Andy Schor
Mayor

LANSING PLANNING COMMISSION
Regular Meeting
Tuesday, June 4, 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

A. Form-Based Zoning Code, Draft Second Amendment and Accessory Dwelling Unit Amendment **1**

5. COMMENTS FROM THE AUDIENCE (please limit comments to 3 minutes per person)

6. RECESS

7. BUSINESS

A. Consent Items

(1) Minutes for approval: May 8, 2024 ..... **2**

B. Old Business

C. New Business

(1) **Act-3-2024**, Eaton Road, Street Vacation **3**

8. REPORT FROM PLANNING & ZONING OFFICE

9. COMMENTS FROM THE CHAIRPERSON

10. COMMENTS FROM COMMISSION MEMBERS

11. PENDING ITEMS: FUTURE ACTION REQUIRED

12. ADJOURNMENT

Next Regularly Scheduled Meeting: Tuesday July 2, 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).

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Tuesday, June 4, 2024, 6:30 p.m.
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Agenda Item 4. A. Form-Based Zoning Code, Draft Second Amendment and Accessory Dwelling Unit 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'.

Form-Based Zoning Code Second Amendment

CITY OF LANSING

PLANNING COMMISSION JUNE 4, 2024

Background

Form-Based Zoning Code overhauled zoning ordinance in 2021.

Technical revisions in 2022

Staff continually assesses feedback from developers and residents to determine what is working and what is causing conflicts.

Opportunity to:

- Merge zoning districts with few or no differences in land use regulations
- Amend allowable uses to assist development and control nuisances
- Improve the City's ability to administer and enforce the zoning ordinance

Zoning Districts

Merge Residential R-1, R-2, and R-3

- Low-density neighborhoods on the Future Land Use Map
- Wider and deeper parcels
- No differences between site layout requirements (setbacks, massing) and allowable uses

Merge Residential R-4, R-5, and R-6a

- Central neighborhoods surrounding Downtown in the Future Land Use Map
- Smaller parcels
- No differences between site layout requirements (setbacks, massing) and allowable uses

Zoning Districts

Merge Commercial “SC” Suburban Commercial and “MX-C” Mixed-Use Corridor

- Commercial zones along major corridors
- Allow similar commercial uses, mixed-use development, multi-family residential
- Additional land use conditions and regulatory controls can be determined by street type

Merge Commercial “MX-2” Mixed-Use Community Center and “MX-3” District Center

- Major commercial centers (Frandor, Logan Square) and districts (Old Town, REO Town, Michigan Ave.)
- Both types intended to facilitate dense redevelopment with mix of uses
- Additional land use conditions and regulatory controls can be determined by street type

Zoning Districts

Merge Industrial IND-1, IND-2, IND-3

- No distinction between ‘suburban’ and ‘urban’
- Additional land use conditions and regulatory controls can be determined by street type and distance from residentially used property

Merge Institutional INST-1, INST-2

- No distinction between ‘suburban’ and ‘urban’
- Standardized site layout requirements (setbacks, massing) and minimizing front yard parking.

Allowable Use Table – New land uses

Housing Cooperative

An incorporated group sharing ownership of a dwelling

Cottage Court

A group of 3 – 6 dwellings on a single parcel

Rooming House

Owner-occupied dwelling with bedrooms to rent for up to three occupants

Boarding House

A commercial enterprise that has individual units and may have shared kitchen or bathroom facilities

Consumer Goods Delivery

A business that warehouses and delivers goods, but does not have retail sales

Allowable Use Table – Revised land uses

Industrial

Various categories combined into broad ‘Assembly, Fabrication, Manufacturing, Production and Recycling’

Production and Retail Sales

Non-hazardous industrial that allows for retail sales on-site, but removes the 20% ground floor area threshold

Vehicle and outdoor sales

Separated into two categories:

1 – general vehicles and low-intensity outdoor sales.

2 – commercial or industrial vehicles, machinery, recreational vehicles and equipment

Self-Storage Rental (accessory)

Clearly defined rules to limit self-storage as an accessory use. Limited to rear areas of a building and no outdoor storage pods allowed.

Zoning Code Enforcement

- All materials stored within ~~20'~~ → 30' of fence shall not exceed height of fence
- Improved language to cite nuisance of noise, odors, smoke, fumes, dust
- Clarified rules to prohibit junk and scrap materials from being added to fences and dwellings
- Landscaping rules for native tree species, parking lot screening within 20' of residential properties, grass within parking lot islands, better controls to protect stormwater drains from mulch and stones.
- Limit front yard off-street parking expansion

Additional changes

- Decrease mandatory distance between non-residential and residential from 25’ to 10’. Increase upper-floor step-backs from second story to third story.
- Lower minimum house width from 24’ to 20’
- Clarify garage projection language
- Remove minimum lot size per dwelling/bedroom for 2-6 units
- Modify building articulation rules to stop inconsistent building design (random recesses, mixture of different building materials and cladding styles across multiple stories)
- Remove bicycle parking exemptions

Accessory Dwelling Unit Amendment

Proposed in R-1, R-2, R-3, R-MX, and DT-1

Parcel must be at least 1.5x the minimum lot size

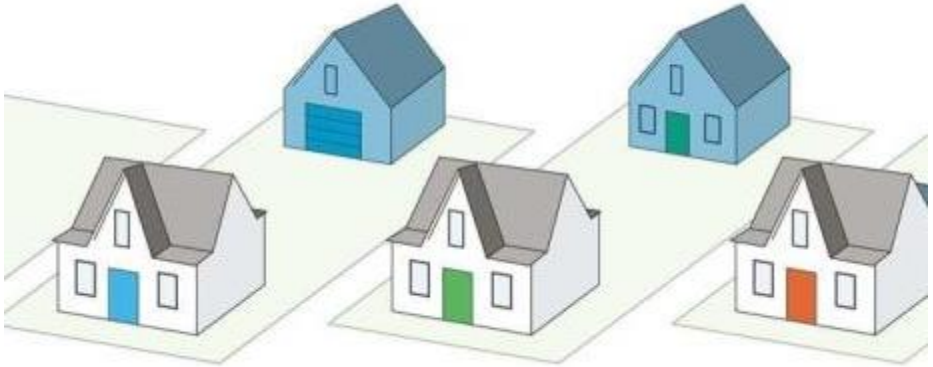
Detached or garage-unit

Height limit: 15’ (detached), 20’ (garage)

