/10/2023 4th notice invoice 00232843
(trash) 8/21/2023 due date 9/9/2023 \$300.00
(tag) 7/28/2023 invoice 00232022
8/11/2023 due 8/27/2023 \$150.00
viol date 8/10/2023 due 8/17/2023
(trash)
(tag) 7/28/2023 penalty 9/1/2023 157.50
due 10/6/2023 00234688 150.00
(tag) 11/1/2023 inv 00239856 due 12/1/23 150.00

A description of the claims review process is available on our website at: http://www.lansingmi.gov/attorney/Claims_review_process.jsp

(tag) 9/1/2023 penalty 10/4/2023 157.50
inv. 00234688
10/2/2023 inv. 00237712 150.00

Cont'd

Grass/ 9/8/2023 inv 00235447 \$ ~~300~~⁰⁰
Weeds
4th Notice

(Tag) 11/1/2023 inv 00239856 157 50
penalty

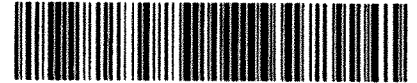
\$1672.50



Nuisance Fees
City of Lansing Treasurers Office
124 W Michigan Ave 1st Floor
Lansing, MI 48933
Ph: (517) 483-4361 Fx: (517) 377-0169

Nuisance Fee Billing Statement

Date Created: 09/01/2023
Due Date: 10/01/2023
Pay Invoice In Full



IPLANGROUP AGENT FBO 3340593
1288 LABROSSE DR
WATERFORD MI 48328

Inv Number: 00234688
Parcel: 33-01-01-08-228-162
Address: 1504 LANSING AVE

Parcel: 33-01-01-08-228-162

Bill Detail

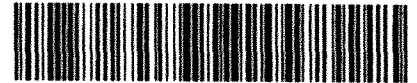
Invoice Number	Date of Service	Enforcement Num	Address	Amount Due
00234688		E21-44027	1504 LANSING AVE	\$157.50
Fee Details:				Balance
	Quantity	Description		
	1.000	Tag Monitoring Fee - Res		\$ 150.00
	1.000	Penalty Fee - 30 Days Overdue		\$ 7.50



Nuisance Fees
City of Lansing Treasurers Office
124 W Michigan Ave 1st Floor
Lansing, MI 48933
Ph: (517) 483-4361 Fx: (517) 377-0169

Nuisance Fee Billing Statement

Date Created: 10/02/2023
Due Date: 11/01/2023
Pay Invoice In Full



IPLANGROUP AGENT FBO 3340593
1288 LABROSSE DR
WATERFORD MI 48328

Inv Number: 00237712
Parcel: 33-01-01-08-228-162
Address: 1504 LANSING AVE

Parcel: 33-01-01-08-228-162

Bill Detail

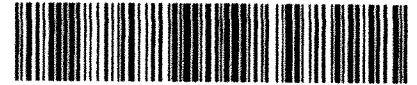
Invoice Number	Date of Service	Enforcement Num	Address	Amount Due
00237712		E21-44027	1504 LANSING AVE	\$157.50
Fee Details:				Balance
	Quantity	Description		
	1.000	Tag Monitoring Fee - Res		\$ 150.00
	1.000	Penalty Fee - 30 Days Overdue		\$ 7.50



Nuisance Fees
City of Lansing Treasurers Office
124 W Michigan Ave 1st Floor
Lansing, MI 48933
Ph: (517) 483-4361 Fx: (517) 377-0169

Nuisance Fee Billing Statement

Date Created: 09/08/2023
Due Date: 10/08/2023
Pay Invoice In Full



IPLANGROUP AGENT FBO 3340593
1288 LABROSSE DR
WATERFORD MI 48328

Inv Number: 00235447
Parcel: 33-01-01-08-228-162
Address: 1504 LANSING AVE

Parcel: 33-01-01-08-228-162

Bill Detail

Invoice Number	Date of Service	Enforcement Num	Address	Amount Due
00235447		E23-10861	1504 LANSING AVE	\$75.00
Fee Details: Quantity Description				Balance
1.000 Grass and Weeds 4th Notice				\$ 75.00
Total Amount Due				\$ 75.00

Questions regarding this invoice: Contact **CODE ENFORCEMENT** at 517.483.4361

Payment Information:

- Make checks payable to: City of Lansing
- Mail payments or pay in person at:
City of Lansing Treasurers Office
124 W Michigan Ave 1st Fl
Lansing MI 48933
- In order to assure proper credit, please send the top portion of this bill along with your payment.
- Payment in full is due within 30 days from the billing date
- Any unpaid balance remains as a lien against this property and will be added to the next property tax bill.

