



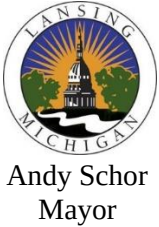
LANSING PLANNING COMMISSION
Regular Meeting
Wednesday, May 8, 2024, 6:30 p.m.
Neighborhood Empowerment Center
600 W. Maple Street, Lansing, MI 48906

AGENDA

- 1. OPENING SESSION**
 - A. Roll Call**
 - B. Excused Absences**
- 2. APPROVAL OF AGENDA**
- 3. COMMUNICATIONS**
- 4. PUBLIC HEARINGS & ITEMS FOR ACTION**
- 5. COMMENTS FROM THE AUDIENCE (please limit comments to 3 minutes per person)**
- 6. RECESS**
- 7. BUSINESS**
 - A. Consent Items**
 - (1) Minutes for approval: March 5, 2024 and April 2, 20241**
 - B. Old Business**
 - (1) Draft Sign Ordinance 2**
 - C. New Business**
 - (1) Act-2-2024, Pawlowski Creek Drain Easement 3**
- 8. REPORT FROM PLANNING & ZONING OFFICE**
 - A. Draft Form-Based Zoning Code, Second Amendment 4**
 - B. Draft Form-Based Zoning Code, Accessory Dwelling Unit Amendment 5**
- 9. COMMENTS FROM THE CHAIRPERSON**
- 10. COMMENTS FROM COMMISSION MEMBERS**
- 11. PENDING ITEMS: FUTURE ACTION REQUIRED**
- 12. ADJOURNMENT**

Next Regularly Scheduled Meeting: Tuesday June 4, 2024

For special accommodations, please give 24 hours' notice prior to the meeting by calling Sue Stachowiak in the Planning Office at 517-483-4085 or by dialing (tty 711).



LANSING PLANNING COMMISSION
Regular Meeting
March 5, 2024 - 6:30 p.m.
Neighborhood Empowerment Center
600 W Maple Street, Lansing, MI

MINUTES – DRAFT

1. OPENING SESSION

Mr. Hovey called the meeting to order at 6:30 p.m.

- a. Present: Katie Alexander, Tony Cox, Josh Hovey, Monte Jackson, Shane Muchmore (arrived at 6:43), Ted O'Dell & John Ruge
- b. Absent:
- c. Staff: Sue Stachowiak Zoning Administrator, Barb Kimmel EDP Development Division Manager, Andy Fedewa Principal Planner

2. APPROVAL OF AGENDA – The agenda was approved by unanimous consent.

3. COMMUNICATIONS

Emma Henry, Executive Director of Capital Area Housing Partnership, email regarding the need for continued funding through the CDBG, HOME, and ESG to support its programs.

Mitch Rice, member of the Lansing Board of Zoning Appeals, email in support of the draft Sign Ordinance.

4. PUBLIC HEARINGS & ITEMS FOR ACTION

A. City of Lansing Annual Action Plan, Citywide Needs Hearing and Proposed Funding Allocations FY 2024-2025

Ms. Kimmel introduced Jason Smith on behalf of Wade Trim. Mr. Smith stated that Wade Trim has worked with Lansing as a consultant for the last three Annual Action Plans as well as the 5-year Plan in 2022. These plans detail the City's funding strategy with the Community Development Block Grants (CDBG), HOME Investment Partnership (HOME), and Emergency Solutions Grant (ESG) programs through the US Department of Housing and Urban Development (HUD) each year.

Mr. Smith reviewed the estimated funding amounts for various projects under each program such as, but not limited to, homeowner housing rehabilitation, rental unit rehabilitation, down payment assistance, housing construction, homelessness prevention, and shelter operations. Mr. Smith explained the timeline for the public comment period, public hearing at City Council, and City Council's adoption.

Mr. O'Dell asked for clarification on the \$1,000 amount for blight removal and if neighborhood clean-ups were a form of blight removal. Ms. Kimmel explained that neighborhood clean-ups are conducted in CDBG Eligible neighborhoods by established neighborhood groups with the city department of Neighborhoods, Arts, and Citizen Engagement (NACE). Blight removal, i.e. demolition, is conducted one of two ways, either through partnership with the Ingham County Land Bank or with FEMA funds to remove houses from the floodplain. Because of these other methods the department does not anticipate conducting demolitions using CDBG funds.

Mr. O'Dell asked how funding is allocated to shelters. Ms. Kimmel answered that the funding is allocated by the local Continuum of Care after an application process.

Mr. Muchmore asked if applicants applying for homeowner downpayment assistance have challenges obtaining mortgages because lenders think 80% of the area median income in Lansing is too low to offer mortgage products. Ms. Kimmel answered that they have not experienced that with lenders. Ms. Kimmel stated that there were four applicants for downpayment assistance so far, this fiscal year.

Ms. Alexander asked how residents and community groups apply to access program funds. Ms. Kimmel answered that the City works through partner organizations and other City departments in established processes and that all information is available on the city website.

Mr. Hovey stated that the Planning Commission understands that it reviews estimated allocations and questioned how far the funding amounts are off each year. Ms. Kimmel replied that the department always bases their numbers on the previous allocation amounts and variations of the final funding amounts are usually less than 5% from the proposed amounts. She explained that the budget is adjusted proportionally.

Mr. Hovey opened the public hearing.

Randy Dykhuis, N Sycamore St., asked the Planning Commission what type of projects are funded through the homeowner housing rehabilitation program. Ms. Kimmel replied that there is a hierarchy of considerations with prioritization of more serious repairs.

Angela Pruitt, Executive Director of Closing the Digital Gap, spoke in support of its programs and for increased funding for the 'economic development and business technical assistance' program.

David Stone, Chester Rd., spoke in support of funding for Closing the Digital Gap.