400 – 1,000 sq. ft, but not larger than principal dwelling

2-bedroom maximum

33% rear yard coverage maximum



Page	Section	Proposed Section	Proposed Language
6	1240.04.02 Definitions		**[new] BOARDING HOUSE. A structure in which lodgers rent a room for extended periods of time and share common areas of the house such as kitchens, bathrooms, and lounging rooms, and where some services such as meals, laundry, and cleaning may be offered. A Boarding House must have staff on-site or on-call for 24 hours a day.**
7	1240.04.02 Definitions		BUILD-TO LINE. The building line to which a building must be constructed. ~~as measured from the property line. When a front parking lot is present on site, the Build-to Line is measured from the rear edge of the parking lot, including the sidewalk used to access the building. Similar to setback, a build-to line runs parallel to the right-of-way and is established to create a generally consistent building line along a street. The build-to line designates the specific location or range within which the front building line must be located.~~
8	1240.04.02 Definitions		**CAMPGROUND. Any area of land containing recreation facilities, and which may contain cabins, tents, recreational vehicles, shelters, or accommodations used for either overnight camping or day camp purposes, or otherwise designed for seasonal or other temporary recreational stays.**
8	1240.04.02 Definitions		CHILD CARE/RESIDENTIAL CARE FACILITIES (c) Family day care home (~~six~~ **seven** or fewer children less than 24 hours per day): (d) Group day care home (~~seven~~ **eight** to ~~12~~ **14** children less than 24 hours per day): A private home in which more than ~~six~~ **eight** but not more than ~~12~~ **14** children are given care and supervision...
10	1240.04.02 Definitions		**[new] CONSUMER GOODS DELIVERY. A business that warehouses retail goods for sale and direct delivery to customers, but does not allow walk-in customers.**
10	1240.04.02 Definitions		**[new] COTTAGE COURT. A grouping of at least three, but no more than six, dwelling units oriented around a shared street, access drive, or internal courtyard. Subject to the requirements of Subsection 1250.04.07.**
11	1240.04.02 Definitions		DWELLING, MULTIPLE. A structure or portion of a structure which contains three or more dwelling units, ~~including fraternities and sororities~~.
11	1240.04.02 Definitions, 1250.02.05 Keeping of Animals 1254.01.10 Striping		DWELLING, ~~ONE~~ **SINGLE**-FAMILY [FBC reads 'one-family' only three times, but "single-" 31 times]
14	1240.04.02 Definitions		FRONTAGE TYPES: Stoop: A stoop is a small, elevated landing space above the sidewalk level which provides entry into the building. Stoops ~~may~~ **must** be covered ~~or uncovered~~ and may project beyond the building setback line towards the right-of-way.
17	1240.04.02 Definitions		**[new] HOUSING COOPERATIVE. A group of individuals connected by membership in an incorporated cooperative, sharing occupancy and control of a dwelling and who live together as a housekeeping unit that share common areas of the house such as kitchens, bathrooms, and lounging rooms. A Housing Cooperative**

			shall be subject to the requirements of Section 1250.02.11. Different cooperative models with persons living in separate dwelling units not sharing common kitchen and bathroom facilities shall not be subject to the requirements of Section 1250.02.11, but shall follow all other applicable provisions of this Zoning Ordinance.
18	1240.04.02 Definitions		LODGING FACILITY. Building(s) or part of a building, where by prearrangement transient or extended-stay guests are provided a sleeping room and a bathroom in return for payment. A lodging facility has staff on-site or on-call 24 hours a day and may include but is not limited to, ~~a boarding or rooming house~~, hotel, motel or motor lodge, or hostel.
23	1240.04.02 Definitions		OUTDOOR STORAGE: The keeping, in an unroofed area, of any goods, ~~junk, junk vehicles~~, materials, merchandise or vehicles **for sale.** ~~in the same place for more than twenty-four (24) hours.~~
26	1240.04.02 Definitions		**[new] ROOMING HOUSE. A single-family detached dwelling which is owner-occupied and serves as the principal residence of the owner, in which up to three lodgers rent rooms for extended periods of time and share common areas of the house such as kitchens, bathrooms, and lounging rooms.**
29	1240.04.02 Definitions		UPPER FLOOR STEP BACKS. For the elevation adjacent to a residential district, (**R-1** ~~through R-6~~, **R-2, R-3**, and R-MX) the floors above the ~~second~~ **third** story shall be tiered-back so that the highest point of the building is setback from the adjacent residential district a distance at least equal to the height of the building. [Changed in all Commercial and Special zoning districts]
30	1240.04.02 Definitions		YARD 1. "Front yard" means a yard extending across the full width of a lot between the front ~~lot line~~ of the structure containing the principal use and the front lot lines.
31	1242.01 Establishment of Districts		(a) *Commercial/Mixed-Use Zones* ~~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) *Residential Zones* 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) *Special District Zones* IND-1 ~~Suburban~~ Industrial ~~IND-2 General Industrial~~ ~~IND-3 Urban Industrial~~ INST-1 ~~Suburban~~ Institutional ~~INST-2 Urban Institutional~~ [district names changed in all district chapters]
34 & 98	1243.02 (b)(1) Commercial Mixed-Use Districts: Administration & 1245.02 (b)(1) Special Districts: Administration		(1) Types of Incentives. To promote redevelopment and stimulate reinvestment in the City, the Planning Office may ~~grant additional flexibility or development options~~ **approve modifications to the site layout requirements when** ~~where~~ one or more of the Recognized Benefits, listed below, are provided. The following incentives may be granted: a. Dimensional ~~Flexibility~~ **Modifications**. ~~Flexibility may be granted of the~~ ~~minimum~~ **Modifications to the maximum** lot coverage, building frontage, or setbacks. ~~provided the resulting layout will not negatively impact nearby residences~~. b. Additional Building Height. The maximum building height may be increased by one additional story. c. Reduced Minimum Parking. Reduced parking may be ~~allowed~~ **permitted** consistent with Section 1254.01.04.
38-43	1243.03		Table 1243.03 Commercial Mixed-Use Districts Allowable Use Table (see document text)
44-45	1243.04	Removed	[Removal of SC Suburban Commercial District]
48	1243.05 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.** 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 residential homes are still protected by building step-backs and screening req.] Minimum Setback from adjacent R-1 through ~~R-6~~ R-3 and R-MX districts - 1. ~~25'~~ **10'; and 2. 6' opaque screen-wall / fencing along edge of residentially zoned or used property** Maximum Lot Coverage – ~~80%~~ **100%**
57-58	1243.08 MX-3 Mixed-Use District Center	Removed	[REMOVED MX-3 Mixed-Use District Center district]
59	1243.09 DT-1 Urban Edge	1243.07 Downtown Edge	
62	1243.10 DT-2 Urban Flex	1243.08 Downtown Flex	(a) Building Massing: Minimum Height – 25', ~~1 story~~ **2 stories. 1 story may be approved upon written approval of Zoning Administrator based on singular nature of proposed land use**
68-69	1244.02 General Development		(a)(2) [new] **The setback along the secondary front property line on corner lots may be reduced to 10 feet or the average setback of the principal buildings in the block face along the secondary street, whichever is greater.** **(a)(3) [new] The front yard setback of a principal residential building may be increased to 30 feet on all non-local street types.** (b) [new] **A dwelling shall be a minimum of 20 feet in width.** (~~b~~ c) On lots 40 feet or greater in width, it shall contain a core area of living space of at least ~~24 feet by 24~~ **576 square** feet in size and shall have a minimum internal height of seven and one-half feet. For single-family dwellings on lots less than 40 feet in width, it shall contain a core area of living space of at least ~~20 feet by 20~~ **400 square** feet in size and shall have a minimum internal height of seven and one-half feet. (d) [new] **The depth of a Single- or Two-Family Dwelling shall not exceed two and one half (2.5) times the width of the front wall of the building containing the main entrance.** [relist former subsections (c) and (d) as (e) and (f) respectively]

