



AGENDA
Committee on Development and Planning
Monday, March 20, 2017 @ 4:00 p.m.
10th Floor Conference Room, City Hall

Councilmember Judi Brown Clarke, Chair
Councilmember Jessica Yorko, Vice Chair
Councilmember Tina Houghton, Member
Councilmember Adam Hussain, Member

- 1. Call to Order**
- 2. Public Comment on Agenda Items**
- 3. Minutes**
 - March 6, 2017
- 4. Discussion/Action:**
 - A.) DISCUSSION – Urban Gardens
- 5) Other**
- 6) Adjourn**

DRAFT



MINUTES

Committee on Development and Planning

Monday, March 6, 2017 @ 4:00 p.m.

Council Conference Room, City Hall 10th Floor

CALL TO ORDER

Called to order at 4:00 p.m.

PRESENT

Council Member Brown Clarke, Chair
Council Member Yorko, Vice-Chair-excused
Council Member Houghton, Member
Council Member Hussain, Member

OTHERS PRESENT

Sherrie Boak, Council Staff
Brandon Waddell, City Attorney Office
Jim Smiertka, City Attorney
Karl Dorshimer, LEAP
Eric Pratt, LEAP
Derek Dalling, DED Development
Scott Gillespie, Gillespie Group
John Grettenberger Jr., LorAnn Oils, Inc.
Margarita Sanchez
Niki Barry
Dave Van Haaren, TriTerra
Ryan Wert, REO Town Commercial Association
Mark Quimby, SME

MINUTES

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE MINUTES FROM FEBRUARY 6, 2017 AS PRESENTED. MOTION CARRIED 3-0. .

PUBLIC COMMENT

Council Member Brown Clarke offered public a time to speak and offered them a time at each agenda item. There was no public comment at this time.

Council Member Brown Clarke had received communication from Ms. Stachowiak that she was not able to contact the owners at 4215 N Grand River Avenue on their rezoning request, so she had requested it be moved to the next meeting on March 20, 2017.

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DISCUSSION/ACTION

RESOLUTION – Set Public Hearing; Brownfield Plan #67; 2200 Block Redevelopment Project, 2216-2224 E. Michigan Avenue

Mr. Pratt present to the Committee the plans for the redevelopment of the two properties located on E. Michigan. One was formally a gas station and the other a former auto repair shop. Currently both are vacant and have qualified for the Brownfield due to the contamination. The applicant proposes to remove the facilities and build a four (4) story mixed use project. This will be a \$7 million project that will result in 34 market rate residential units and under 10,000 sq. ft. of commercial mixed uses. If approved the applicant anticipates 15-20 new full time jobs and 20-30 construction jobs.

Mr. Gillespie presented the Committee with photos of the existing structures located at the corner of Hayford and Michigan Avenue. There is currently a storage tank on site that they are aware of and will know more about its condition once they begin construction. However, they are aware the soil will be removed as part of the Brownfield Plan. Mr. Gillespie then outlined the proposed building which will consist of street frontage, underground parking, an elevator to the 4th floor, 9,500 sq. ft. of commercial and 33 residential units ranging from studio, 1 bedroom to 2 bedroom all market rate homes. There is an option for additional residential units on the first floor if the demand for commercial is not present. Mr. Gillespie assured that his company did reach out to the neighborhoods during the planning stages, and also took some of the suggestions that were made during his other project, East Side, into play with this development. In the case of this development they have also met with AARP, and begun working with them on a plan for consideration as a AARP In-Place certified development and agent. This will not be considered a senior housing, but housing suitable for seniors. They will also not be considering marketing to students either.

Council Member Brown Clarke asked if the rear of the property would be designed for storm run off since the topography does slope from the street. Mr. Gillespie confirmed the front will be built at the sidewalk grade, and the rear will stay at the existing lower grade, however with the required surface lot drainage into catch basins they will meet requirements.

Council Member Hussain first acknowledged Mr. Gillespie for reaching out to Council Members and the neighborhoods on this development. He then asked how many vacancies were in his current project the Avenue housing, which Mr. Gillespie stated one. He added they are currently not leasing for East Side because it is not built out yet, but plan to have the first floor done in July, then 2nd floor in August, 3-4 floors in Septembers. Council Member Hussain then asked how many parking spaces would be provided at this project. Mr. Gillespie stated there would be 27 underground, and 30 on the surface lot for residents and the commercial uses.

Council Member Brown Clarke asked if there were any plans in the building for a common area for the residents to use. Mr. Gillespie stated that he had begun looking into that and vetting the idea.