Seeing no one else wishing to speak, Mr. Hovey closed the public hearing.

Mr. O'Dell made a motion, seconded by Mr. Cox to recommend approval of City of Lansing Annual Action Plan, Proposed Funding Allocations FY 2024-2025.

On a voice vote, the motion passed unanimously (7-0).

5. COMMENTS FROM THE AUDIENCE

Fred McLaughlin, W Holmes Road spoke about how the placement of signs and art can be a distraction and safety hazard for bicyclists.

6. RECESS – Not taken.

7. BUSINESS

A. Consent Items

(1) Minutes for approval: January 17, 2024

The minutes from the January 17, 2024 Planning Commission meeting were approved without objection.

B. Old Business – None

C. New Business – None

8. REPORT FROM PLANNING & ZONING OFFICE

A. Introduction of the Draft Sign Ordinance

Ms. Stachowiak introduced the draft of a new Sign Ordinance that would repeal and replace the existing ordinance. She explained that the existing ordinance is outdated with references to former zoning districts and conflicts with current case law in regard to free speech. Ms. Stachowiak briefly reviewed some of the main sections of the draft ordinance included in the agenda packets, including maintenance and enforcement, temporary signs, wall, freestanding, and window signs.

Mr. Ruge asked about signs that cover windows and how they are enforced. Ms. Stachowiak answered that City Council established a standard that signs cannot cover more than 20% of a window and that restriction will carry over to the new ordinance. She explained that the Commercial Corridor Specialist is responsible for enforcing the sign ordinance.

Mr. Muchmore asked if the city investigates the phone numbers listed on temporary signs placed within the rights-of-way for enforcement and court action. Ms. Stachowiak replied that the City has absolute authority to remove those signs and does so daily, but it is difficult to establish who actually placed the sign there or if those phone numbers are valid or traceable to real people.

Mr. Fedewa stated a public hearing on the draft ordinance will be held at the April 2, 2024, meeting, after which staff will be requesting that the Commission vote on a recommendation to the City Council. Mr. Hovey requested a presentation of the draft ordinance for the Commission's review and the source materials that the proposed rules were based upon.

B. Form-Based Zoning Code, Second Amendment

Mr. Fedewa explained that the Form-Based Zoning Code was originally adopted March 2021 and that a first amendment fixing technical errors was adopted in January of 2022. He stated that planning and zoning staff has continually reviewed how the new zoning code has impacted proposed development and how its provisions have been enforced and saw a need for another set of amendment to address the issues that arose. Mr. Fedewa briefly revised some of the more significant changes which include eliminating and consolidating several zoning districts and the uses allowed thereunder.

Mr. Fedewa stated that there is a citizen advocacy group that is requesting changes to the ordinance to permit increased density, and more flexible housing options such as rooming houses, cooperatives, cottage courts, and accessory dwelling units.

Mr. O'Dell asked if a prohibition on use of ADU's for short-term rentals is being considered. Mr. Fedewa answered that they did consider regulations requiring homeowner occupancy of one unit on the lot and prohibiting short-term rentals but ultimately decided against recommending them to allow more flexibility for property owners and because Lansing does not have the same tourist market as other communities that have a much greater demand for short-term rentals.

Mr. Fedewa stated that review materials and the full proposed draft will be forwarded to Planning Commission members in the coming weeks.

9. COMMENTS FROM THE CHAIRPERSON

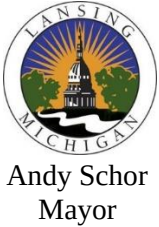
Mr. Hovey reminded commission members that two major developments are being proposed for the City and that the opportunity for residents to become more involved in supporting the state funding currently being considered by the City Council.

10. COMMENTS FROM COMMISSION MEMBERS

Mr. Muchmore spoke on his background in broadband installation for 'last-mile internet' and the necessity of universal digital literacy to take advantage of that work. Mr. Muchmore expressed his support for increasing types of funding that assist digital literacy programs.

11. PENDING ITEMS: FUTURE ACTION REQUIRED – None

12. ADJOURNMENT – The meeting was adjourned at 7:35 p.m.



Andy Schor
Mayor

LANSING PLANNING COMMISSION
Regular Meeting
April 2, 2024 - 6:30 p.m.
Neighborhood Empowerment Center
600 W Maple Street, Lansing, MI

MINUTES – DRAFT

1. OPENING SESSION

Ms. Alexander called the meeting to order at 6:40 p.m.

- a. Present: Katie Alexander, Shane Muchmore (arrived at 6:54), John Ruge
- b. Absent: Tony Cox, Josh Hovey, Monte Jackson, Ted O'Dell
- c. Staff: Andy Fedewa Principal Planner, Zachary Driver Commercial Corridor Specialist

No quorum present

2. APPROVAL OF AGENDA

3. COMMUNICATIONS

Norma Bauer submitted an article about fare-free public transit to the Planning Commission.

4. PUBLIC HEARINGS & ITEMS FOR ACTION

A. Draft Sign Ordinance, Chapter 1310

Mr. Fedewa presented an overview of the proposed sign ordinance that will repeal and replace the current ordinance, Chapter 1442. The current ordinance utilizes former zoning districts to determine various regulations and has many regulations that were nullified by the case Reed vs. Town of Gilbert.

Ms. Alexander asked if the number of allowed projecting signs and wall signs will lead to excessive signage. Mr. Fedewa stated that the sign area of all wall signs is calculated together and capped by a maximum square footage of total sign area. Projecting signs are limited to 16 square feet, but when a projecting sign is utilized in lieu of a wall sign it is still limited by the total allowable wall sign area. A business owner will have to determine how their signs fit within that limit.

Mr. Ruge stated his concern about signs exempted from permitting. Mr. Fedewa clarified that even though some types of signs will not need sign permits, they are still regulated by other rules elsewhere in the ordinance.