70	1244.04 Residential Permitted Uses		Table 1244.04 Residential Districts Allowable Use Table [see document text]
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 – ~~1~~ **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 92 95	1244.11 MFR Multi Family Residential 1244.12 R-MX Mixed Residential 1244.13 R-AR Adaptive Reuse Residential	1244.08 1244.09 1244.10	
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:** **1. Conflicts with rights-of-way, underground utilities, or established easements.** **2. Section 1250.03.03: Sight Visibility at Corners and Driveways.** 3. **The Required Corner Massing stated in the zoning district, if applicable**. **4. Subsection 1252.06 (b)(1), the landscaping requirement between the public sidewalk and the front parking lot, if front yard parking is allowed.** **5. 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** story of at least 90 percent ~~and for the upper stories 75 percent~~ (modification as necessary to meet any applicable building and energy code requirements). (2) ~~Ground~~ **First** story windows **of buildings with a principal commercial or retail use** may not be made opaque by window treatments (excepting operable sunscreen devices ~~within the conditioned space~~)**, window coverings, or window wraps**. **[new] (3) First story windows of buildings without a principal commercial or retail use at the storefront level may be covered by opaque window treatments or wraps. Signs on window coverings or wraps shall not exceed 20% of the window to which it is attached or covering.** [new] (g) Materials. (1) **No tarp, cloth, plastic covering, or other flexible or non-structural material shall be affixed to any structure or used to create an enclosure, privacy screen, or barrier except for materials that are designed, intended, manufactured and are being used for awnings, canopies, or sunscreens.** [new] (h) Building Articulation. **These regulations are intended to encourage walkable environments by creating visually interesting buildings with human scaled details and proportions. The following regulations apply to any building greater than 30 feet wide.** **(1) Horizontal articulation (e.g., base, belt courses, cornice lines, entablatures, friezes, awnings or canopies, changes in materials or window patterns, recessed entries, or other architectural treatments) is required to help distinguish the first floor or podium from upper stories.**

			(2) Vertical articulation is required to visually break up the massing of the front and corner facades into building segments no greater than 30 feet in width. Vertical articulation may be satisfied through the use of architectural features such as bays, columns, pilasters, mullions, or regular repetition of window patterns. On corner lots, the material and articulation of the primary facade shall extend a minimum of one segment up to 30' in length along the secondary street. **(3) Variation in color or design of siding or cladding materials shall not be used to meet the required vertical or horizontal articulation.** **(4) Variation in color or design of siding or cladding materials shall not extend across multiple segments and floors.** **(5) A building's first floor primary façade may feature recesses along the Build-to Line only to accommodate additional landscaping, public seating, or a pedestrian plaza.**
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. ~~Each residential unit with a separate entrance shall include a stoop of not more than 5' deep and 6' wide (not including steps or ramp) or a porch between 7' and 9' deep that projects no more than 7' into the front setback and with a width of not less than 65 percent of each unit with a separate entrance. Where the first floor is occupied by a lobby, office, or common space and no dwelling are located on the first floor along the front of the building, then a stoop or porch is not required.~~ (1) **The primary entrance to a residential building shall be located on the first floor along the front wall of the building.** (2) **The primary entrance to a residential building that leads directly to a residential unit shall have a covered porch with a depth of at least seven (7) feet but no more than nine (9) feet, that extends across at least 65 percent of the width of the front wall of the building or unit.** (3) **The primary entrance to a multi-family building shall have a covered porch or stoop at least five (5) feet in depth and six (6) feet in width.** (4) **A porch or a stoop is not required where the first floor of a residential building is occupied by a lobby, office, or common space, and no dwelling is located along the front of the building.** (5) **A porch shall not project more than seven (7) feet into the required front setback.** (6) **The zoning administrator may permit modifications to these standards to accommodate innovative designs that comply with the intent of this section and the placemaking guidelines set forth in the Comprehensive Plan.** (c) Building Access - At least one entry must face onto and connect to the **primary public or private street, or for sites containing multiple units the internal drive used for access**. Secondary entries permitted from the side or rear. Maximum recessed entry of 5 feet.