Council Member Hussain asked Mr. Pratt what the \$523,000 in Due Care Activity in the Plan was for. Mr. Pratt stated it would be for site preparation, remediation of contaminates off site and disposal. Council Member Hussain then asked about the \$391,000 in infrastructure. Mr. Pratt stated those cover storm water management, fire suppression and those activities reimbursed by LEAP to the developer. Lastly, Council Member Hussain asked about the \$185,000 in contingency. Mr. Pratt stated that is to cover costs that they might know about yet, such as what they find when they move the soils. Council Member Hussain suggested the Mr.

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Pratt or Mr. Dorshimer present information to the Committee of the Whole annually on how Brownfields, OPRA and other tax incentives work, are calculated and affect the City. Council Member Hussain also asked for LEAP representatives to provide Council Members with the TIF boundaries. Mr. Pratt stated that with this project, under PA 381, the Brownfield can capture 100% taxes and use those to pay for public improvements, however Lansing handles them different and chooses to capture 90% revenues using those to fund the improvements. Council Member Brown Clarke asked Mr. Pratt and Mr. Dorshimer to consider a cover sheet for the Brownfield that answer the standard questions and manage the expectations. Mr. Dorshimer confirmed he would do his best to highlight the details and percentages in the future.

MOTION BY COUNCIL MEMBER HOUGHTON TO APPROVE THE RESOLUTION TO SET THE PUBLIC HEARING FOR THE BROWNFIELD PLAN # 67 FOR MARCH 27TH, 2017.
MOTION CARRIED 3-0

No public comment.

RESOLUTION – Set Public Hearing; Brownfield Plan #20a; LorAnn Oils, Inc., Amendment 1, 2017 Building Expansion, 4518 Aurelius Road

Mr. Pratt informed the Committee that this request was for an amendment to an existing Brownfield Plan from 2004. The expansion will allow the applicant to add a 3,000 sq ft warehouse, and 3,700 sq. ft. office space. The plan also will include the addition of .75 acres of land for better storm water runoff.

Mr. Grettenberger outlined his company, and the history of the business in that location. In his outline of the plan he stated the parking in the front will be moved to the rear along with a retention pond. Currently on the opposite of the property in the rear is the river. The property in the rear has been purchased dually with Dean Transportation.

Mr. Quimby presented a power point handout, and then went through the handout. This briefly detailed the history of the property going back to 1962. The first Brownfield was 2005 when the company renovated an existing 18.013 facility and added on 5,810 for increased office and production needs. At that time, there was \$914,700 in capital investment, 16 new full time jobs, and \$135,200 in eligible activities reimbursed with local taxes over 14 years. The investment outcome was \$1,121,000, and added investment in 2012 of \$452,000 and 20 more full time jobs through 2016. The proposed Brownfield Plan Amendment now is the purchase of .75 acres, two single story additions of approximately 3,220 sq. ft. for warehouse space, and 3,784 sq ft. for office space. The 2017 capital investment will be \$1,542,200 with 9 more jobs and \$143,000 in eligible activities. There will also be \$24,200 in LSRRF funded activities by LBRA (Local Brownfield Revolving Activities). The 2017 will add 11 years of capture, but an addition to state school taxes for reimbursement on the new eligible activities. There is a 90% capture with 10% pass-through in the taxing jurisdictions. LBRA will be first position to recover the contributions. Currently there is a vacant building on the opposite of the easement, however that owner is not ready to sell.

Council Member Brown Clarke asked if there would be run off from the expansion that could potentially impact the river directly behind the property. Mr. Quimby confirmed there were contaminates presently in the soil, but they were not leachable and that the contour of the basin would be constructed to manage the run off. By design, the basin will be constructed with porous materials, mainly sand, and therefore will act as a permeable area that will absorb any run off.

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Council Member Hussain asked how many new jobs, and Mr. Grettenberger confirmed 9 with 3-4 high paying jobs.

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION TO SET THE PUBLIC HEARING FOR THE BROWNFIELD PLAN #20a FOR MARCH 27TH, 2017. MOTION CARRIED 3-0.

No public comment.

RESOLUTION – Set Public Hearing; OPRA District; DED Development, LLC, 629 W. Hillsdale

Mr. Pratt briefly outlined the plan for a 7 year OPRA for a \$570,000 investment to rehab and address environmental issues at former Fire Station #3. The key component will be asbestos, mold and lead removal, and remediation.