Mr. Muchmore asked about limiting signage placed in rights-of-way and how the city can cite the people that leave them since their phone numbers are on the sign. Mr. Driver replied that he and numerous other employees from Code Enforcement and Public Service remove those signs when they can. Mr. Driver stated that he does call the numbers on a case by case basis to warn people to not place signs in the rights-of-way.

Mr. Muchmore asked if the rules for sign setbacks are adequate to limit conflicts with vehicle lines of sight at intersections and driveways. Mr. Fedewa answered that staff is very sensitive to that safety issue and clear vision areas are protected in the proposed sign ordinance and the form-based zoning code.

Mr. Ruge stated that he is concerned that tall ‘pole’ freestanding signs will still be allowed under the proposed regulations instead of allowing only ‘monument’ freestanding signs like other communities to limit visual blight. Mr. Fedewa replied that staff did debate the two types of signs and stated commission members are welcome to offer alternatives to staff’s recommendations to City Council.

Ms. Alexander opened the public hearing.

Norma Bauer asked how nonconforming signs will be removed. Ms. Alexander allowed staff to respond. Mr. Fedewa stated that many existing signs will be considered legally nonconforming which means they will be allowed to stay as legally required by zoning case law. There will be opportunities to remove nonconforming signs as they are abandoned and when properties are redeveloped.

Mitch Rice, member of the Board of Zoning Appeals, spoke in support of the draft sign ordinance and mentioned how he thinks the proposed rules will limit the amount of variance applications that are reviewed by the BZA.

Seeing no one else wishing to speak, Ms. Alexander closed the public hearing.

Mr. Ruge asked if projecting signs will be allowed to project over the rights-of-way. Mr. Fedewa replied that they may project over the sidewalk as long as there is 10 feet of vertical clearance below them. They will not be allowed to project into the street area.

Ms. Alexander asked if the Board of Zoning Appeals has reviewed the proposed ordinance as the body that grants variances. Mr. Fedewa stated that staff has not yet presented to them.

5. COMMENTS FROM THE AUDIENCE

Ms. Bauer spoke on conditions in the Lansing metropolitan region and on the coordination between surrounding municipalities. Ms. Bauer spoke in favor of fare-free public transit.

Mr. Rice asked staff to confirm if 6525 S Pennsylvania Ave. was in violation of the sign ordinance.

6. RECESS – Not taken.

7. BUSINESS

A. Consent Items – None

B. Old Business – None

C. New Business – None

8. REPORT FROM PLANNING & ZONING OFFICE – None

9. COMMENTS FROM THE CHAIRPERSON – None

10. COMMENTS FROM COMMISSION MEMBERS – None

11. PENDING ITEMS: FUTURE ACTION REQUIRED – None

12. ADJOURNMENT – The meeting was adjourned at 7:17 p.m.

Draft Sign Ordinance

CITY OF LANSING

PLANNING COMMISSION APRIL 2, 2024

Background

The existing Sign Ordinance (Chapter 1442) was adopted in 1990 with minor revisions since then.

Its length can make it difficult to navigate and understand.

The former zoning districts determine various regulations for types of signs, setbacks, and sign area. Since implementation of the Form-Based Zoning Code (2021) this chapter has been difficult to administer.

Reed vs Town of Gilbert clarified when municipalities may not impose content-based restrictions on signage.

Sign Ordinance needs to reflect the current districts and be comprehensively updated.

Staff utilized the 'MI Sign Guidebook' (2021), South Bend, IN ordinance, and the Office of the City Attorney to craft the proposed language.

What is covered?

Existing Chapter 1442 sections

Purpose

Definitions

Scope of requirements

Enforcement

Sign work; license required; exception

Sign Permits

Unsafe and dangerous or unlawful signs; notice to correct or remove

Maintenance and inspection

Existing Signs

Nonconforming signs and billboards

Design and Construction

Ground Pole Signs

Wall and Projecting Signs

Canopy Signs

Window Signs; Permitted Zoning districts

Residential Identification wall signs

Institutional Wall Signs

Mobile Temporary Signs

Message Unit

Prohibited Signs

Billboards

Capital Center District

Sign Regulations applicable to the Capitol Center District

Gateway and entrance marker signs

Signage in shopping centers and planned commercial centers

Public art Exemption

Proposed Chapter 1310 sections

1310.01 Intent and Substitution

1310.02 Applicability

1310.03 Definitions

1310.04 Licensing, Permits, and Fees

1310.05 Illumination

1310.06 Maintenance

1310.07 Enforcement

1310.08 General Sign Provisions

1310.09 Exemption from Permitting

1310.10 Prohibited Signs

1310.11 Temporary Signs

1310.12 Wall Signs

1310.13 Freestanding Signs

1310.14 Window Signs

1310.15 Awning/Canopy Signs and (gas station) signs

1310.16 Projecting Signs

1310.17 Neighborhood Entranceway Signs

1310.18 Variances and Appeals

What is the same?

For legal reasons, the following sections mostly utilize existing language, but may have been strengthened on recommendation from the Office of the City Attorney

- Licensing, Permits and Fees
- Maintenance
- Enforcement
- Variances and Appeals
- Prohibited Signs - inclusion of abandoned sign structures to remove blighted, nonconforming freestanding poles.
- Window Signs - limited to 20% of window area to follow precedent set by City Council

1310.08 General Sign Provisions

Signs are only accessory structures, not a standalone, principal use.

Signs installed by Federal, State or City governments in the downtown core are largely exempt but must be approved by the director of Economic Development and Planning (EDP)

Protect the clear vision areas along streets and driveways from signs

Rules for electronic/digital signs

- Signs within 200 feet of residential must be turned off between 11:00 pm and 7:00 am.
- Limited to 20 sq. ft. downtown.

Standards for measuring sign area.

