

## Chapter 50 - ZONING

*Footnotes:*

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**Cross reference**— *Buildings and building regulations, ch. 6; swimming pools, § 6-201 et seq.; amusements and entertainments, § 8-231 et seq.; environment, ch. 14; floods, ch. 18; historic preservation, ch. 20; organization and establishment of districts, § 20-31 et seq.; manufactured homes and trailers, ch. 24; signs, ch. 32; streets, sidewalks and other public places, ch. 38; subdivisions and other land divisions, ch. 40; telecommunications, ch. 42; vegetation, ch. 48.*

## ARTICLE I. - IN GENERAL

## Sec. 50-1. - Short title.

This chapter shall be known, cited, and referred to as the "Zoning Ordinance of the City of East Lansing."

(Code 1994, ch. 55, § 5.1)

## Sec. 50-2. - Map adopted.

The map herein referred to is identified by the title "Zoning Use District Map of the City of East Lansing," as adopted by Ordinance No. 451, and the map and all explanatory material thereof is hereby adopted and made a part of this chapter, provided however, that said map may be amended in any manner, from time to time, by ordinance, in which case, such changes described shall be equally effective as though incorporated in the map itself.

(Code 1994, ch. 55, § 5.2)

## Sec. 50-3. - Purpose.

This chapter is enacted pursuant to P.A. 207 of 1921, as amended, (being the City and Village Zoning Act, MCL 125.581 et seq.). The continued administration of this chapter, amendments to this chapter, and all other matters concerning operation of this chapter shall be done pursuant to P.A. 110 of 2006, as amended, (being the Michigan Zoning Enabling Act, MCL 125.3101 et seq.). In their interpretation and application, the provisions of this chapter shall be held to be the minimum requirements adopted for the promotion of the public health, safety, convenience, economic and general welfare of the residents of the city by regulating the development of land and establishing districts in which uses of land and structures are regulated. Among other purposes, the provisions of this chapter are intended to accomplish the following:

- (1) Establish the appropriate use and preservation of land, open space, and natural resources in accordance with their character and suitability for particular purposes and prevent the improper use of land and natural resources.
- (2) Foster harmonious relationships among land uses and prevent or minimize land use incompatibilities.
- (3) Promote and enhance the stability of the city's neighborhoods, commercial areas, and special or historic areas.
- (4) Avoid over concentrations of population.
- (5) Reduce the hazards to life and property from fire, flood, and other dangers.
- (6) Limit or lessen congestion on the public roads and streets and ensure the provision of safe and efficient transportation systems for all forms of travel.
- (7) Provide for adequate space, light, and air.
- (8) Preserve desirable natural features and resources.
- (9) Promote wise and efficient expenditure of public funds for public improvements and services to conform to the most

advantageous uses of land and resources.

- (10) Facilitate adequate and efficient provision of sewage disposal, safe and adequate water supply, storm drainage, hazardous materials management, education, recreation, and other public services, utilities, and facilities.
- (11) Control activities, operations, or uses that produce adverse environmental impacts or risks to the public health including noise, odor, dust, vibration or other irritants.

(Code 1994, ch. 55, § 5.3; Ord. No. 1061, 2-7-2006; Ord. No. 1157, 11-8-2006)

#### Sec. 50-4. - Interpretation.

For the purposes of this chapter, "planning and zoning official" shall mean the director of planning, building and development or his or her designee or, should that position cease to exist, the chief supervisory official responsible for the planning activities of the city, or his or her designee. "Building official" shall mean the director of planning, building and development or his or her designee or, should that position cease to exist, the chief supervisory official responsible for the administration and enforcement of the building and related trade codes of the city, or his or her designee.

(Code 1994, ch. 55, § 5.4; Ord. No. 1313, 3-4-2014)

#### Sec. 50-5. - Definitions, A through C.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Accessory building* means a subordinate building or portion of the main building, situated upon the same lot or portion of the main building, the use of which is incidental thereto.

*Accessory structure* means any subordinate building, fence, wall, deck, porch, sign or portion of the main building situated upon the same lot as the main building, the use of which is incidental thereto.

*Accessory use* means a use subordinate to the main use on a lot and used for the purposes customarily incidental to those of the main use.