Appeals Process:

If you intend to appeal this nuisance fee and it is attached to your tax bill, you or your agent must file a written protest with the Claims Review Committee within 30 days after the nuisance fee is placed on the July or December Tax Roll. Claims forms are available in the City Attorney's Office and the City of Lansing's web address: www.lansingmi.gov. Return completed claim to: Lansing City Attorney's Office, 124 West Michigan Ave 5th Fl, Lansing, MI 48933

Other Information:

- July property taxes are due and payable on or before August 31st. December property taxes are due and payable on or before February 14th.
- For Red Tag Monitoring Fees Only – invoices not paid within 30 days are subject to a 5% penalty which will be applied on the 31st day.

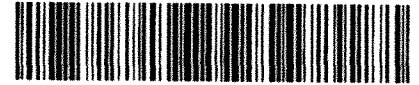
By Authority of the Lansing City Council - Ordinance Numbers 655, 676, 1060.08 and 1460.04
Payments may be made Monday thru Friday 8:00 a.m. - 4:30 p.m., at the above address or by mail



Nuisance Fees
 City of Lansing Treasurers Office
 124 W Michigan Ave 1st Floor
 Lansing, MI 48933
 Ph: (517) 483-4361 Fx: (517) 377-0169

Nuisance Fee Billing Statement

Date Created: 11/01/2023
 Due Date: 12/01/2023
 Pay Invoice In Full



IPLANGROUP AGENT FBO 3340593
 1288 LABROSSE DR
 WATERFORD MI 48328

Inv Number: 00239856
 Parcel: 33-01-01-08-228-162
 Address: 1504 LANSING AVE

Parcel: 33-01-01-08-228-162

Bill Detail

Invoice Number	Date of Service	Enforcement Num	Address	Amount Due
00239856		E21-44027	1504 LANSING AVE	\$157.50
Fee Details:				Balance
	Quantity	Description		
	1.000	Tag Monitoring Fee - Res		\$ 150.00
	1.000	Penalty Fee - 30 Days Overdue		\$ 7.50



Nuisance Fees
 City of Lansing Treasurers Office
 124 W Michigan Ave 1st Floor
 Lansing, MI 48933
 Ph: (517) 483-4361 Fx: (517) 377-0169

Nuisance Fee Billing Statement

Date Created: 12/01/2023
 Due Date: 12/31/2023
 Pay Invoice In Full



IPLANGROUP AGENT FBO 3340593
 1288 LABROSSE DR
 WATERFORD MI 48328

Inv Number: 00241834
 Parcel: 33-01-01-08-228-162
 Address: 1504 LANSING AVE

Parcel: 33-01-01-08-228-162

Bill Detail

Invoice Number	Date of Service	Enforcement Num	Address	Amount Due
00241834		E21-44027	1504 LANSING AVE	\$157.50
Fee Details:				Balance
	Quantity	Description		
	1.000	Tag Monitoring Fee - Res		\$ 150.00
	1.000	Penalty Fee - 30 Days Overdue		\$ 7.50



Nuisance Fees
City of Lansing Treasurers Office
124 W Michigan Ave 1st Floor
Lansing, MI 48933
Ph: (517) 483-4361 Fx: (517) 377-0169

Nuisance Fee Billing Statement

Date Created: 01/02/2024
Due Date: 02/01/2024
Pay Invoice In Full



IPLANGROUP AGENT FBO 3340593
1288 LABROSSE DR
WATERFORD MI 48328

Inv Number: 00243628
Parcel: 33-01-01-08-228-162
Address: 1504 LANSING AVE

Parcel: 33-01-01-08-228-162

Bill Detail

Invoice Number	Date of Service	Enforcement Num	Address	Amount Due
00243628		E21-44027	1504 LANSING AVE	\$157.50
Fee Details:				Balance
	Quantity	Description		
	1.000	Tag Monitoring Fee - Res		\$ 150.00
	1.000	Penalty Fee - 30 Days Overdue		\$ 7.50



Nuisance Fees
City of Lansing Treasurers Office
124 W Michigan Ave 1st Floor
Lansing, MI 48933
Ph: (517) 483-4361 Fx: (517) 377-0169