			~~(g) Building Articulation:~~ ~~(1) Primary Facade Articulation - Walls over 30' in length must include design articulation, windows or recesses~~ ~~(2) Primary Facade Ground Floor Articulation - Ground floors shall be differentiated from the floors above by a horizontal expression line such as a string course, change in material or textures, awnings or canopies, or sign band.~~ ~~(h) Required Open Space (Outside of Frontage and setback areas.) - Private space. Minimum 100 square feet per unit. Minimum dimensions 10' x 10'. Private open space may be accommodated by balconies, decks, or terraces.~~ **(h) Attached garages shall not project closer to a public or private street, or internal drives used for access for sites containing multiple dwelling units thereto, than the building wall(s) of the unit facing a street or drive.**
133 135	1246.04.03 Commercial / Mixed-Use Building Types 1246.04.04 Industrial Building Types		~~(e) Building Articulation~~ ~~Primary Facade Articulation - Walls over 30' in length must include design articulation, windows or recesses.~~ ~~Primary Façade First Floor Articulation - First floors shall be differentiated from the floors above by a horizontal expression line such as a string course, change in material or textures, awnings or canopies, or sign band.~~
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.**
148 153	1250.02.04 (Reserved) 1250.02.10 Medical Marihuana (Reserved)	Removed	[REMOVED reserved section numbers that will not be used. Subsequent sections renumbered]
158	1250.02.11 Cooperative Housing	New	[new] (a) **Housing Cooperative as defined in this Ordinance must submit their approved incorporation filing to the Zoning Administrator.** **(b) No more than two residents allowed per 70 square feet of bedroom space in a dwelling.** **(c) No portion of the dwelling shall be licensed as or used as a Short-Term Rental.**

			(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		**Zoning Requirements of this Subsection shall not apply to Accessory Dwelling Units.**
161	1250.04.01 Accessory Buildings and Structures, and Attached Garages		(a) In General, Applies to All districts [new] (7) **Attached garages shall not project closer to a public or private street or internal drives used for access for sites containing multiple dwelling units, than the building wall(s) of the unit facing a street or drive.**
166	1250.04.03 Exterior Lighting		(b) Lighting Standards [new] **(4) Maintenance a. All freestanding poles, building-mounted lighting, light fixtures, and light bulbs must be maintained in a proper state of repair and free from hazardous conditions.**
174-177	1250.04.06 Fences and Hedges		(c) Limitations. (1) Front Yard. a. No fence or hedge shall exceed a height of three (3) feet within a front yard, **unless otherwise permitted herein**. (c)(1)d. A fence within the front yard **of a residentially zoned or used property** may be erected or maintained to a height above three (3) feet, but not to exceed a height of four (4) feet, if the fence meets all of the following requirements: (c)(1)e. [new] **A fence within the front yard of a commercial, industrial, or institutional zoned or used property, or a residential property with more than 20 units, may be erected or maintained to a height above three (3) feet, but not to exceed a height of six (6) feet, or eight (8) feet for industrially zoned or used properties, if the fence meets all of the following requirements:** 1. **The fence consists of at least 75 percent of open spaces uniformly distributed along its surface above a height of three feet.** 2. **Vision through the fence is not materially obstructed from any angle so as to obstruct the view of vehicular traffic on adjacent streets or public ways or of pedestrian traffic on adjacent sidewalks.** 3. **The fence is made only of wrought iron or other material resembling a wrought iron fence.** (c)(1)f. **Fence types including uncoated** chain-link, wire, cyclone, **livestock, event or crowd control, snow fencing and fences made of flexible materials,** or similar fences are prohibited in front yards in all non-industrial zoning districts.

			(c)(1)h. [new] **A fence must be securely anchored into the ground in accordance with the fence design and shall not include materials not designed, intended, or manufactured for residential properties including but not limited to plywood, scrap wood, scrap metal, or construction materials; cattle gate fencing; or chicken wire fencing.** (d) Materials (1) Fences shall be constructed of one or more of the following materials: Chain-link, **treated** wood, brick, poured concrete, wrought-iron, vinyl or similar material that is approved by the Zoning Administrator. (d) Materials (2) Barbed wire on fences may be utilized **in the IND-1 Industrial district** only upon the written request of the applicant and written approval by the Zoning Administrator. Approval of such request shall be based on demonstrated need, safety and reasonableness. Under no circumstances will any fence six (6) feet in height or less, **within ten (10) feet of a public sidewalk,** or within 30 feet from a neighboring parcel which has a residential use, be permitted to use barbed wire. Barbed wire shall not extend more than three (3) vertical feet above the top of the fence. (d) Materials [new] (5) **No materials including, but not limited to, plywood, scrap wood, scrap metal, construction materials, tarp, cloth, plastic covering, or other flexible material shall be affixed to a fence or used to create a fence, barrier, or privacy screen.**
178	1250.04.06 Fences		(g) Repair or Removal; remedies of City. The Department of Economic Development and Planning may order ~~repaired or removed~~ **the repair or removal of** any fence ~~which is hazardous to the health or safety of the community.~~ **that does not comply with the provisions of Section 1250.04.06** ~~(c) and (f)~~ ~~shall be utilized as the basis for making such decision. Upon finding a fence which is a health or safety hazard, the Department shall adhere to the following process:~~ **in accordance with the following procedures:** ~~(1) The Department, upon finding a fence that is a health or safety hazard, shall notify the property owner of the problem in writing by mail or, if possible, in person. The property owner shall be given ten working days to resolve the identified problem.~~ **(1) Upon finding that a fence is in violation of the provisions of this Chapter, the Department shall issue a written notice to the owner of the property upon which the fence is located. The notice shall be sent by mail or delivered in person and shall:** **a. Include a description of the violation(s).** **b. Cite the applicable ordinance provisions.** **c. Specify a reasonable time period for correcting the violation(s).** ~~(2) If the health or safety hazard still exists after ten working days, the Department shall post the fence as being a health or safety hazard. A certified letter, return receipt requested, shall also be sent to the property owner notifying the owner of the health or safety hazard and of the actions necessary to correct the hazard and what the City will do if it is not corrected by a certain date. The owner shall be given 30 days to resolve the identified problem.~~