Protect landscaping from being cut or trimmed for signs.

1310.09 Exempt from Permitting

Existing

Signs less than 10 sq. ft.

Allowed Temporary Signs (e.g. real estate, construction, election, garage sales)

Proposed

Signs less than 10 sq. ft.

Address number signs

Signs installed by any government body, statute, ordinance, or traffic sign

Construction/work zone signs

Temporary sidewalk sign

Suspended sign

Allowed Temporary signs

1310.11 Temporary Signs

Existing

One temporary sign with standards of height, number, and duration determined by sign content (e.g. real estate, construction, election commercial, garage sales).

Mobile Temporary Signs (mobile frame or trailer signs) had their own section and regulations.

Proposed

Maximum of one sign.

Removed distinctions of content (Reed vs Town of Gilbert).

Temporary freestanding signs limited to 32 sq. ft.

Temporary wall signs limited to 50 sq. ft.

All signs limited to 30 days, twice during a calendar year.

Additional sign allowed during the lease or sale of a property.

Mobile temporary signs as previously defined not permitted.

1310.12 Wall Signs

Existing

Permitted on non-residential districts.

Two wall signs per building.

Sign size determined by length of building frontage up to a maximum.

Projecting signs were permitted only when a ground pole sign wasn't allowed.

Proposed

One sign per building wall facing different directions (max. four).

Maintains maximum sign sizes in existing ordinance.

Consideration of mixed-use, multi-tenant buildings. Each business is allowed a sign based on occupied frontage. Limited to the same size maximums.

1310.13 Freestanding Signs

Existing (termed ground pole sign)

Not allowed in residential or office districts.

One sign per parcel, allowance of additional sign on corner properties.

Permitted setback, height, and size determined by tiered table (1442.12 Chart I and II).

Further limits dependent on zoning district and parcel size

Proposed

General: commercial, industrial, and institutional districts

- Setback – at least 10' but not more than 15'.
- Height limit - 25'
- Size limit – 120 sq. ft.

MX-3, DT-1, DT-3, and multi-family districts

- Setback – 6'
- Height limit – 6'
- Size limit – 32 sq. ft.

1310.13 Freestanding Signs - continued

Proposed

Parcels with institutional land uses (e.g. hospitals, schools)

- Additional sign allowed at each entrance

Additional freestanding signs allowed within interior of school and hospital campuses, parks, multi-family developments.

Multi-tenant signs

- Setback – 10' to 30'
- Height – 25' max
- Size limit – 200 sq. ft.

Freestanding signs not allowed on vacant property and close loophole of businesses that cover multiple parcels that are not combined.

1310.15 Awning/Canopy Signs

Existing

Considered wall signs to determine regulations.

Proposed

Maintain that signs on an awning/canopy count toward allowable number and size area of wall signage limit.

Electronic signs not allowed.

Allowed only on first-floor.

Rules for service station (gas station) canopies.

- One sign per each side of canopy
- Limited to 25% of canopy area
- Electronic signage allowed

1310.16 Projection Signs

Existing

Were only allowed when ground pole signs weren't feasible.

May project up to 4' from building.

Size limit – 32 sq. ft.

Sign area subtracted from wall sign limit.

Proposed

One sign per business.

May project up to 4'6" from building.

Size limit – 16 sq. ft.

A projecting sign at the corner of a building may be permitted in exchange for one wall sign.

Minimum of 8' separation between projecting signs

1310.17 Neighborhood Entranceway Signs

Existing

Required approval from Planning Board and City Council

Must be on city-owned land

Advertising allowed, up to 50% of sign area

Proposed

Must identify a residential development or neighborhood org. only.

May be on ROW or neighborhood property

Height – 6'

Size limit – 50 sq. ft.

Sign content cannot change.

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
1310.02	APPLICABILITY AND SUBSTITUTION
1310.03	DEFINITIONS
1310.04	LICENSING, PERMITS, AND FEES
1310.05	ILLUMINATION
1310.06	MAINTENANCE
1310.07	ENFORCEMENT
1310.08	GENERAL SIGN PROVISIONS
1310.09	EXEMPTION FROM PERMITTING
1310.10	PROHIBITED SIGNS
1310.11	TEMPORARY SIGNS
1310.12	WALL SIGNS

1310.13 FREESTANDING SIGNS

1310.14 WINDOW SIGNS

**1310.15 AWNING/CANOPY SIGNS AND VEHICLE SERVICE
STATION CANOPY SIGNS**

1310.16 PROJECTING SIGNS

1310.17 NEIGHBORHOOD ENTRANCEWAY SIGNS

1310.18 VARIANCES AND APPEALS

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.

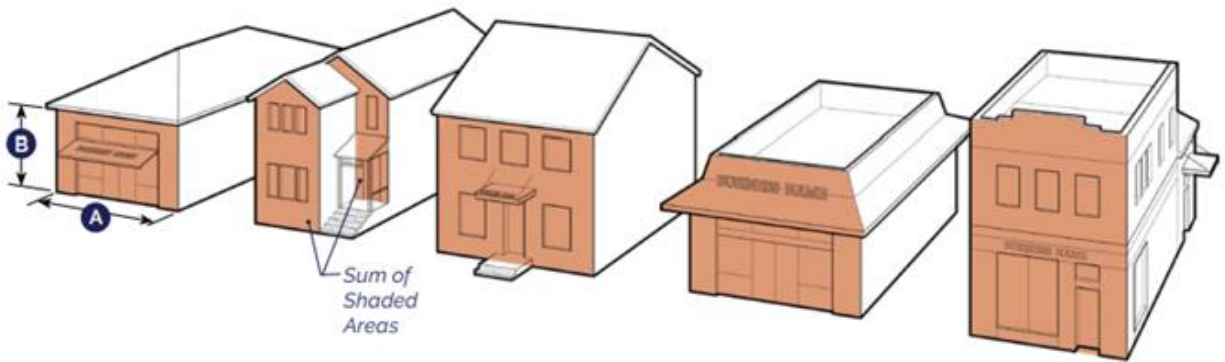
AREA. The entire area of a sign within the limits of writing or pictorial representation together with any frame, other material, or color forming an integral part of the display, but excluding the necessary supports or uprights on which such sign is attached. The area shall be determined by measuring 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. An 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

1 liability insurance policy and enforcement which insures the licensee and the City against
2 any liability imposed upon the licensee and/or the City arising out of the work performance
3 for the signs. Such insurance shall provide for the payment to any person injured, or to
4 another by reason of the death of any one person, to the extent of \$100,000.00, and for the
5 payment of \$300,000.00 for injuries to or the death of more than one person, and for property
6 damage in the amount of \$100,000.00.