Mr. Dalling presented the Committee with photos of the current Fire Station #3 and a rendering of the proposed Fire Station #3 that will be used for his business of Kindsvatter Dalling & Associates, Inc. Their company is a lobbying firm that has recently seen growth in the region, out of the State business and national growth. The presentation noted the property had been vacant for seven (7) years, and is the only vacant building in that area. The structure itself is concrete, steel and brick. Due to the vacancy time, Mr. Dalling noted there is sustainable water and ice damage. The structure will house offices/work area on the first floor, and conference and training rooms on the second floor with a 3-season space on a portion of the rooftop. This position will allow for 2-3 new staff within the \$30/hour range.

MOTION BY COUNCIL MEMBER HOUGHTON TO APPROVE THE RESOLUTION TO SET THE PUBLIC HEARING FOR THE OPRA DISTRICT FOR 629 W HILLSDALE FOR MARCH 27, 2017. MOTION CARRIED 3-0.

No public comment.

RESOLUTION – Set Public Hearing; OPRA Certificate; DED Development, LLC, 629 W. Hillsdale

MOTION BY COUNCIL MEMBER HUSSAIN TO APPROVE THE RESOLUTION TO SET THE PUBLIC HEARING FOR THE OPRA CERTIFICATE FOR 629 W HILLSDALE FOR MARCH 27TH, 2017. MOTION CARRIED 3-0.

No public comment.

RESOLUTION – Set Public Hearing; OPRA District; Best Case ScenaREO, LLC; 1101 & 1103 S Washington Avenue

Mr. Pratt explained to the Committee that due to the unique nature of the request, they applicants are only requesting the District at this time. The property is two commercial buildings, connected internally, on the same parcel with the same legal. The applicants plan to separate the buildings with a fire rated stairwell, and split the parcel. To do that, they must first create the OPRA District before applying or obtaining any permits of their OPRA would not qualify. Once the District is established and the work is done along with the property split, each individual owner will come in an apply for the OPRA Certificates. The City Assessor has reviewed the properties and deemed them “more than 50% obsolete”, so they do qualify for the OPRA.

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Mr. Wert and Ms. Sanchez presented the Committee with floor plans and renderings of the existing buildings and proposed uses. Mr. Wert stated that the property at 1101 S. Washington will be will be used for a proposed 40 seat brewery. The previous owners were Cinnaire, who had not done anything with the property after their purchase from dentist and dental lab. Both properties will need new mechanicals and a roof, as well as, minor environmental contamination clean up, mainly mold. Ms. Sanchez spoke on behalf of her son, Daniel Nunez the proposed owner of 1103 S. Washington, stating his use will be residential on the second floor and a ceramic studio on the first floor. There are currently two residential structures in the rear, and one will be eventually demolished and the lot made into additional parking, and the other one is currently being used and will remain a duplex.

MOTION BY COUNCIL MEMBER HOUGHTON TO APPROVE THE RESOLUTION TO SET THE PUBLIC HEARING FOR THE OPRA DISTRICT FOR 1101 & 1103 S. WASHINGTON AVENUE FOR MARCH 27, 2017. MOTION CARRIED 3-0.

RESOLUTION – Set Public Hearing; Z-1-2017; 4215 N Grand River Avenue; “D-1” Professional Office to “F” Commercial District

This item was moved to March 20th agenda earlier in the meeting.

Adjourn at 5:12 p.m.

Submitted by, Sherrie Boak, Recording Secretary,
Lansing City Council

Approved by the Committee on _____

**AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN TO AMEND PART 12, TITLE 6, ZONING, OF THE
CODIFIED ORDINANCES OF THE CITY OF LANSING; SPECIFICALLY, TO AMEND CHAPTERS 1240, 1248,
1250, 1252, 1254, 1256, 1258, 1268, 1274, 1276, 1279, AND 1294 TO PROVIDE FOR URBAN
AGRICULTURE USES IN RESIDENTIAL, COMMERCIAL, LIGHT INDUSTRIAL, AND HEAVY INDUSTRIAL
DISTRICTS; TO PROVIDE FOR NON CONFORMING USES; AND TO SET THE REQUIREMENTS AND
CONDITIONS FOR URBAN AGRICULTURE USES THEREOF**

THE CITY OF LANSING ORDAINS:

**SECTION ONE: SECTIONS 1240, 1248, 1250, 1252, 1254, 1256, 1258, 1268, 1274, 1276, 1279, AND 1294
OF PART 12, TITLE 6, ZONING, OF THE CODIFIED ORDINANCES OF LANSING, MICHIGAN ("CODE") ARE
HEREBY AMENDED AS MORE SPECIFICALLY SET FORTH BELOW:**

SECTION 1240.03 IS AMENDED BY ADDING THE FOLLOWING DEFINITIONS:

COMMERCIAL PURPOSES means performing commercial production of any amount, without any
minimum threshold of commercial activity.