Nuisance Fee Billing Statement

Date Created: 02/01/2024
Due Date: 03/02/2024
Pay Invoice In Full



IPLANGROUP AGENT FBO 3340593
1288 LABROSSE DR
WATERFORD MI 48328

Inv Number: 00245339
Parcel: 33-01-01-08-228-162
Address: 1504 LANSING AVE

Parcel: 33-01-01-08-228-162

Bill Detail

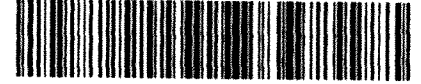
Invoice Number	Date of Service	Enforcement Num	Address	Amount Due
00245339		E21-44027	1504 LANSING AVE	\$157.50
Fee Details:				Balance
	Quantity	Description		
	1.000	Tag Monitoring Fee - Res		\$ 150.00
	1.000	Penalty Fee - 30 Days Overdue		\$ 7.50



Nuisance Fees
City of Lansing Treasurers Office
124 W Michigan Ave 1st Floor
Lansing, MI 48933
Ph: (517) 483-4361 Fx: (517) 377-0169

Nuisance Fee Billing Statement

Date Created: 03/01/2024
Due Date: 03/31/2024
Pay Invoice In Full



IPLANGROUP AGENT FBO 3340593
1288 LABROSSE DR
WATERFORD MI 48328

Inv Number: 00247514
Parcel: 33-01-01-08-228-162
Address: 1504 LANSING AVE

Q
C

Parcel: 33-01-01-08-228-162

Bill Detail

Invoice Number	Date of Service	Enforcement Num	Address	Amount Due
00247514		E21-44027	1504 LANSING AVE	\$157.50
Fee Details:				Balance
	Quantity	Description		
	1.000	Tag Monitoring Fee - Res		\$ 150.00
	1.000	Penalty Fee - 30 Days Overdue		\$ 7.50



Nuisance Fees
City of Lansing Treasurers Office
124 W Michigan Ave 1st Floor
Lansing, MI 48933
Ph: (517) 483-4361 Fx: (517) 377-0169

Nuisance Fee Billing Statement

Date Created: 04/01/2024
Due Date: 05/01/2024
Pay Invoice In Full



IPLANGROUP AGENT FBO 3340593
1288 LABROSSE DR
WATERFORD MI 48328

Inv Number: 00249482
Parcel: 33-01-01-08-228-162
Address: 1504 LANSING AVE

Q
C

Parcel: 33-01-01-08-228-162

Bill Detail

Invoice Number	Date of Service	Enforcement Num	Address	Amount Due
00249482		E21-44027	1504 LANSING AVE	\$150.00
Fee Details:				Balance
	Quantity	Description		
	1.000	Tag Monitoring Fee - Res		\$ 150.00

Questions regarding this invoice: Contact **CODE ENFORCEMENT** at 517.483.4361

Payment Information:

- Make checks payable to: City of Lansing
- Mail payments or pay in person at:
City of Lansing Treasurers Office
124 W Michigan Ave 1st Fl
Lansing MI 48933
- In order to assure proper credit, please send the top portion of this bill along with your payment.
- Payment in full is due within 30 days from the billing date
- Any unpaid balance remains as a lien against this property and will be added to the next property tax bill.

Appeals Process:

If you intend to appeal this nuisance fee and it is attached to your tax bill, you or your agent must file a written protest with the Claims Review Committee within 30 days after the nuisance fee is placed on the July or December Tax Roll. Claims forms are available in the City Attorney's Office and the City of Lansing's web address: www.lansingmi.gov. Return completed claim to: Lansing City Attorney's Office, 124 West Michigan Ave 5th Fl, Lansing, MI 48933

Other Information:

- July property taxes are due and payable on or before August 31st. December property taxes are due and payable on or before February 14th.
- For Red Tag Monitoring Fees Only – invoices not paid within 30 days are subject to a 5% penalty which will be applied on the 31st day.

By Authority of the Lansing City Council - Ordinance Numbers 655, 676, 1060.08 and 1460.04

Payments may be made Monday thru Friday 8:00 a.m. - 4:30 p.m., at the above address or by mail



City of Lansing

OFFICE OF THE CITY ATTORNEY

Gregory S. Venker, Interim City Attorney

July 24, 2024

Iplangroup Agent
1288 Labrosse Drive
Waterford, MI 48328

Re: Claim – 1504 Lansing Ave.