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

14 (d) **Permit Application.** Each sign permit application shall require the applicant to provide the
15 following information:

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

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

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

20 (4) All points of ingress and egress on the subject parcel and on adjacent parcels if there
21 are adjacent parcels within 60 feet of the proposed sign location or alteration, and the
22 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.

(e) 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.

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

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

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

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

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

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

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

(h) **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.

(i) **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 adjoining 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

1 **Court ordered enforcement.** If ordered by a court, any cost incurred by the City in removing
2 or making the sign safe shall be a lien against the real property on which the sign is located,
3 and shall be reported to the City Assessor, who shall bill the property owner and/or other
4 known responsible party and assess the cost against the property until paid. Any property
5 owner and/or other known responsible party aggrieved by the determination of the
6 authorized enforcing officer, may appeal the determination as provided in Section 1310.04(f).

7 **(c) Legally Nonconforming Signs, Sign Structures.** Legally Nonconforming Signs or Sign
8 Structures shall be immediately removed by the property owner and/or other responsible
9 parties, consistent with standards for loss of legal nonconformity of [Chapter 1270](#). The
10 authorized enforcing officer shall notify the property owner and/or other known responsible
11 parties in writing of such condition and shall direct them to remove the sign or sign structure
12 in question. Should the property owner and/or other known responsible parties fail to
13 comply with such notice, the authorized enforcing officer shall take all action necessary to
14 remove the nonconformity, including pursuing Court ordered enforcement. If ordered by a
15 court, any cost incurred by the City in removing the sign or sign structure shall be a lien
16 against the real property on which the sign or sign structure was located, and shall be
17 reported to the City Assessor, who shall bill the property owner and/or other known
18 responsible party and assess the cost against the property until paid. Any property owner
19 and/or other known responsible party aggrieved by the determination of the authorized
20 enforcing officer, may appeal the determination as provided in Section 1310.04(f).

21 **(d) Right-of-Way Signs.** Except as otherwise provided in [Chapter 1022](#), signs illegally placed in
22 the public right-of-way may be removed and disposed of by the City, without notice to the
23 owner of the property adjoining the right-of-way or the owner of the sign. The City may also
24 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 7:00 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) No sign message shall blink, scroll, flash, or be animated.

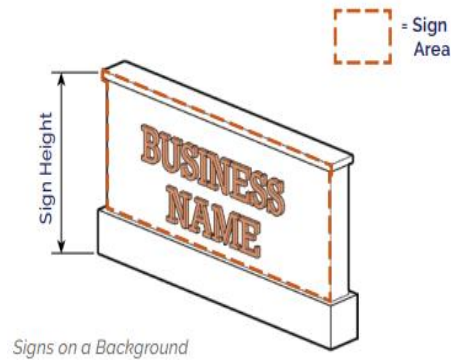
(5) All messages shall remain static while being displayed but may instantly change once every eight (8) seconds or longer.

(6) 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.

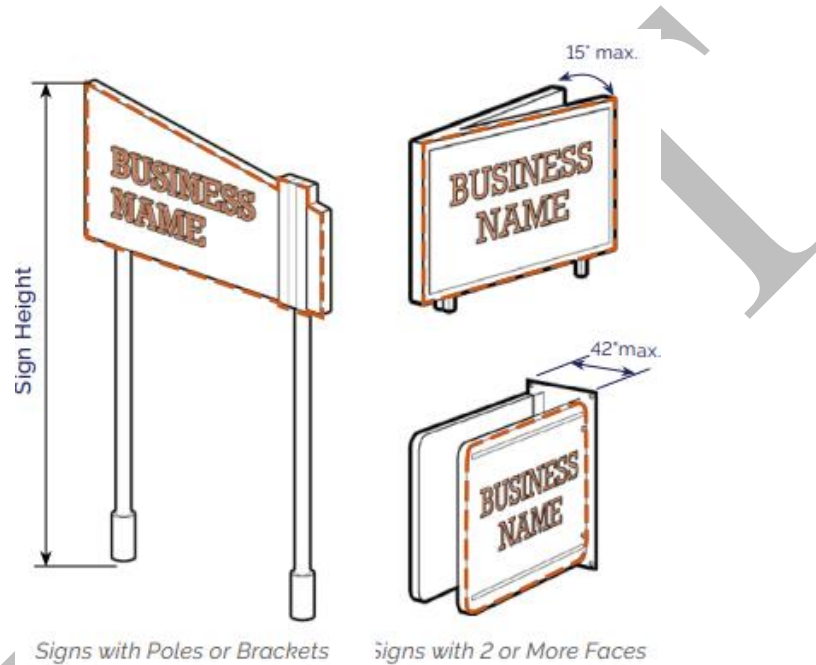
[FIGURE 6]