			(2) If the owner fails to comply with the notice within the specified time frame, the Department may issue a final notice following the same procedures as the first notice. ~~(3) The Department shall re-inspect the property after 30 days. If the identified problem still exists, the Department shall have the fence, or that portion of the fence causing the problem, repaired or removed with the cost of such repair or removal being attached to the tax rolls for the property.~~ **(3) Failure to comply with the notice(s) shall result in issuance of a civil fine and/or issuance of a District Court citation requesting a court order of compliance.**
179-180	1250.04.07 Cottage Courts	new	**[new] General Requirements. All dwelling units within a Cottage Court as defined in Section 1240.02 shall comply with the requirements of Section 1244.02 in addition to the following requirements:** (a) **Permitted Districts. Cottage Courts shall be permitted in the R-3, R-MX, MFR, R-AR, and DT-1 zoning districts.** (b) **Number of dwellings. A cottage court shall have at least three (3), but no more than six (6) units that may be detached single-family dwellings or duplexes.** (c) **Orientation. The front wall and primary entrance to dwellings that are closest to the public street or private access drive must be oriented toward said street. All other dwellings must be oriented toward a street, alley, access drive, or courtyard or pathway.** (d) **Size. Each dwelling shall have at least 400 but no more than 1,200 square feet of living space.** (e) **Height. Each dwelling shall be a minimum of 15 feet in height but in no instance shall exceed 25 feet in height.** (f) **Front setback. No dwelling unit shall be located closer to a public street than the required setback of the zoning district in which the property is located.** (g) **Side and Rear setbacks. All dwellings shall have a minimum setback of ten (10) feet from each side property line and 20 feet from a rear property line.** (h) **Setbacks between dwellings. Detached dwellings shall be separated by a distance of at least ten (10) feet from every other dwelling.** (i) **Private outdoor area. Each dwelling shall have a minimum of 120 square feet of private outdoor space (e.g. patio, porch, deck, garden).** (j) **Maximum lot coverage. The ground floor area of all buildings shall not exceed 60% of the total lot area. The total amount of impervious surfaces shall not exceed 75% of the lot area.** (k) **Parking.** **(1) One (1) off-street parking space per unit is required.** **(2) All parking spaces must be accessed via an internal street or access drive and may be consolidated into one shared parking lot.** **(3) All shared parking areas within ten (10) feet of an adjacent residentially used property must be screened by a six (6) foot opaque fence, subject to the requirements of Section 1250.04.06.** **(l) Short-term rental restriction. No dwelling unit shall be utilized for a short-term rental.**

212-216	1252 Landscaping		1252.04 Species [new] (b) **At least 75% of trees required in the overall landscape plan shall be made up of native tree species as identified by EGLE or MSU Extension.** (~~b~~) (c) The **lack of** use of native vegetation species with deep roots in rain gardens, bioswales, buffer areas, and other forms of naturalized landscaping to accomplish the goal of stormwater retention and filtration ~~is encouraged~~ **may be cause for rejection of the landscape plan**. 1252.06 Non-Residential Right of Way and Front Setback Planting (a) Street yard landscaping within the public rights-of-way [new] (2) **The City, in consultation with the Public Service Department, may require street trees to be planted within the public right-of-way where they do not already exist.** 1252.06 (b) Between sidewalk and parking (1) There shall be a landscaping setback area of **at least** eight (8) feet**, and no greater than 20 feet, but in no case further than the average front setback of the block**, between the edge of sidewalk and parking lot edge, which shall consist of lawn and landscape planting beds. 1252.06 (b)(3) Setback areas ~~greater than 20 feet in depth~~ must have at least one deciduous tree for every 30 feet of frontage or part thereof and a minimum of one shrub shall be planted for each ten lineal feet of frontage, or portion thereof. 1252.07 Parking Lot Landscaping (f) Each tree shall be provided with an open land area of not less than 150 square feet to provide area for infiltration and with a minimum ~~diameter~~ **radius** of 6 feet at the trunk of the tree for protection. If a sprinkled irrigation system is provided, the open land areas can be reduced to no less than 75 square feet. Tree plantings shall also be protected from automobiles with curbing or other suitable device that incorporate curb cuts or other openings and grading to capture stormwater. (g) All parking lots within ~~ten (10)~~ **20** feet of a residentially zoned or used property shall be screened by a buffer containing evergreen shrubs and trees, screen fence or screen wall (75 percent or more opaque and six (6) feet in height), or any combination thereof that forms a continuous visual buffer at the property line. **[new] (i) Living 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** demonstrate~~s~~ **that** the amount of parking provided will be sufficient ~~for the nature of the use as determined by the City Transportation Engineer~~ **to accommodate the needs of the proposed use(s) during peak demand. This shall include delivery needs, the number of employees in the largest shift, the number of residential units by bedroom count, and a projection of the maximum number of visitors to the site during its most active time**. ~~Such parking study shall be based upon publications of research and/or actual parking counts for the particular use~~. ~~In such case~~, The city may require the owner to ~~provide~~ **submit** a ~~program~~ **plan** ~~to provide~~ **for providing additional parking, up to the required** amount ~~of required parking~~ if the actual parking needed exceeds the parking provided. ~~(d) Parking Study. A parking study to support a parking reduction shall be prepared by a qualified professional based on methodologies of recognized parking organizations such as the Urban Land Institute or the Institute of Transportation Engineers.~~
231	1254.01.08 Surfacing		(b) An alternative surface, including, but not limited to, ~~gravel~~, **permeable or pervious materials** may be approved by the Zoning Administrator, if circumstances exist which justify the alternative surface, and if the City Engineer believes the alternative surface will not result in an unreasonable amount of sediment being deposited in the sewers, and so long as the alternative surface is maintained in a dust-controlled condition.
235-236	1254.01.17 Front Yard Parking		[new] (a)(2) **In no instance shall gravel, stone, blocks, pavers, or other similar materials be placed in front of the front building wall of a house to be used as a parking surface.** (b) Driveways. (1) A driveway may not exceed ~~12~~ **20** feet in width or the width of the opening to the garage to which it provides access within the front yard of a Single-Family or Two-Family residential property. A driveway may not exceed ~~12~~ **20** feet in width for a residential property where the driveway is not required to provide two-way vehicular access to a parking lot that lawfully contains more than four parking spaces in the side or rear yard. (2) Each residentially zoned or used parcel is permitted one driveway **via one curb cut**.