*Auto service center* means an establishment for the servicing of motor vehicles which may include the retail sale and dispensing of motor fuels and related products; the retail sale and installation of minor automobile parts and accessories such as tires, batteries, spark plugs, fan belts, shock absorbers, mirrors, floor mats, lubricants, cleaning and polishing materials, and similar items; and, when provided in conjunction with either or both of the above activities, minor repairs, cleaning, or polishing of motor vehicles within enclosed service bays or stalls. These services may be provided to customers on the premises, or the facilities may be made available to customers for self-service, subject to any applicable state requirements. An auto service center shall not include any establishment engaging in major auto or truck repair functions such as body repair or painting, welding, frame straightening, tire recapping or vulcanizing, or storage of wrecked vehicles.

*Automatic teller machines (ATMs)* means electronic funds transfer terminals and/or funds transmission facilities which perform deposit account transactions between financial institutions and their customers.

*Boardinghouse* means a building, other than a hotel, where lodging and meals for five or more persons, other than the family, are regularly served for compensation.

*Building* means a fabric or edifice, framed or constructed and designed to stand more or less permanently, and covering a space of land, for use as a dwelling, store, storehouse, factory, shelter, or some other useful purpose. Building in this sense does not include a mere wall, fence, monument, boarding or similar structure; nor any car, trailer or tent.

*Building coverage* means that part or percent of the lot area that is occupied by buildings, including accessory buildings.

*Building height* means the vertical distance from the average elevation of the street curb paralleling the front, or if on a street corner, the front and exposed side of the building, to the highest point of the building's roof surface if the roof is flat; to the deck line, if the roof is of the mansard type; or to the average height between the eaves and the ridge if the roof is gable, hip, or gambrel type. For buildings set back from the street line, this vertical distance shall be taken above the average elevation of the finished grade along the facade of the building which faces the nearest public street, provided the building's distance from the street line is more than the average height of such finished grade above the established curb elevation. Building height shall not include mechanical equipment, antennas, chimneys or similar devices which are placed on or extend above the roof, nor elevator shaft enclosures, nor solid screen walls or enclosed penthouses constructed on the roof to contain and enclose mechanical equipment or rooftop gardens and recreational facilities provided for residents or employees of the building which are designed and sufficiently set back from the outer edge of the roof to be inconspicuous.

*Carport energy system* means a solar array that covers a required parking area.

*Child care organization* means a facility for the care of children under 18 years of age, as licensed and regulated by the state under Public Act No. 116 of 1973 (MCL 722.111 et seq.), and the associated rules promulgated by the state department of social services. Such organizations shall be further defined as follows:

- (1) *Child care center or day care center* means a facility, other than a private residence, receiving more than six preschool or school-age children for group care for periods of less than 24 hours a day, and where the parents or guardians are not immediately available to the child. It includes a facility which provides care for not less than two consecutive weeks, regardless of the number of hours of care per day. The facility is generally described as a child care center, day care center, day nursery, nursery school, parent cooperative preschool, play group, or drop-in center. "Child care center" or "day care center" does not include a Sunday school conducted by a religious institution or a facility operated by a religious organization where children are cared for during short periods of time while persons responsible for such children are attending religious services.
- (2) *Foster family home* is a private home in which one, but not more than four, minor children, who are not related to an adult member of the household by blood, marriage, or adoption, are given care and supervision for 24 hours a day, for four or more days a week, for two or more consecutive weeks, unattended by a parent or legal guardian.
- (3) *Foster family group home* means a private home in which more than four but fewer than seven children, who are not related to an adult member of the household by blood, marriage, or adoption, are provided care for 24 hours a day, for four or more days a week, for two or more consecutive weeks, unattended by a parent or legal guardian.
- (4) *Family day care home* means a private home in which one, but less than seven, minor children are received for care and supervision for periods of less than 24 hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. It includes a home that gives care to an unrelated child for more than four weeks during a calendar year.
- (5) *Group day care home* means a private home in which more than six, but not more than 12, children are given care and supervision for periods of less than 24 hours a day unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. It includes a home that gives care to an unrelated child for more than four weeks during a calendar year.

*City* means the incorporated municipality of East Lansing, Michigan.

*Curb level* means the main level of the established curb in front of the building. Where no curb has been established, the city engineer shall establish such curb level for the purpose of these regulations.