- (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

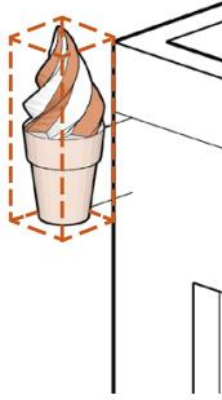
no greater than fifteen (15) degrees from one another so that both faces cannot be viewed from any point at the same time, the sign surface area shall be computed by the measurement of one (1) of the sign faces. In addition, sign faces that are part of the same sign structure shall not be more than forty-two (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]



- 1
- 2 (f) **Preservation of Required Landscaping.** No tree or shrub that was installed as part of an
- 3 approved site or landscape plan for the property upon which it is planted, or which is
- 4 otherwise required to comply with the requirements of the Zoning Ordinance, may be
- 5 removed or trimmed to the extent that it may not survive, in order to accommodate a sign.
- 6 Upon request, the Zoning Administrator may approve the relocation or replacement of plant
- 7 materials, if it can be done in a manner that satisfies the requirements and the intent of the
- 8 Zoning Ordinance regarding landscaping, screening, and buffering.

9 **1310.09 EXEMPTION FROM PERMITTING**

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

11 this chapter:

- 12 (a) **Address Number Sign.** A sign that identifies the address of a property, structure, or
- 13 establishment, provided it does not exceed four (4) square feet in area for buildings
- 14 containing four (4) residential units or fewer and no other uses or sixteen (16) square feet in
- 15 area for a building containing five (5) or more residential units or any non-residential uses.
- 16 (b) **Public sign.** Public signs as defined by this Chapter and notices erected, authorized, or
- 17 mandated by any governmental law, statute, ordinance, or signs that conform to the U.S.
- 18 Department of Transportation, Federal Highway Administration's Manual on Uniform
- 19 Traffic Control Devices and is installed for the purpose of directing or instructing traffic.

1 (c) **Construction/Work Zone Signs.** Signs designating construction/work zones, signs warning
2 people to keep out of certain areas due to hazardous conditions, and signs identifying the
3 future development of the site for which the construction fence is erected may be affixed to
4 the fence, subject to the following conditions:

5 (1) Shall not be in the public right-of-way unless the project involves permitted work in
6 the public right-of-way or unless the sign is affixed to an authorized temporary fence
7 or barricade around the construction/work zone area in the public right-of-way.

8 (2) Must be removed within five (5) calendar days upon completion of the project.

9 (3) Signs are allowed on each frontage of the construction/work zone.

10 (4) Shall not extend beyond the top or the ends of the support structure to which it is
11 attached.

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

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

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

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

20 (4) Sign shall not interfere with ingress and egress to a building, parking lot or street;
21 shall always maintain a minimum of five (5) feet of unobstructed sidewalk clearance;
22 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.

1 **(2) Shall only be permitted on parcels that have at least one (1) property line abutting a**
2 **non-local street and shall be oriented toward a non-local street.**

3 **(3) A temporary freestanding sign shall not exceed thirty-two (32) square feet in area.**

4 **(4) A temporary wall sign shall not exceed fifty (50) square feet in area.**

5 **(5) May be internally illuminated, except as otherwise prohibited under the Chapter.**

6 **(6) An additional temporary sign may be allowed per parcel when the parcel, building,**
7 **or building suite to which the sign relates is being offered for sale or lease subject to**
8 **the following restrictions:**

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

10 **b. One (1) sign is allowed per street frontage.**

11 **c. Sign shall not interfere with ingress and egress to a building, parking lot or**
12 **street, shall always maintain a minimum setback of five (5) feet from a**
13 **property line abutting a road right-of-way and shall not interfere with**
14 **visibility at the intersection of any street or driveway.**

15 **d. Sign shall not exceed twelve (12) square feet in area and four (4) feet in height**
16 **on residential parcels of land that have twenty (20) residential units or fewer**
17 **or on parcels of land containing nonresidential uses that are less than one-half**
18 **(0.5) acres in size.**

19 **e. Sign shall not exceed thirty-two (32) square feet in area and six (6) feet in**
20 **height on residential parcels of land containing more than (20) residential**
21 **units or on parcels containing nonresidential uses that exceed one-half (0.5)**
22 **acres in size.**

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

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

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

13 **(b) Temporary Freestanding Signs:**

- 14 **(1) Shall be subject to the site visibility requirements of Section 1250.03.03 of the Zoning**
15 **Ordinance.**
- 16 **(2) Shall be setback at least ten (10) feet from a property line abutting a public right-of-**
17 **way line.**
- 18 **(3) Shall not exceed six (6) feet in overall height.**
- 19 **(4) No temporary sign of any kind, except for sidewalk signs and construction/work zone**
20 **signs as permitted and regulated by this Chapter, shall be allowed in the public right-**
21 **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

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

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

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

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

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

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

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

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

18 **(8) In addition to wall signs, buildings that have at least five (5) stories above ground and**
19 **are not used solely for residential purposes may have one (1) building identification**
20 **sign on each of the four (4) walls of the highest floor of the building facing different**
21 **directions. The building identification signs shall not exceed one hundred (100) square**
22 **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) 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 business 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 ten (10) 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) 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 **(1) One (1) freestanding sign shall be permitted on each parcel of land containing a non-**
2 **residential use, a mix of residential and non-residential uses or a multiple family**
3 **residential use with more than twenty (20) residential units. One (1) additional sign**
4 **may be permitted on a corner parcel that is more than five (5) acres in size and has**
5 **frontage along and direct access to two (2) non-local roads, if both signs are not**
6 **oriented towards and clearly visible from the same street.**

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

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

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

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

16 **(c) Institutional Uses.**

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

20 **(2) In all other zoning districts, one (1) freestanding sign shall be permitted on parcels**
21 **that are at least one-half (0.5) acre in size, have at least one (1) property line abutting**
22 **a non-local street and contain an institutional use in active operation. One (1)**
23 **additional sign may be permitted on a corner parcel that is more than five (5) acres**

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

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

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

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

12 (d) Multi-Tenant Signs

13 (1) Signs shall be permitted in the SC, MX-C, MX-1, MX-2, IND-1, IND-2, IND-3, INST-
14 1, and INST-2 zoning districts.