			(3)b. **A two-family dwelling with side-by-side units may be permitted two driveways after review and approval by the Zoning Administrator and the Department of Public Service**. (4) **In no instance shall a driveway extend in front of the front building wall of a residential building**.
237	1254.02 Bicycle Parking		1254.02.01 Definitions: ~~EXEMPT PROPERTY. Is property:~~ ~~1. For which the Zoning Administrator, per Section 1254.01.04 (f), reduces or eliminates the off-street parking requirements of Table 1254.01.03; and~~ ~~2. For which the property owner does not actually provide off-street parking.~~ ~~Non-exempt property in a DT-3 or MX-3 district is property:~~ ~~1. For which the Zoning Administrator, per Section 1254.01.04 (f), reduces or eliminates the off-street parking requirements of Table 1254.01.03; and~~ ~~2. For which the property owner does actually provide off-street parking.~~ 1254.02.03 Bicycle Parking Guidelines. (a) To the extent feasible and unless otherwise provided by this chapter or the City of Lansing Bicycle Parking Guidelines promulgated by the Zoning Administrator, property owners are encouraged to conform to the APBP Guidelines~~, copies of which are available in the Planning Office and the City Clerk's Office~~. 1254.02.04 Short-Term Bicycle Parking Requirements Based on Land Use. ~~(b) Short-term bicycle parking is not required on exempt property. On non-exempt property in a DT-3 or MX-3 district the property owner shall provide a number of short-term bicycle parking spaces that is at least five percent of the number of off-street parking spaces actually provided.~~ (b) ~~(c) Except as otherwise provided in subsection (b),~~ Property owners shall provide the following number of short-term bicycle parking spaces for the benefit of the corresponding specified structures: 1254.02.05 ~~LONG-TERM BICYCLE PARKING REQUIREMENTS BASED ON EMPLOYMENT AND TRANSIT.~~ ~~(a) For purposes of this section, numbers resulting from the prescribed formulas shall be rounded up from one-half to the next whole number in calculating the number of required long-term bicycle parking spaces.~~ ~~(b) Except as otherwise provided in subsection (c), in addition to any requirements imposed by Section 1254.02.04:~~ ~~(1) Property owners are not required to provide long-term bicycle parking spaces for the benefit of structures other than bus stations in which no more than 40 employees work at any given time.~~ ~~(2) Property owners shall provide two bicycle parking spaces for every 40 employees that work in a structure other than a bus station at any given time.~~ ~~(3) Property owners shall provide two bicycle parking spaces for every bus bay in a bus station.~~ ~~(c) Long-term bicycle parking is not required on exempt property. On non-exempt property in a DT-3 or MX-3 district, in addition to any requirements imposed by Section 1254.02.04, the property owner shall provide a~~

			~~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 chapter or be part of an accessory building (such as a converted garage or carriage house), subject to the size limitations of Maximum Square Footage of Detached Accessory Garages in Table 1250.04.01.

(4) An ADU may have its first-floor finish elevation built at finished grade.

(5) A principal structure shall not be divided into two (2) dwelling units for use as an Accessory Dwelling Unit.

DRAFT

FOR DISCUSSION PURPOSES ONLY

(6) An ADU is limited to a maximum of two (2) bedrooms.

(7) An ADU must be registered and properly licensed as a rental by the City Code Compliance Office, unless the occupants of both structures are named in the property deed.

(c) Site Layout Requirements.

(1) Building Massing		
Minimum Height	12’	1 Story
Maximum Height	15’	1.5 Stories
Maximum Height of second story unit of a garage	20’	2 stories
ADU Ground Floor Area	Min. 400 sq. ft.	Max. Not to exceed the ground floor area of the principal structure, up to 1,000 square feet

(2) Building Placement		
Front Setback	ADU is prohibited from being placed anywhere within the Front Yard.	
Minimum Setback from all side and rear property lines and other structures, if unattached	10’	
Minimum Setbacks if second story unit of a garage	May maintain existing setbacks, subject to all Building Code and Fire Code requirements.	
Minimum Lot Size	R-1	7,500 sq. ft.
	R-2, R-3, R-MX, DT-1	6,000 sq. ft.
Maximum Coverage of rear yard	33%	
Maximum Lot Coverage with ADU	65%	

DRAFT

FOR DISCUSSION PURPOSES ONLY

(3) Parking	
Parking	One (1) unobstructed parking space, in addition to the parking for the principal residence

Section 2. All ordinances, resolutions or rules, parts of ordinances inconsistent with these provisions are repealed.

Section 3. Should any section, clause or phrase of this ordinance be declared to be invalid, the same shall not affect the validity of the ordinance as a whole, or any part thereof other than the part so declared to be invalid.

Section 4. This ordinance shall take effect on the 30th day after enactment by City Council and pursuant to Section 3-307 of the City Charter, this Chapter shall expire MONTH DAY, 2029.

DRAFT

FOR DISCUSSION PURPOSES ONLY

Andy Schor
Mayor

LANSING PLANNING COMMISSION
Regular Meeting
May 8, 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 6:38 p.m.

a. Present: Tony Cox, Josh Hovey, Monte Jackson, Shane Muchmore (arrived at 6:55), Ted O'Dell
b. Absent: Katie Alexander (excused), John Ruge
c. Staff: Andy Fedewa, Principal Planner

2. APPROVAL OF AGENDA

3. COMMUNICATIONS

Mitch Rice emailed a statement of support for the Draft Form-Based Zoning Code, Second Amendment.

David Ellis emailed a set of recommendations for the Draft Form-Based Zoning Code, Second Amendment.

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

Joan Nelson submitted a presentation from the Shared Use Housing Network.

4. PUBLIC HEARINGS & ITEMS FOR ACTION – None

5. COMMENTS FROM THE AUDIENCE

Ms. Nelson spoke on the advocacy work of the Shared Use Housing Network for different housing options in Lansing and in support of the Draft Form-Based Zoning Code.

Ms. Bauer spoke in favor of fare-free public transit.

6. RECESS – Not taken.

7. BUSINESS

A. Consent Items

(1) Minutes for approval: March 5, 2024
(2) Minutes for approval: April 2, 2024

The minutes from the March 5, 2024 and April 2, 2024 Planning Commission meetings were approved without objection.

B. Old Business

(1) Draft Sign Ordinance, Chapter 1310

Mr. Fedewa reviewed the comments made during the April 2nd public hearing and 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.