Iplangroup Agent:

Please be advised that the Claims Review Committee reviewed the claim you submitted in the amount of \$1,672.50 for a red tag violation for property located at 1504 Lansing Ave., Lansing, Michigan, and denied the claims you filed with the City of Lansing.

You do have the right to appeal the decision of the Claims Review Committee to the Lansing City Council. If you desire to do so, please submit your appeal in writing, within thirty (30) days of the date of this letter, to the Lansing City Clerk, 9th Floor, City Hall, Lansing, MI 48933, for placement on the Council's agenda.

If you have any questions concerning this matter, please contact this office.

Sincerely,

Venus Kumar

Venus Kumar
Paralegal

Claim: 2059



CITY OF LANSING
AFFIDAVIT OF DISCLOSURE

TO: CITY CLERK

DATE: 08/24/2024

I, Justin Moore make the following disclosure under oath:
Name (please print)

PLEASE CHECK THE BOX AND FILL IN THE APPROPRIATE BLANKS FOR EACH OF THE FOLLOWING ITEMS

Yes No

1. ☒ ☐ I am an ☐ elected or ☐ appointed ☐ officer or ☒ employee of the City of Lansing holding the position of Captain in the Police Department.

☐ ☒ I am an immediate family member related to an elected or appointed officer or employee of the City of Lansing named _____, holding the position of _____ in the _____ Department

☐ ☒ I am a Business Associate of an elected or appointed officer or employee of the City of Lansing named _____ holding the position of _____ in the _____ Department.

2. ☒ ☐ I may derive income or benefit directly or indirectly from the bidding of, negotiation of, solicitation of or entry into a contract with the City or from any City action detailed below. (Charter 5-505.1)

☐ ☒ I may have a conflict between a personal interest and the public interest, the nature of which is disclosed below. (Charter 5-505.2)
[Chapter 290.04(I) of the Code of Ordinances]

☐ ☒ I may have a financial interest in a matter proposed to be acted upon by the City of Lansing as described below. [Chapter 290.04(I) of the Code of Ordinances]

☒ ☐ I make this disclosure because of a possible appearance that I may be in violation of or in conflict with the City of Lansing Ethics Ordinance as provided for in the Code of Ordinances and in the City Charter.

3. My City of Lansing position is:

☒ Full-time ☐ Part-time (less than 25 hours/wk) ☐ Unpaid

4. Name of the activity/business in question: JWM Controls LLC

5. Do you have ownership or interest in the activity/business? Yes^x _____ No _____

6. Does this activity/business conduct business with the City of Lansing? Yes^x No
If yes, please explain We offer training and consulting services to businesses, government and other organizations.

7. Does the activity/business depend on you being an employee of the City of Lansing?
Yes No^x
If yes, please explain:

8. Who are the clients/customers of the activity/business?
Public and Private organizations.

9. Does this activity/business require your using equipment/facilities of the City of Lansing?
Yes No^x
If yes, please explain:

10. Does the activity/business use any advertisements or circulars that reference your employment with the City of Lansing? Yes No^x
If yes, please attach copies.

11. Explain what you will be doing in the activity/business:

Teaching / Consulting on areas of safety, security, emergency management, and active violence and other various topics. Site Security and safety assessments are
may be part of the consulting agreement.

12. Explain why you believe a conflict may/may not exist with this activity/business:

The work being performed will be provided to LEPFA employees and their facilities. The Office of the City Attorney reviewed this request and did not see a
conflict. I wanted to ensure there was no conflict by having this reviewed by the Ethics board. LEPFA sought out our company to complete these training and consulting jobs.

13. Is there any additional information that you believe would assist the Board of Ethics in its review of your business or personal activities for potential conflicts of interest? Yes No^x
If so, please describe:

In providing this additional information, the Board of Ethics asks that you give special attention to the Conflicts of Interest section of the Charter found at 5-505.1 – 5-505.3. A copy is enclosed for your convenience.

I hereby certify that this disclosure is complete and accurate to the best of my knowledge, information and belief. The foregoing Affidavit of Disclosure was executed on this 5th day of September, 20 24

[Signature]
Signature of Filer



Cheirice A Fleming
NOTARY PUBLIC - STATE OF MICHIGAN
County of Ingham
My Commission Expires 12/30/2025
Acting in the County of Ingham

STATE OF MICHIGAN)
)ss.
COUNTY OF Ingham)

The foregoing instrument was acknowledged before me this 5th day of September, 2024 (year), by [Signature] (Notary Signature)

Cheirice Fleming (Print Name)

Notary Public, Ingham County,
Acting in Ingham County,
My Commission Expires: 12/30/25



1000 South Washington Avenue, Suite 201 Lansing, MI 48910
(517) 702-3387 TEL (517) 702-3390 FAX
www.purelansing.com

August 22, 2024

To the Honorable Mayor Schor, Council President Garza, and Lansing City Council:

I am writing in opposition, at this time, to the potential creation of a Historic District at the former Eastern High School site, now owned by UM Sparrow Health System.