COMMUNITY GARDEN means a garden collective grown by an incorporated association of
people, utilizing either individual or shared plots for personal or institutional use, consumption,
education, or donation.

URBAN FARM STAND means a part of an Urban Farm operation which is a place or area where
transactions between a farm market operator and customers take place seasonally or year-round. This
includes roadside stands, farm stands, an area without a physical structure, a temporary structure such
as a tent, etc., where at least 50 percent of the products or name-sake products marketed and offered
for sale (measured as an average over the farm market's marketing season or up to a five-year time
frame) are produced on and by the affiliated agriculture establishment. (Primary measure of the 50
percent will be the percentage of the retail space used to display products and name-sake products
offered for retail sale. If measurement of retail space is not feasible, then the percent of the gross sales
dollars of the farm market will be used.) Farm products may be processed more extensively into a form
that adds value and makes them more marketable for direct customer sales at the farm market, as long
as allowed by law.

GARDEN means the ground area used for growing of plants for landscaping purposes which may
consist of any plant (flowers, bushes, hedges, arbors, trees, groundcover, manicured lawn); food for
human consumption (vegetable, fruits, herbs); fibers; garden maintenance facilities (potting work area,
composting); greenhouse, hoop house, and other storage structures A GARDEN is not COMMERCIAL.

URBAN FARM STRUCTURES means a structure that is built for a garden operation and containing
activities, materials, tools, or equipment incidental to the garden, including hoop houses, green houses,
and storage structures.

URBAN FARM means a growing garden for COMMERCIAL PURPOSES, including garden accessory uses and urban farm structures subject to applicable setback, height, parcel coverage, and other regulations.

SECTION 1248.03 OF CHAPTER 1248 – A, A1, AND B RESIDENTIAL DISTRICTS, IS AMENDED BY ADDING A SUBSECTION (O) AS FOLLOWS:

GARDENS AND COMMUNITY GARDENS ARE ALLOWABLE AS AN ACCESSORY USE SUBJECT TO THE FOLLOWING SPECIAL CONDITIONS AND REQUIREMENTS:

1. All setbacks, noise restrictions, etc. and all other applicable standards in Lansing Zoning Ordinance shall apply. These include, but not limited to, restrictions on NUISANCES as defined in Sec. 655.03 (prohibiting water barrels and compost piles that attract and breed pests) and the provisions in Ch. 1290 on LANDSCAPING, SCREENING AND BUFFERING (prohibiting any features that restrict site lines) and building height and placement and lot coverage restrictions of the zone in which the property is located still apply. Except that vegetation in defined planting beds may be over 8” in height.
2. The person or entity responsible must submit a plot plan and conflict resolution plan to the zoning administrator. Approval must be obtained prior to commencing operations.
3. Conflict resolution: The person responsible for managing the property shall have a neighbor conflict resolution plan. If conflicts cannot be resolved, they will be referred to the zoning administrator for enforcement.
4. There shall be a sign visible and legible from the front of the property with the name and contact information for the person or organization responsible for managing the property. Contact information may be a phone number or email address. Signs shall not be larger than 16 square feet and no higher than 6 feet tall.

SECTION 1250.03 OF CHAPTER 1250 – C RESIDENTIAL DISTRICT, IS AMENDED BY ADDING A SUBSECTION 1250.03 (E) AS FOLLOWS:

GARDENS AND COMMUNITY GARDENS ARE ALLOWABLE AS AN ACCESSORY USE SUBJECT TO THE FOLLOWING SPECIAL CONDITIONS AND REQUIREMENTS:

1. All setbacks, noise restrictions, etc. and all other applicable standards in Lansing Zoning Ordinance shall apply. These include, but not limited to, restrictions on NUISANCES as defined in Sec. 655.03 (prohibiting water barrels and compost piles that attract and breed pests) and the provisions in Ch. 1290 on LANDSCAPING, SCREENING AND BUFFERING (prohibiting any features that restrict site lines) and building height and placement and lot coverage restrictions of the zone in which the property is located still apply. Except that vegetation in defined planting beds may be over 8” in height.

2. The person or entity responsible must submit a plot plan and conflict resolution plan to the zoning administrator. Approval must be obtained prior to commencing operations.