(Code 1994, ch. 55, § 5.5; Ord. No. 1149, 9-5-2006; Ord. No. 1357, 5-11-2016; Ord. No. 1492, 12-15-2020)

**Cross reference**— Definitions generally, § 1-7.

## Sec. 50-6. - Definitions, D through F.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Diameter (d.b.h.)* means the diameter of a tree as measured at 4.5 feet above grade level.

*Dispensary* means any of the following: (1) two or more primary caregivers growing medical marihuana in the same building, structure or lot except for multiple-unit residential structures; (2) two or more primary caregivers storing medical marihuana in the same building, structure or lot except for multiple-unit residential structures; (3) two or more primary caregivers delivering, transferring or providing qualifying patients with medical marihuana out of the same building, structure or lot except for multiple-unit residential structures; (4) two or more primary caregivers growing medical marihuana in the same unit of a multiple-unit residential structure; (5) two or more primary caregivers storing medical marihuana in the same unit of a multiple-unit residential structure; or (6) two or more primary caregivers delivering, transferring or providing qualifying patients with medical marihuana out of the same unit of a multiple-unit residential structure.

*Domestic unit.* See subsection (3) under "Family."

*Drive-ins* means establishments which offer goods or services directly to customers either waiting in motor vehicles or to customers who return to their vehicles to consume the goods while on the premises. Car washing establishments are deemed to be drive-ins.

*Driveway* means a paved surface which provides for access for motor vehicles from a street, alley, or private road to one or more garages, carports, parking spaces, or parking lots. Driveways may also include paved areas provided for maneuvering vehicles on a lot, such as circular driveways and turnarounds.

*Dwelling* means any house, building, structure, shelter, or portion thereof which is designed for, or occupied exclusively as the home, residence, living or sleeping place of one or more human beings, either permanently or transiently.

*Dwelling unit* means a room or group of rooms located within a building and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, and cooking, excluding public halls, public stairs, and areas not included within the perimeter of the room or group of rooms.

*Dwellings, classes of.* For the purpose of this chapter, dwellings are divided into the following classes: (1) "one-family dwellings," (2) "two-family dwellings," and (3) "multiple-family dwellings."

- (1) A one-family dwelling is a detached building designed for or occupied exclusively by one family.
- (2) A two-family dwelling is a detached building designed for or occupied exclusively by two families living independently of each other.
- (3) A multiple-family dwelling is a building used or designed as a residence for three or more families living independently of each other or occupied by five or more unrelated persons whether or not equipped with cooking facilities, including apartments, hotels, fraternities, and sororities.

*Dwellings, classes of multiple.* All multiple dwellings for the purpose of this chapter are divided into two classes, namely: class A and class B.

- (1) *Class A.* Multiple dwellings of class A are dwellings which are occupied for residence purposes and in which the rooms are occupied in apartments, suites or groups, in which each combination of rooms is so arranged and designed as to provide a separate room for cooking and kitchen sink accommodations or a kitchenette, and a toilet room within each of the separate units. This class includes tenement houses, flats, apartment houses, apartment hotels, bachelor apartments, and all other dwellings similarly occupied whether specifically enumerated herein or not.

- (2) *Class B.* Multiple dwellings of class B are dwellings which are occupied by individuals who are lodged, with or without meals which as a rule the rooms are occupied singly and without any provision therein or therewith for cooking or kitchen accommodations for the individual occupants. This class includes fraternities, sororities, hotels, lodgings, boarding roominghouses, and all other dwellings similarly occupied, whether specifically enumerated herein or not.

*Erected* includes built, constructed, reconstructed, moved upon, or any physical operations on the premises required for the building. Excavations, fill, drainage, and the like, shall be considered a part of erecting.

*Essential services* means the erection, construction, alteration, maintenance, addition, reconstruction, or replacement or maintenance by public utilities or municipal departments or commissions of underground, surface, or overhead distribution of gas, electricity, communications (but excluding wireless communication facilities), steam, or water transmission or distributing systems, collection, supply or disposal systems including poles, mains, drains, sewers, pipes, conduits, wires, cables, high voltage transmission lines, towers in connection with such lines, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith, but not including buildings reasonably necessary for the furnishing of adequate service to this city and surrounding territory by such public utilities or municipal departments or commissions or for public health, safety, or general welfare.

*Extended care/nursing facility* means a building wherein infirm, aged, or incapacitated persons are accepted and furnished, for compensation, care, food and lodging and may receive on-site medical care.