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

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

21 (4) Sign shall be setback at least ten (10) feet but no more than thirty (30) feet from the
22 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.

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

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

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

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

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

12 **(b) Motor Vehicle service station canopy signs.**

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

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

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

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

20 **(5) EMC signs are permitted.**

21 **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.

Act-2-2024, Pawlowski Creek Drain Easement - STAFF REPORT

An Act 33 Review is a planning level review of the **location, character, and extent** of public improvements and City property transactions. Act 33 Reviews are conducted by the City of Lansing pursuant to the provisions of the Michigan Planning Enabling Act (P.A. 33 of 2008) and Section 208 of the Lansing Code of Ordinances.

APPLICANT	City of Lansing Public Service Department
PROPOSAL:	Permanent easement for creek drain infrastructure
PARCEL(S):	See Aerial (page 3) 0 Aurelius Rd PID # 33-01-05-03-431-011 5700 Aurelius Rd. PID # 33-01-05-03-431-021
CURRENT OWNER(S):	-011 Ingham County Drain Commission -021 RJM LLC
EXISTING LAND USE & ZONING:	Use: -011 Vacant, -021 office/warehouse Zoning: IND-1
PROPERTY SIZE AND SHAPE:	n/a
SURROUNDING ZONING & LAND USE	North: IND-1; parking, office South: IND-1, parking West: IND-1, office, parking East: Delhi Township, Ingham County Road Dept.

ANALYSIS

BACKGROUND:

The City of Lansing Public Service Department proposes to obtain two permanent easements to facilitate the rebuilding of drain infrastructure for Pawlowski Creek where it intersects with Aurelius Road. A third easement is within the jurisdiction of Delhi Township. Temporary easements will be in place for the construction.

The existing drainage culvert consists of two metal pipes with headwalls at both ends. The existing headwalls are outside the Aurelius Rd. right-of-way. The proposed drainage culvert will consist of a concrete box culvert with concrete headwalls and aprons at each end. The proposed headwalls will continue to be outside of the right-of-way.

Public Service has not found any record of easements ever being obtained. The approval of these easements would guarantee the city is constructing the infrastructure legally.

The project is utilizing federal DOT funds.

Act-2-2024, Pawlowski Creek Drain Easement - STAFF REPORT

LOCATION:

Pawlowski Creek cuts northeast – southwest under the 5700 block of Aurelius Rd., halfway between E Jolly Rd. and E Miller Rd.

CHARACTER:

The creek drain infrastructure is being built where it currently exists.

EXTENT:

The extent of the infrastructure is within the current area of the creek and drain.

AGENCY REFERRALS

Lansing Board of Water and Light (BWL)

- No comment received.

Public Service Department:

- n/a

Building Safety Office:

- No comment received.

Lansing Fire Department:

- No comment received.

STAFF RECOMMENDATION

Staff recommends approval of Act-2-2024 as proposed.

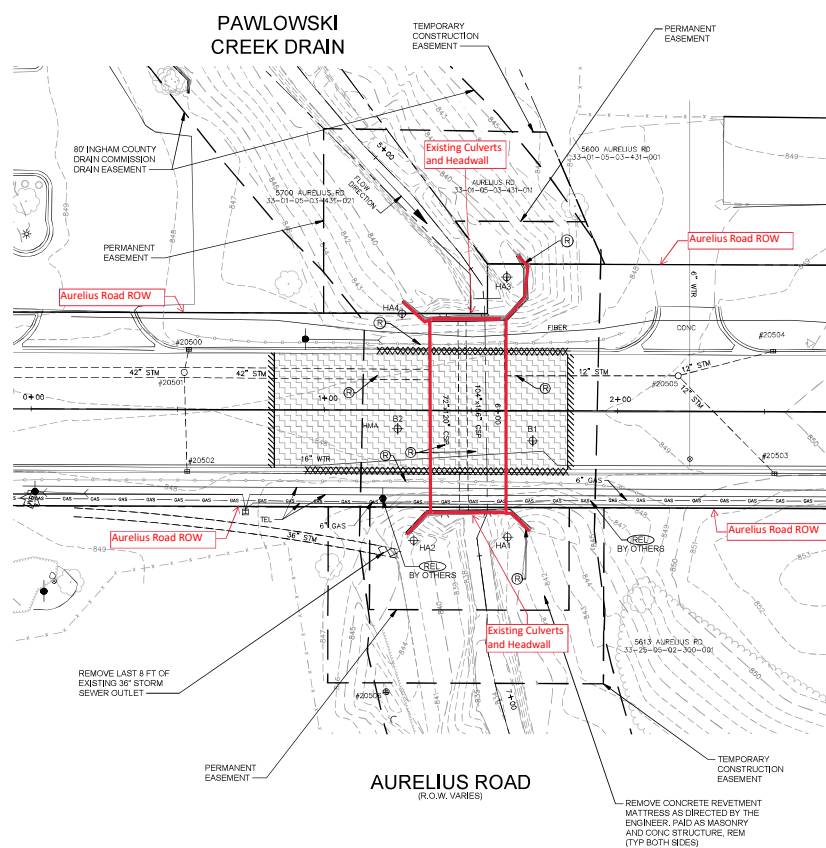
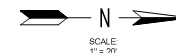
**Respectfully submitted,
Andy Fedewa, Planner**

AERIAL



THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK, AND AGREE TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

BENCHMARK #1 ELEV=849.18
SET SPIKE W SIDE UTILITY POLE ON THE
E SIDE OF AURELIUS RD. 30' NORTH OF
WALL LINE EXTENDED SEILER
GEOSPATIAL



REMOVALS

PROJECT NO.
23014

SHEET NO.