1. Conflict resolution: The person responsible for managing the property shall have a neighbor conflict resolution plan. If conflicts cannot be resolved, they will be referred to the zoning administrator for enforcement.

2. There shall be a sign visible and legible from the front of the property with the name and contact information for the person or organization responsible for managing the property. Contact information may be a phone number or email address. Signs shall not be larger than 16 square feet and no higher than 6 feet tall.

SECTION 1252.03 OF CHAPTER 1252 – DM-1 RESIDENTIAL DISTRICT, IS AMENDED BY ADDING SUBSECTION 1252.03 (K) AS FOLLOWS:

GARDENS AND COMMUNITY GARDENS ARE ALLOWABLE AS AN ACCESSORY USE SUBJECT TO THE FOLLOWING SPECIAL CONDITIONS AND REQUIREMENTS:

1. All setbacks, noise restrictions, etc. and all other applicable standards in Lansing Zoning Ordinance shall apply. These include, but not limited to, restrictions on NUISANCES as defined in Sec. 655.03 (prohibiting water barrels and compost piles that attract and breed pests) and the provisions in Ch. 1290 on LANDSCAPING, SCREENING AND BUFFERING (prohibiting any features that restrict site lines) and building height and placement and lot coverage restrictions of the zone in which the property is located still apply. Except that vegetation in defined planting beds may be over 8" in height.

2. The person or entity responsible must submit a plot plan and conflict resolution plan to the zoning administrator. Approval must be obtained prior to commencing operations.

3. Conflict resolution: The person responsible for managing the property shall have a neighbor conflict resolution plan. If conflicts cannot be resolved, they will be referred to the zoning administrator for enforcement.

4. There shall be a sign visible and legible from the front of the property with the name and contact information for the person or organization responsible for managing the property. Contact information may be a phone number or email address. Signs shall not be larger than 16 square feet and no higher than 6 feet tall.

SECTION 1254.03 OF CHAPTER 1254 – DM-2 RESIDENTIAL DISTRICT IS AMENDED BY ADDING SUBSECTION 1254.03 (M) AS FOLLOWS:

GARDENS AND COMMUNITY GARDENS ARE ALLOWABLE AS AN ACCESSORY USE SUBJECT TO THE FOLLOWING SPECIAL CONDITIONS AND REQUIREMENTS:

1. All setbacks, noise restrictions, etc. and all other applicable standards in Lansing Zoning Ordinance shall apply. These include, but not limited to, restrictions on NUISANCES as defined in Sec. 655.03 (prohibiting water barrels and compost piles that attract and breed pests) and the provisions in Ch. 1290 on LANDSCAPING, SCREENING AND BUFFERING (prohibiting any features that restrict site lines) and building height and placement and lot coverage restrictions of the zone in which the property is located still apply. Except that vegetation in defined planting beds may be over 8" in height.
2. The person or entity responsible must submit a plot plan and conflict resolution plan to the zoning administrator. Approval must be obtained prior to commencing operations.
3. Conflict resolution: The person responsible for managing the property shall have a neighbor conflict resolution plan. If conflicts cannot be resolved, they will be referred to the zoning administrator for enforcement.
4. There shall be a sign visible and legible from the front of the property with the name and contact information for the person or organization responsible for managing the property. Contact information may be a phone number or email address. Signs shall not be larger than 16 square feet and no higher than 6 feet tall.

SECTION 1256.03 OF CHAPTER 1256 – DM-3 RESIDENTIAL DISTRICT, IS AMENDED BY ADDING SUBSECTION 1256.03 (O) AS FOLLOWS:

GARDENS AND COMMUNITY GARDENS ARE ALLOWABLE AS AN ACCESSORY USE SUBJECT TO THE FOLLOWING SPECIAL CONDITIONS AND REQUIREMENTS:

1. All setbacks, noise restrictions, etc. and all other applicable standards in Lansing Zoning Ordinance shall apply. These include, but not limited to, restrictions on NUISANCES as defined in Sec. 655.03 (prohibiting water barrels and compost piles that attract and breed pests) and the provisions in Ch. 1290 on LANDSCAPING, SCREENING AND BUFFERING (prohibiting any features that restrict site lines) and building height and placement and lot coverage restrictions of the zone in which the property is located still apply. Except that vegetation in defined planting beds may be over 8" in height.
2. The person or entity responsible must submit a plot plan and conflict resolution plan to the zoning administrator. Approval must be obtained prior to commencing operations.
3. Conflict resolution: The person responsible for managing the property shall have a neighbor conflict resolution plan. If conflicts cannot be resolved, they will be referred to the zoning administrator for enforcement.
4. There shall be a sign visible and legible from the front of the property with the name and contact information for the person or organization responsible for managing the property.