I am a major historic preservationist and believe we should work toward this goal whenever feasible. The Ottawa Power Station and Knapps buildings are just two of dozens of historic buildings I proudly worked on and led as projects in the city. I have great respect for the voices advocating for the former Eastern High School and for historic preservation.

When the Lansing School District solicited proposals to preserve and redevelop the building and over the last ten years, under ownership of Sparrow, I advocated for preservation of this building, if possible. Unfortunately, the building has not attracted any financially plausible interest.

Though always first looking to preservation as an answer, I also recognize that there are limited times when it is not possible, and we must move forward with new investment in the city. Sometimes, benefits in the here and now and toward the future must outweigh other considerations. It is clear to me that this is now one of those limited times of change.

I reach this conclusion based on the following:

- 1) In this instance, I ask you to put people first. The ER overcrowding and demand for services at UM Sparrow cannot continue as it is. Redevelopment of this site will potentially alleviate some of this challenge.
- 2) The opportunity to possibly build our region's first adolescent mental health facility is absolutely imperative to lives and health. It is a quality-of-life issue.
- 3) If the site were to be an adolescent mental health care, it is critical that design, layout, etc., be done in a careful way that maximizes space, light, and other modern amenities most conducive to healing and care of critical patients.
- 4) Unfortunately, I have direct experience with adolescent care issues, like thousands of other parents in our region. If this is not a difficult enough situation for the child and parent, try adding on an hour and a half drive each day to Grand Rapids or Southeast Michigan for proper services while your child is in care. It is beyond a nightmare for people.
- 5) I am very concerned about private property rights. Putting in place a Historic District on someone's private property, against their wishes, where they will lose any real say in the future of their own property, is a city policy worth questioning.
- 6) I somewhat worry that this could send a mixed or wrong signal to the development community looking to invest in the city, especially on Michigan Avenue.
- 7) The fact of the matter is UM Sparrow is now competing, year in and year out, for funding from a limited and competitive pool of overall UM funding of projects. The community, meaning in this case the city of Lansing, should feel pressure to demonstrate that this is the best place to invest anew in the best health care possible for our residents.

I hope these observations assist with this important public dialogue.

Sincerely,

Robert L. Trezise, President and CEO
Lansing Economic Area Partnership (LEAP)

Swope, Chris

From: Mitch Rice <ricem1957@gmail.com>
Sent: Monday, August 26, 2024 2:24 PM
To: City Council; Clerk, City
Subject: [EXTERNAL] PILOT resolution & Items from Mayor

Dear Council Members:

In respect to agenda item:4.

Payment in Lieu of Taxes (PILOT); Genesee Senior Apartments, 835 W. Genesee St. (PEND-3753)

I observed a very low rate request of 4% PILOT payment by the developer. This is a very low payment compared to property tax payments. I would suggest negotiating a higher rate, maybe 8% if you even grant the request.

I suggest the same consideration in 2 other requests listed below even though I read they were proposing a 5% PILOT rate.

20.

Payment in Lieu of Taxes (PILOT); Riverview 220 Apartments, 220 E. Kalamazoo St. (PEND-3789)

22.

Payment in Lieu of Taxes (PILOT); Grand Vista Place, 500 block of S. Grand Ave. (PEND-3791)

Regards,

Mitch Rice

You will not be called to speak unless all required blanks on this form are completed.