Mr. Muchmore made a motion, seconded by Mr. O'Dell, to recommend approval of the Draft Sign Ordinance, Chapter 1310.

On a voice vote, the motion passed unanimously (5-0).

C. New Business

(1) **Act-2-2024**, Pawlowski Creek Drain Easement

Mr. Fedewa stated that the Public Service Department has requested two permanent easements over private property to facilitate the rebuilding of a culvert where Pawlowski Creek passes under Aurelius Rd., between Jolly Rd. and Miller Rd. Public Service will be replacing the steel culvert with a contemporary concrete box culvert using federal Department of Transportation funds.

Mr. Muchmore made a motion, seconded by Mr. Jackson, to recommend approval of Act-2-2024, Pawlowski Creek Drain Easement.

On a voice vote, the motion passed unanimously (5-0).

8. REPORT FROM PLANNING & ZONING OFFICE

A. Draft Form-Based Zoning Code, Second Amendment

Mr. Fedewa gave a brief review of the rundown of proposed edits of the zoning ordinance, which was approved and enacted May 2021. An initial amendment of technical edits was enacted January 2022. Mr. Fedewa stated that staff committed to conducting a continual review of zoning regulations to determine if their intent was working. This is an opportunity to further simplify the number of zoning districts and the types of allowable uses, remove barriers to in-fill middle housing (two to six dwelling units) construction in areas where it is permitted, and to refine enforcement regulations.

Mr. Jackson asked for clarification about the phrasing of 'extended periods of time' in "boarding house" and "rooming house" and Mr. O'Dell asked staff to clarify the difference between the two. Mr. Fedewa answered that 'extended periods of time' is part of the definition to show the intent that the rooms are being rented for indefinite periods rather than short stays like a short-term rental or lodging facility. Rooming houses are owner-occupied with the dwelling's extra rooms rented to up to three individuals, whereas boarding houses are commercial enterprises made up of individual rooms and the possibility of shared kitchen and bathroom facilities.

Mr. Jackson referenced other communities that have changed their zoning maps to allow for duplexes, triplexes, or quadplexes community-wide and asked if staff has discussed such a

change for Lansing. Mr. Fedewa answered that zoning maps should relate to designations on the approved future land use map so Lansing would have to conduct a comprehensive revision to give the zoning map a basis.

Mr. Fedewa stated that Planning Commission members have time to the review the proposed edits and that staff will prepare a presentation in preparation of the proposed public hearing at the June 4th regular meeting.

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 7:38 p.m.

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:	Vacate section of Eaton Rd. south of W Greenlawn Ave.
CURRENT OWNER:	City of Lansing
EXISTING LAND USE & ZONING:	Use: Street right-of-way. Zoning: n/a
PROPERTY SIZE AND SHAPE:	Rectangular, 50' width x 148' depth, 7,400 square feet
SURROUNDING ZONING & LAND USE	North: R-6a, residential South: INST-2, parking lot West: INST-2, residential, former hospital East: R-6a, residential

ANALYSIS

BACKGROUND:

The Public Service Department is requesting to vacate a dead-end section of Eaton Rd. south of W Greenlawn Ave. One resident uses this section to access their side-facing garage. As with most street vacations the vacated land will be split between the adjacent property owners so the resident will maintain access via a new driveway.

Three adjacent properties are owned by McLaren Hospital, but currently are not buildable due to the campus' driveway running through them. It is unknown if McLaren plans to off-load excess parcels for new residential development due to their relocation, but with their portion of the land from the street vacation they would have enough driveway access.

The project is part of the City's combined sewer overflow program and is scheduled to be completed during August 2024.

The proposed street vacation would have no impact on the city's circulation network.

LOCATION:

This section of Eaton Rd. is located south of W Greenlawn Ave. and essentially within McLaren's former Greenlawn campus.

CHARACTER:

This section of Eaton Rd. serves one residence and is in need of repair, but is unnecessary for the circulation network.

EXTENT:

The extent of the vacation would be that section of Eaton Rd. south from W Greenlawn Ave. running approximately 148.4 feet. Please see Exhibit B and the aerial, Exhibit A.

By nature of street vacations, if approved, the right of way will be split down the middle and the resulting land divided amongst the adjoining property owners unless alternative arrangements are made between the applicant and those parties.

AGENCY REFERRALS

Lansing Board of Water and Light (BWL)

- No comment received.

***Public Service Department*:**

- n/a

***Lansing Fire Department*:**

- No comment received.

STAFF RECOMMENDATION

The request can be granted without impact on the circulation network. No City easements for utilities will be necessary per the Public Service Department, but BWL will need to coordinate with McLaren for an easement for electrical ducts if the property is redeveloped. Both parties are aware of this issue.

I support the vacation of this section of Eaton Rd. based on the fact that it is unnecessary for the circulation network and it will save maintenance costs.