Contact information may be a phone number or email address. Signs shall not be larger than 16 square feet and no higher than 6 feet tall.

SECTION 1258.03 OF CHAPTER 1258 – DM-4 RESIDENTIAL DISTRICT IS AMENDED BY ADDING SUBSECTION 1258.03 (I) AS FOLLOWS:

GARDENS AND COMMUNITY GARDENS ARE ALLOWABLE AS AN ACCESSORY USE SUBJECT TO THE FOLLOWING SPECIAL CONDITIONS AND REQUIREMENTS:

1. All setbacks, noise restrictions, etc. and all other applicable standards in Lansing Zoning Ordinance shall apply. These include, but not limited to, restrictions on NUISANCES as defined in Sec. 655.03 (prohibiting water barrels and compost piles that attract and breed pests) and the provisions in Ch. 1290 on LANDSCAPING, SCREENING AND BUFFERING (prohibiting any features that restrict site lines) and building height and placement and lot coverage restrictions of the zone in which the property is located still apply. Except that vegetation in defined planting beds may be over 8" in height.

2. The person or entity responsible must submit a plot plan and conflict resolution plan to the zoning administrator. Approval must be obtained prior to commencing operations.

1. Conflict resolution: The person responsible for managing the property shall have a neighbor conflict resolution plan. If conflicts cannot be resolved, they will be referred to the zoning administrator for enforcement.

2. There shall be a sign visible and legible from the front of the property with the name and contact information for the person or organization responsible for managing the property. Contact information may be a phone number or email address. Signs shall not be larger than 16 square feet and no higher than 6 feet tall.

SECTION 1268.02 OF CHAPTER 1268 – F AND F-1 COMMERCIAL DISTRICTS IS AMENDED BY ADDING A SUBSECTION (M) AS FOLLOWS:

(M) GARDENS

SECTION 1274.02 OF CHAPTER 1274 – H LIGHT INDUSTRIAL DISTRICT IS AMENDED BY ADDING SUBSECTION 1274.02 (M) AS FOLLOWS:

(M) GARDENS

SECTION 1276.02 OF CHAPTER 1276 – I HEAVY INDUSTRIAL DISTRICT IS AMENDED BY ADDING SUBSECTION 1276.02 (H) AS FOLLOWS:

(H) GARDENS

SECTION 1248.04 – SPECIAL LAND USES – IN A, A-1, AND B RESIDENTIAL DISTRICTS, IS AMENDED BY ADDING SUBSECTIONS 1248.04 (P) AND (Q) AS FOLLOWS:

(P) URBAN FARM

(Q) FARM STAND AS AN ACCESSORY USE TO AN URBAN FARM WITH A SPECIAL LAND USE PERMIT

AN URBAN FARM WITH A SPECIAL LAND USE PERMIT AND A FARM STAND AS AN ACCESSORY USE TO AN URBAN FARM WITH A SPECIAL LAND USE PERMIT ARE SUBJECT TO THE FOLLOWING CONDITIONS AND REQUIREMENTS:

1. All setbacks, noise restrictions, etc. and all other applicable standards in Lansing Zoning Ordinance shall apply. These include, but not limited to, restrictions on NUISANCES as defined in Sec. 655.03 (prohibiting water barrels and compost piles that attract and breed pests) and the provisions in Ch. 1290 on LANDSCAPING, SCREENING AND BUFFERING (prohibiting any features that restrict site lines) and building height and placement and lot coverage restrictions of the zone in which the property is located still apply. Except that vegetation in defined planting beds may be over 8" in height.
2. The person or entity responsible must submit a plot plan and conflict resolution plan to the zoning administrator. Approval must be obtained prior to commencing operations.
3. Conflict resolution: The person responsible for managing the property shall have a neighbor conflict resolution plan. If conflicts cannot be resolved, they will be referred to the zoning administrator for enforcement.
4. There shall be a sign visible and legible from the front of the property with the name and contact information for the person or organization responsible for managing the property. Contact information may be a phone number or email address. Signs shall not be larger than 16 square feet and no higher than 6 feet tall.