Public Comment on City Government Matters Registration

*The City of Lansing welcomes and encourages public comment relating to City Government Related Matters. In order to facilitate public input, you **MUST** complete this card and submit it to the City Clerk or City Clerk Staff prior the close of registration as announced by the City Clerk.*

Each member of the public who has registered to speak will have up to a total of three minutes to address Council on City Government Related Matters that concern them. A **City Government Related Matter** is an issue or topic relevant to the operation or governance of the City.*

Topic(s) to be addressed Real Design

Name (print) David E Ellis E-Mail (optional) _____

Address (street, city, zip) 323 N Walnut St Lansing MI 48933

Company or organization represented, etc. (if applicable) _____

Signature David Ellis Pronouns _____

- Public speakers will be called by the City Clerk. When the City Clerk recognizes you, please proceed to the speaker's podium and speak directly and clearly into the microphone. Do not touch the microphone.
- Direct your comments to the Council President.
- No speaker called upon to speak shall by speech or conduct disturb, disrupt, delay, interfere with, or otherwise impede the orderly conduct of the Council meeting.
- No personal attacks or defamatory remarks towards any person will be permitted.
- Questions raised during public comment may or may not be answered by the President, another Council Member, the Mayor, or member of the City Staff during the meeting.
- Time limit to address the council on legislative matters is **3 Minutes***.
- Spokespersons for a group or shared viewpoint are encouraged; however, a speaker's time limit may not be increased through assignment of someone else's time or opportunity to speak.
- No registrations will be accepted after the deadline as announced by the City Clerk.
- If you wish to submit written materials, please provide them to the City Clerk or City Clerk staff along with this form.
- The City Council conducts its open meetings in an orderly manner in accordance with the Open Meetings Act. Council meetings will not be conducted as interactive forums or "town meetings."

Thank you for your involvement and interest in our City,
Chris Swope, Lansing City Clerk, MiPMC / MMC

* *The Presiding Officer may reduce the amount of time for each speaker if he or she determines that the number of registered speakers is so numerous that the meeting cannot be timely concluded without a reduction in the time allocated for each speaker.*

Persons with disabilities who need an accommodation to fully participate in this meeting should contact the City Clerk's Office at (517) 483-4131 (TDD (517) 483-4479). 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

You will not be called to speak unless all required blanks on this form are completed.



Public Comment on City Government Matters Registration

*The City of Lansing welcomes and encourages public comment relating to City Government Related Matters. In order to facilitate public input, you **MUST** complete this card and submit it to the City Clerk or City Clerk Staff prior the close of registration as announced by the City Clerk.*

Each member of the public who has registered to speak will have up to a total of three minutes to address Council on City Government Related Matters that concern them. A **City Government Related Matter** is an issue or topic relevant to the operation or governance of the City.*

Topic(s) to be addressed misc parking violation

Name (print) Lorretta Jawaway E-Mail (optional) _____

Address (street, city, zip) 546 Armstrong

Company or organization represented, etc. (if applicable) _____

Signature [Signature] Pronouns _____

- Public speakers will be called by the City Clerk. When the City Clerk recognizes you, please proceed to the speaker's podium and speak directly and clearly into the microphone. Do not touch the microphone.
- Direct your comments to the Council President.
- No speaker called upon to speak shall by speech or conduct disturb, disrupt, delay, interfere with, or otherwise impede the orderly conduct of the Council meeting.
- No personal attacks or defamatory remarks towards any person will be permitted.
- Questions raised during public comment may or may not be answered by the President, another Council Member, the Mayor, or member of the City Staff during the meeting.
- Time limit to address the council on legislative matters is **3 Minutes***.
- Spokespersons for a group or shared viewpoint are encouraged; however, a speaker's time limit may not be increased through assignment of someone else's time or opportunity to speak.
- No registrations will be accepted after the deadline as announced by the City Clerk.
- If you wish to submit written materials, please provide them to the City Clerk or City Clerk staff along with this form.
- The City Council conducts its open meetings in an orderly manner in accordance with the Open Meetings Act. Council meetings will not be conducted as interactive forums or "town meetings."

Thank you for your involvement and interest in our City,
Chris Swope, Lansing City Clerk, MiPMC / MMC

* *The Presiding Officer may reduce the amount of time for each speaker if he or she determines that the number of registered speakers is so numerous that the meeting cannot be timely concluded without a reduction in the time allocated for each speaker.*

Persons with disabilities who need an accommodation to fully participate in this meeting should contact the City Clerk's Office at (517) 483-4131 (TDD (517) 483-4479). 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

You will not be called to speak unless all required blanks on this form are completed.