5 OF 15

CITY OF LANSING

**2023-2024 BRIDGE REPLACEMENT AND
PREVENTATIVE MAINTENANCE**

STRUCTURE: #13398 AURELIUS ROAD OVER PAWLOWSKI CREEK DRAIN



EngTM
Engineering & Surveying
www.engco2.com

4053 Grand Oak Drive Suite A103
Lansing, MI 48211
313.287.1703

16300 Rockledge Road Suite 105
Grand Haven, MI 49434
616.243.2700

2311 River Bluff Lane
Grand Rapids, MI 49508
616.243.1900

[illegible]

Case	Year	Country
1	1998	USA
2	1999	USA
3	2000	USA
4	2001	USA
5	2002	USA
6	2003	USA
7	2004	USA
8	2005	USA
9	2006	USA
10	2007	USA
11	2008	USA
12	2009	USA
13	2010	USA
14	2011	USA
15	2012	USA
16	2013	USA
17	2014	USA
18	2015	USA
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122	2119	USA
123	2120	USA
124	2121	USA
125	2122	USA
126	2123	USA



Andy Schor
Mayor

LANSING PLANNING COMMISSION
Regular Meeting
Wednesday, May 8, 2024 – 6:30 p.m.
Neighborhood Empowerment Center
600 W Maple Street, Lansing, MI

Agenda Item 8. A. Draft Form-Based Zoning Code, Second Amendment

Due to the large size of the draft please find an electronic copy at www.lansingmi.gov/374/Zoning under heading 'Draft Form-Based Zoning Code, Second Amendment'.

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 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] COOPERATIVE HOUSING. 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 Cooperative Household 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.
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.
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

CHANGES MADE FROM 'APPROVED 1-1-22' FOR SECOND AMENDMENT DRAFT – Table Version

			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 District Center MX-3 Mixed Use District Center DT-1 Urban Downtown Edge DT-2 Urban Downtown 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 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 <u>Section 1254.01.04</u>.
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	1243.05 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: [new] 4. An additional 50' setback for a single-loaded bay of parking or 70' of setback for a double-loaded bay of parking as permitted.

CHANGES MADE FROM 'APPROVED 1-1-22' FOR SECOND AMENDMENT DRAFT – Table Version

			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] (c) Parking: Allowed Surface Parking Locations Prime & Neighborhood Connector: On-street, Side or Rear yard Neighborhood Connector: Side or Rear yards
54-56	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 they are still protected by building step-backs and screening req.] Minimum Setback from adjacent R-1 through R-6R-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) (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]
70	1244.04 Residential Permitted Uses		Table 1244.04 Residential Districts Allowable Use Table [see document text]

CHANGES MADE FROM 'APPROVED 1-1-22' FOR SECOND AMENDMENT DRAFT – Table Version

75-76	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.
78-79	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.
81	1244.07.03 R-3 Site Layout Requirements		(a) Building Massing: Maximum Dwelling Units per lot – 4 6 (b) Building Placement: Front Setback – Lessor 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.
83-88	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]
89	1244.11 MFR Multi Family Residential	1244.08	
92	1244.12 R-MX Mixed Residential	1244.09	
95	1244.13 R-AR Adaptive Reuse Residential	1244.10	

CHANGES MADE FROM 'APPROVED 1-1-22' FOR SECOND AMENDMENT DRAFT – Table Version

102-106	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.
108-110	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.
111-114	1245.05 IND-2 1245.06 IND-3	Removed Removed	[REMOVED IND-2 and IND-3 Industrial districts]
115-117	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. Maximum Lot Coverage – 75% 100%
118	1245.08 INST-2	Removed	[REMOVED INST-2 Institutional district]
121-122	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.
123-127	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 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 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.

CHANGES MADE FROM 'APPROVED 1-1-22' FOR SECOND AMENDMENT DRAFT – Table Version

		[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) 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. (2) 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. (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.
127-131	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. 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.

CHANGES MADE FROM 'APPROVED 1-1-22' FOR SECOND AMENDMENT DRAFT – Table Version

			(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. (g) Building Articulation: (1) Primary Façade Articulation – Walls over 30' in length must include design articulation, windows or recesses (2) Primary Façade 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		(c) Building Articulation Primary Façade 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 Cooperative Housing	New	[new] (a) Cooperative Housing 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. (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 18 36 inches.
160	1250.04.01 Accessory Buildings and Structures, and Attached Garages	New	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.

CHANGES MADE FROM 'APPROVED 1-1-22' FOR SECOND AMENDMENT DRAFT – Table Version

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:

CHANGES MADE FROM 'APPROVED 1-1-22' FOR SECOND AMENDMENT DRAFT – Table Version

			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.

CHANGES MADE FROM 'APPROVED 1-1-22' FOR SECOND AMENDMENT DRAFT – Table Version

			(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 of eight (8) feet or 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. 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 turf grass 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]
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

CHANGES MADE FROM 'APPROVED 1-1-22' FOR SECOND AMENDMENT DRAFT – Table Version

			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.

CHANGES MADE FROM 'APPROVED 1-1-22' FOR SECOND AMENDMENT DRAFT – Table Version

			(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 number of long term bicycle parking spaces that is at least five (5) percent of the number of off street parking spaces actually provided.
247 & 273	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)]
261	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.
266	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]

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE LANSING
CODIFIED ORDINANCES BY AMENDING PART 12, TITLE 6, CHAPTERS 1250, TO
UPDATE THE ORDINANCE TO REFLECT CHANGES IN LAWS AND RULES AND THE
ADOPTED FORM-BASED ZONING CODE.

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 read 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
section 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 slab on 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 have ownership interest in the property.

(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.
	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 **MONTH DAY, 2029**.