SECTION 1268.03 OF CHAPTER 1268 – F AND F-1 COMMERCIAL DISTRICTS IS AMENDED BY ADDING SUBSECTION (N) AS FOLLOWS:

(N) URBAN FARM AND A FARM STAND AS AN ACCESSORY USE TO AN URBAN FARM IF LOCATED ON THE SAME PARCEL OF LAND, SUBJECT TO THE FOLLOWING CONDITIONS AND REQUIREMENTS:

1. All setbacks, noise restrictions, etc. and all other applicable standards in Lansing Zoning Ordinance shall apply. These include, but not limited to, restrictions on NUISANCES as defined in Sec. 655.03 (prohibiting water barrels and compost piles that attract and breed pests) and the provisions in Ch. 1290 on LANDSCAPING, SCREENING AND BUFFERING (prohibiting any features that restrict site lines) and building height and placement and lot coverage restrictions of the zone in which the property is located still apply. Except that vegetation in defined planting beds may be over 8" in height.

2. The person or entity responsible must submit a plot plan and conflict resolution plan to the zoning administrator. Approval must be obtained prior to commencing operations.

3. Conflict resolution: The person responsible for managing the property shall have a neighbor conflict resolution plan. If conflicts cannot be resolved, they will be referred to the zoning administrator for enforcement.

4. There shall be a sign visible and legible from the front of the property with the name and contact information for the person or organization responsible for managing the property. Contact information may be a phone number or email address. Signs shall not be larger than 16 square feet and no higher than 6 feet tall.

SECTION 1294.02 OF CHAPTER 1294 – NONCONFORMITIES IS AMENDED BY ADDING SUBSECTION 1294.02 (E) AS FOLLOWS:

Any GARDEN, COMMUNITY GARDEN, URBAN FARM and FARM MARKET operation that was present prior to the adoption of this section of this Ordinance and does not conform to this Ordinance shall be considered a nonconforming use and is subject to the following provisions:

1. Scale shall be measured by the total square footage of the GARDEN, COMMUNITY GARDEN, URBAN FARM or FARM MARKET, including the square footage of structures.
2. Type is defined by the variety of crop(s) produced.
3. Nonconforming GARDEN, COMMUNITY GARDEN, URBAN FARM or FARM MARKET operations are subject to all previously existing setbacks, and all other applicable standards in the respective zoning district and overlay district.
4. Any change in scale or type beyond what is allowed in the nonconforming provisions of this Ordinance will cause the nonconforming GARDEN, COMMUNITY GARDEN, URBAN FARM or FARM MARKET to lose its nonconforming status which will require compliance with this Ordinance.

SECTION 1248.04 –SPECIAL LAND USES- A, A-1, AND B RESIDENTIAL DISTRICT IS AMENDED BY ADDING SUBSECTION 1248.04 (P), URBAN FARM AND FARM STAND AS AN ACCESSORY USE TO AN APPROVED SPECIAL LAND USE FOR AND URBAN FARM SUBJECT TO THE FOLLOWING CONDITIONS AND REQUIREMENTS:

SPECIAL USE PERMITS

1. The person responsible for managing the property must submit a special use permit application to the City containing a site review plan demonstrating how the land use will comply with all applicable ordinance provisions and a conflict resolution plan.
2. Conflict resolution: The person responsible for managing the property shall have a neighbor conflict resolution plan. If conflicts cannot be resolved, they will be referred to the zoning administrator for enforcement.
3. There shall be a sign visible and legible from the front of the property with the name and contact information for the person responsible for managing the property. Contact information may be a phone number or email address.

SECTION 1250.04 – SPECIAL LAND USES- C RESIDENTIAL DISTRICT IS AMENDED BY ADDING SUBSECTION 1250.04 (J) URBAN FARM AND FARM STAND AS AN ACCESSORY USE TO AN APPROVED SPECIAL LAND USE FOR AN URBAN FARM SUBJECT TO THE FOLLOWING CONDITIONS AND REQUIREMENTS:

(J) URBAN FARM AND FARM STAND AS AN ACCESSORY USE TO AN APPROVED SPECIAL LAND USE FOR AN URBAN FARM

1. The person responsible for managing the property must submit a special use permit application to the City containing a site review plan demonstrating how the land use will comply with all applicable ordinance provisions and a conflict resolution plan.
2. Conflict resolution: The person responsible for managing the property shall have a neighbor conflict resolution plan. If conflicts cannot be resolved, they will be referred to the zoning administrator for enforcement.
3. There shall be a sign visible and legible from the front of the property with the name and contact information for the person responsible for managing the property. Contact information may be a phone number or email address.