Public Comment on City Government Matters Registration

*The City of Lansing welcomes and encourages public comment relating to City Government Related Matters. In order to facilitate public input, you **MUST** complete this card and submit it to the City Clerk or City Clerk Staff prior the close of registration as announced by the City Clerk.*

Each member of the public who has registered to speak will have up to a total of three minutes to address Council on City Government Related Matters that concern them. A **City Government Related Matter** is an issue or topic relevant to the operation or governance of the City.*

Topic(s) to be addressed Homeless

Name (print) Drivel K Arnold E-Mail (optional) _____

Address (street, city, zip) 535 N. Cedar, Apt. #304 48912

Company or organization represented, etc. (if applicable) Elcards

Signature [Signature] Pronouns _____

- Public speakers will be called by the City Clerk. When the City Clerk recognizes you, please proceed to the speaker's podium and speak directly and clearly into the microphone. Do not touch the microphone.
- Direct your comments to the Council President.
- No speaker called upon to speak shall by speech or conduct disturb, disrupt, delay, interfere with, or otherwise impede the orderly conduct of the Council meeting.
- No personal attacks or defamatory remarks towards any person will be permitted.
- Questions raised during public comment may or may not be answered by the President, another Council Member, the Mayor, or member of the City Staff during the meeting.
- Time limit to address the council on legislative matters is **3 Minutes***.
- Spokespersons for a group or shared viewpoint are encouraged; however, a speaker's time limit may not be increased through assignment of someone else's time or opportunity to speak.
- No registrations will be accepted after the deadline as announced by the City Clerk.
- If you wish to submit written materials, please provide them to the City Clerk or City Clerk staff along with this form.
- The City Council conducts its open meetings in an orderly manner in accordance with the Open Meetings Act. Council meetings will not be conducted as interactive forums or "town meetings."

Thank you for your involvement and interest in our City,
Chris Swope, Lansing City Clerk, MiPMC / MMC

* *The Presiding Officer may reduce the amount of time for each speaker if he or she determines that the number of registered speakers is so numerous that the meeting cannot be timely concluded without a reduction in the time allocated for each speaker.*

Persons with disabilities who need an accommodation to fully participate in this meeting should contact the City Clerk's Office at (517) 483-4131 (TDD (517) 483-4479). 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

You will not be called to speak unless all required blanks on this form are completed.



Public Comment on City Government Matters Registration

*The City of Lansing welcomes and encourages public comment relating to City Government Related Matters. In order to facilitate public input, you **MUST** complete this card and submit it to the City Clerk or City Clerk Staff prior the close of registration as announced by the City Clerk.*

Each member of the public who has registered to speak will have up to a total of three minutes to address Council on City Government Related Matters that concern them. A **City Government Related Matter** is an issue or topic relevant to the operation or governance of the City.*

Topic(s) to be addressed Accessibility

Name (print) Luna Brown E-Mail (optional) Victor.anoditias@gmail.com

Address (street, city, zip) 1216 E Kalamazoo St

Company or organization represented, etc. (if applicable) _____

Signature Luna Brown Pronouns she/her

- Public speakers will be called by the City Clerk. When the City Clerk recognizes you, please proceed to the speaker's podium and speak directly and clearly into the microphone. Do not touch the microphone.
- Direct your comments to the Council President.
- No speaker called upon to speak shall by speech or conduct disturb, disrupt, delay, interfere with, or otherwise impede the orderly conduct of the Council meeting.
- No personal attacks or defamatory remarks towards any person will be permitted.
- Questions raised during public comment may or may not be answered by the President, another Council Member, the Mayor, or member of the City Staff during the meeting.
- Time limit to address the council on legislative matters is **3 Minutes***.
- Spokespersons for a group or shared viewpoint are encouraged; however, a speaker's time limit may not be increased through assignment of someone else's time or opportunity to speak.
- No registrations will be accepted after the deadline as announced by the City Clerk.
- If you wish to submit written materials, please provide them to the City Clerk or City Clerk staff along with this form.
- The City Council conducts its open meetings in an orderly manner in accordance with the Open Meetings Act. Council meetings will not be conducted as interactive forums or "town meetings."

Thank you for your involvement and interest in our City,
Chris Swope, Lansing City Clerk, MiPMC / MMC

* *The Presiding Officer may reduce the amount of time for each speaker if he or she determines that the number of registered speakers is so numerous that the meeting cannot be timely concluded without a reduction in the time allocated for each speaker.*

Persons with disabilities who need an accommodation to fully participate in this meeting should contact the City Clerk's Office at (517) 483-4131 (TDD (517) 483-4479). 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

You will not be called to speak unless all required blanks on this form are completed.