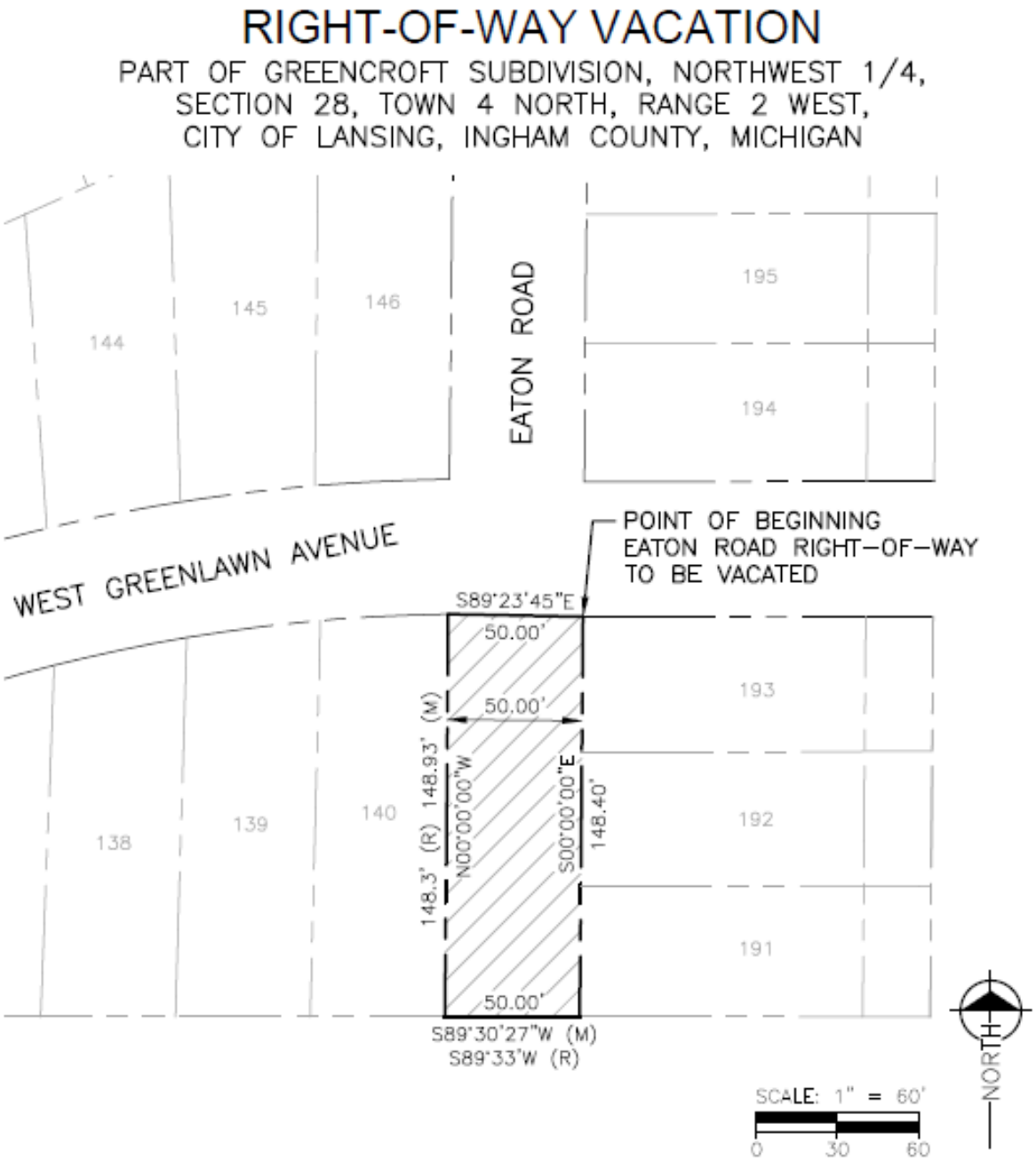
Respectfully submitted,

Andy Fedewa, Planner

Exhibit A: Aerial

Exhibit B: October 2023 Streetview

Exhibit C: Plat Map (excerpt)



Andy Schor, Mayor

ACT 33 REVIEW APPLICATION

CITY OF LANSING
PLANNING OFFICE

Reset Form

Print

FILE NUMBER: ACT-_____

DATE SUBMITTED:_____

Applicant: City of Lansing - Public Service Department, Marc Jones

Address *(including zip code)*: 124 W. Michigan Ave, 7th floor, Lansing, MI 48933

Phone number: 517-483-4266

Fax number: _____ Email: marc.jones@lansingmi.gov

Interest in Property:

☒ Owner ☐ Represent owner ☐ Option to buy

☐ Other: _____

If applicant of not the owner, or if there is more than one owner, provide the following information *(attach additional sheets if necessary)*:

Name of owner(s): _____

Address *(including zip code)*: _____

Phone number(s): _____

Fax number: _____ Email: _____

SUBJECT PROPERTY GENERAL INFORMATION:

Address *(if any)*: N/A

Location description: Eaton Road ROW south of W Greenlawn Avenue

Permanent parcel #: N/A

Legal description *(see note below)*: Included in attached exhibit

Applicant's proposal: Vacate a portion of City right-of-way of Eaton Road south of W Greenlawn Avenue in conjunction with the City's CSO 034E project. There is one property fronting this ROW that will be affected. This residence has been provided with utility service connections to the public sewer and water main in W Greenlawn Avenue. A new private driveway will be construction to provide access to this residence.

Other properties fronting this ROW are owned by McLaren Greater Lansing. These properties are planned to be consolidated into the larger adjacent property at 401 W Greenlawn Avenue.

REQUESTED ACTION: (please check one)

_____ City Acquisition of Property _____ Street or Alley Closure _____ City Sale of Property

_✓_ Vacation of R.O.W _____ Significant Change of Use of City Property

_____ Other: _____

What positive impacts (if any) will occur as a result of approving this proposal?

Reduced cost to the City to maintain utilities, curb and gutter, sidewalk and pavement. The lot size of private properties will be increased.

What negative impacts (if any) will occur if this proposal is not approved?

Access to private properties may be disrupted, additional costs to the City for maintenance.

What negative impacts (if any) will occur as a result of approving and implementing your proposal?

None.

Please fill out this application **COMPLETELY** and make sure that the following items are included:

Maps describing proposal. Maps should be readable and drawn to a specific scale.

Any other materials, brochures, pictures, etc. which will further explain the proposal.

NOTE:

If the action applied for will result in transfer of legal title from the City to the applicant or another or if the City otherwise requires, the applicant agrees to provide at the applicant's expense:

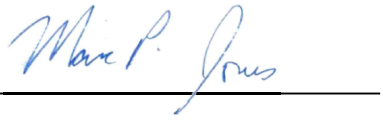
- A certified legal description
- Title insurance
- An appraisal
- An environmental report for the property

or to pay for same at closing, whichever the City determines.

FEES:

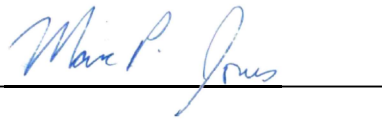
Involving land sales over $50,000	$100.00
Involving land sales under $50,000	$50.00

Signature of applicant:



_____/ 5/23/2024
Date

Signature of owner(s):



_____/ 5/23/2024
Date

_____/ _____
Date

_____/ _____
Date

SUBMIT THE FULLY COMPLETED APPLICATION TO THE ADDRESS BELOW.

For assistance, please contact:

PLANNING OFFICE
316 N. CAPITOL AVE., SUITE D-1
LANSING, MI 48933
(517) 483-4066
FAX: (517) 483-6036