SECTION 1252.04 OF CHAPTER 1252 – DM-1 RESIDENTIAL DISTRICT IS AMENDED BY ADDING SUBSECTION 1252.04 (K), URBAN FARM AND FARM STAND AS AN ACCESSORY USE TO AN APPROVED SPECIAL LAND USE FOR AN URBAN FARM SUBJECT TO THE FOLLOWING CONDITIONS AND REQUIREMENTS:

SPECIAL USE PERMITS

1. The person responsible for managing the property must submit a special use permit application to the City containing a site review plan demonstrating how the land use will comply with all applicable ordinance provisions and a conflict resolution plan.
2. Conflict resolution: The person responsible for managing the property shall have a neighbor conflict resolution plan. If conflicts cannot be resolved, they will be referred to the zoning administrator for enforcement.

3. There shall be a sign visible and legible from the front of the property with the name and contact information for the person responsible for managing the property. Contact information may be a phone number or email address.

**SECTION 1254.04 OF CHAPTER 1254 –DM-2 RESIDENTIAL DISTRICT IS AMENDED BY ADDING
SUBSECTION 1254.04 (J) AS FOLLOWS:**

**(J) URBAN FARM AND FARM STAND AS AN ACCESSORY USE TO AN APPROVED URBAN FARM
SUBJECT TO THE FOLLOWING CONIDITIONS AND REQUIREMENTS:**

SPECIAL USE PERMITS

1. The person responsible for managing the property must submit a special use permit application to the City containing a site review plan demonstrating how the land use will comply with all applicable ordinance provisions and a conflict resolution plan.

2. Conflict resolution: The person responsible for managing the property shall have a neighbor conflict resolution plan. If conflicts cannot be resolved, they will be referred to the zoning administrator for enforcement.

3. There shall be a sign visible and legible from the front of the property with the name and contact information for the person responsible for managing the property. Contact information may be a phone number or email address.

**SECTION 1256.04 OF CHAPTER 1256 – DM-3- RESIDENTIAL DISTRICT IS AMENDED BY ADDING
SUBSECTION 1256.04 (I) AS FOLLOWS:**

**(I) URBAN FARM AND FARM STAND AS AN ACCESSORY USE TO AN APPROVED URBAN FARM
SUBJECT TO THE FOLLOWING CONDITIONS AND REQUIREMENTS:**

SPECIAL USE PERMITS

1. The person responsible for managing the property must submit a special use permit application to the City containing a site review plan demonstrating how the land use will comply with all applicable ordinance provisions and a conflict resolution plan.

2. Conflict resolution: The person responsible for managing the property shall have a neighbor conflict resolution plan. If conflicts cannot be resolved, they will be referred to the zoning administrator for enforcement.

3. There shall be a sign visible and legible from the front of the property with the name and contact information for the person responsible for managing the property. Contact information may be a phone number or email address.

**SECTION 1258.04 OF CHAPTER 1258 – DM 4 RESIDENTIAL DISTRICT IS AMENDED BY ADDING
SUBSECTION 1258.04 (I) AS FOLLOWS:**

(I) URBAN FARM AND FARM STAND AS AN ACCESSORY USE TO AN APPROVED URBAN FARM SUBJECT TO THE FOLLOWING CONDITIONS AND REQUIREMENTS:

SPECIAL USE PERMITS

1. The person responsible for managing the property must submit a special use permit application to the City containing a site review plan demonstrating how the land use will comply with all applicable ordinance provisions and a conflict resolution plan.

2. Conflict resolution: The person responsible for managing the property shall have a neighbor conflict resolution plan. If conflicts cannot be resolved, they will be referred to the zoning administrator for enforcement.

3. There shall be a sign visible and legible from the front of the property with the name and contact information for the person responsible for managing the property. Contact information may be a phone number or email address.

SECTION 1279.06 OF CHAPTER 1279 – OVERLAY DISTRICTS IS AMENDED BY ADDING THE FOLLOWING:

GARDENS, COMMUNITY GARDENS, AND URBAN FARMS REQUIRE A SPECIAL LAND USE PERMIT IN ACCORDANCE WITH THE CONDITIONS AND REQUIREMENTS OF THE UNDERLYING DISTRICT.

Section 2. All ordinances, resolutions or rules, parts of ordinances, resolutions or rules, inconsistent with the provisions hereof are hereby repealed in their entirety and shall be void and of no effect.

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 declared to be invalid.

Section 4. This Ordinance shall take effect on the 30th day after enactment unless given immediate effect by the City Council.

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