Public Comment on City Government Matters Registration

*The City of Lansing welcomes and encourages public comment relating to City Government Related Matters. In order to facilitate public input, you **MUST** complete this card and submit it to the City Clerk or City Clerk Staff prior the close of registration as announced by the City Clerk.*

Each member of the public who has registered to speak will have up to a total of three minutes to address Council on City Government Related Matters that concern them. A **City Government Related Matter is an issue or topic relevant to the operation or governance of the City.***

Topic(s) to be addressed Old Swo C Building

Name (print) Nicholas Zane E-Mail (optional) nwzane@gmail.com

Address (street, city, zip) 411 W. Willow Ave Lansing MI 48910

Company or organization represented, etc. (if applicable) NA

Signature Nicholas Zane Pronouns he/him

- Public speakers will be called by the City Clerk. When the City Clerk recognizes you, please proceed to the speaker's podium and speak directly and clearly into the microphone. Do not touch the microphone.
- Direct your comments to the Council President.
- No speaker called upon to speak shall by speech or conduct disturb, disrupt, delay, interfere with, or otherwise impede the orderly conduct of the Council meeting.
- No personal attacks or defamatory remarks towards any person will be permitted.
- Questions raised during public comment may or may not be answered by the President, another Council Member, the Mayor, or member of the City Staff during the meeting.
- Time limit to address the council on legislative matters is **3 Minutes***.
- Spokespersons for a group or shared viewpoint are encouraged; however, a speaker's time limit may not be increased through assignment of someone else's time or opportunity to speak.
- No registrations will be accepted after the deadline as announced by the City Clerk.
- If you wish to submit written materials, please provide them to the City Clerk or City Clerk staff along with this form.
- The City Council conducts its open meetings in an orderly manner in accordance with the Open Meetings Act. Council meetings will not be conducted as interactive forums or "town meetings."

Thank you for your involvement and interest in our City,
Chris Swope, Lansing City Clerk, MiPMC / MMC

* *The Presiding Officer may reduce the amount of time for each speaker if he or she determines that the number of registered speakers is so numerous that the meeting cannot be timely concluded without a reduction in the time allocated for each speaker.*

Persons with disabilities who need an accommodation to fully participate in this meeting should contact the City Clerk's Office at (517) 483-4131 (TDD (517) 483-4479). 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.

You will not be called to speak unless all required blanks on this form are completed.



Public Comment on City Government Matters Registration

*The City of Lansing welcomes and encourages public comment relating to City Government Related Matters. In order to facilitate public input, you **MUST** complete this card and submit it to the City Clerk or City Clerk Staff prior the close of registration as announced by the City Clerk.*

Each member of the public who has registered to speak will have up to a total of three minutes to address Council on City Government Related Matters that concern them. A **City Government Related Matter** is an issue or topic relevant to the operation or governance of the City.*

Topic(s) to be addressed _____

Name (print) David Hokewson E-Mail (optional) _____

Address (street, city, zip) 818 Pacific Ave _____

Company or organization represented, etc. (if applicable) _____

Signature David Hokewson Pronouns MAN

- Public speakers will be called by the City Clerk. When the City Clerk recognizes you, please proceed to the speaker's podium and speak directly and clearly into the microphone. Do not touch the microphone.
- Direct your comments to the Council President.
- No speaker called upon to speak shall by speech or conduct disturb, disrupt, delay, interfere with, or otherwise impede the orderly conduct of the Council meeting.
- No personal attacks or defamatory remarks towards any person will be permitted.
- Questions raised during public comment may or may not be answered by the President, another Council Member, the Mayor, or member of the City Staff during the meeting.
- Time limit to address the council on legislative matters is **3 Minutes***.
- Spokespersons for a group or shared viewpoint are encouraged; however, a speaker's time limit may not be increased through assignment of someone else's time or opportunity to speak.
- No registrations will be accepted after the deadline as announced by the City Clerk.
- If you wish to submit written materials, please provide them to the City Clerk or City Clerk staff along with this form.
- The City Council conducts its open meetings in an orderly manner in accordance with the Open Meetings Act. Council meetings will not be conducted as interactive forums or "town meetings."

Thank you for your involvement and interest in our City,
Chris Swope, Lansing City Clerk, MiPMC / MMC

* *The Presiding Officer may reduce the amount of time for each speaker if he or she determines that the number of registered speakers is so numerous that the meeting cannot be timely concluded without a reduction in the time allocated for each speaker.*

Persons with disabilities who need an accommodation to fully participate in this meeting should contact the City Clerk's Office at (517) 483-4131 (TDD (517) 483-4479). 24 hour notice may be needed for certain accommodations. An attempt will be made to grant all reasonable accommodation requests.