*Family.*

- (1) Family means one person or two related persons or two unrelated persons residing in a dwelling unit, or where there are more than two persons residing in a dwelling unit, persons classified constituting a family shall be limited to husband, wife, son, daughter, father, mother, brother, sister, grandfather, grandmother, grandson, granddaughter, aunt, uncle, stepchildren, and legally adopted children, or any combination of the above persons living together in a single dwelling unit.
- (2) Anyone seeking the rights and privileges afforded a member of a family by this Code shall have the burden of proof by clear and convincing evidence of their family relationship.
- (3) Domestic unit: As herein defined, a domestic unit shall be given the same rights and privileges and shall have the same duties and responsibilities as a family, as defined herein for purposes of construing and interpreting this chapter. Domestic unit shall mean a collective number of individuals living together in one dwelling unit whose relationship is of a regular and permanent nature and having a distinct domestic character or a demonstrable and recognizable bond where each party is responsible for the basic material needs of the other and all are living and cooking as a single housekeeping unit.
- (4) This definition shall not include any society, club, fraternity, sorority, association, lodge, combine, federation, group, coterie, or organization, nor include a group of individuals whose association is temporary or seasonal in character or nature or for the limited duration of their education, nor a group whose sharing of a house is not to function as a family, but merely for convenience and economics.
- (5) Any person seeking the rights and privileges afforded a member of a domestic unit by this chapter shall have the burden of proof by clear and convincing evidence of each of the elements of a domestic unit.
- (6) Nothing in this section shall be deemed to confer any legal rights upon any person on the basis of conduct otherwise unlawful under any existing law.

*First story* means the lowest story of a building, the ceiling of which is more than six feet above the average finished grade at the front of the building, or a public sidewalk adjacent to its exterior walls.

*Floor area, gross*, means the total of all floor areas of a building as measured to the outside surfaces of exterior walls and including halls, stairways, elevator shafts, attached garages, porches, balconies, and basements.

*Floor area, net*, means the total of all floor areas of a building excluding stairwells and elevator shafts; maintenance, equipment, and utility rooms; interior vehicular parking or loading areas; common or public areas such as central lobbies, hallways, and restrooms; and all areas below first or ground floor when used solely for ancillary storage.

(Code 1994, ch. 55, § 5.5; Ord. No. 1061, 2-7-2006; Ord. No. 1245C, 3-15-2011; Ord. No. 1313, 3-4-2014)

**Cross reference**— Definitions generally, § 1-7.

Sec. 50-7. - Definitions, G through M.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Garage, private*, means a building or other structure designed for the housing of automobiles and having capacity for not more than four automobiles.

*Garage, public*, means any building or premises, other than a gasoline filling station, used for housing or care of more than four automobiles, or where any such automobiles are equipped for operation, repaired, or kept for remuneration, hire, or sale.

*Ground coverage* means that part or percent of lot area included within the outside boundary lines of all buildings and structures located on the lot, including porches, decks, patios, breezeways, balconies, bay windows, paved drives and walks, and other area covered with impervious materials.

*Habitable room* means a room designed for living and/or sleeping, excluding bathrooms, kitchens, dining areas, closets, hallways, and service areas.

*Home occupation* means an accessory use of a dwelling for gainful employment on a recurring basis involving the manufacture, sale, or provision of goods, materials or services. Class A home occupations may involve the provision of personal service, such as typing, computing, sewing and tutoring; the provision of professional services such as medical and health care, legal, financial, accounting, engineering, architectural, real estate, insurance, counseling, and religious assistance; the creation and/or sale of goods, materials, or handicrafts, except for the sale of food or beverages to be consumed on the premises; and the repair of small appliances, bicycles, and similar products which are not powered by internal combustion engines. Class A home occupations shall be established and operated in compliance with the provisions of section 50-147(7). Also, for the purposes of this chapter, "child care organizations," as defined in section 50-5, shall be considered separate from home occupations.

*Hotel* means a multiple-family dwelling in which persons are lodged for hire as the more or less temporary abiding place, and in which as a rule the rooms are occupied singly and without any provision therein for cooking, and in which there are more than 25 sleeping rooms, and a public dining room with kitchen facilities for accommodation of at least 25 guests.

*Household pet daycare* means a premises containing up to six cats or dogs or a combination making a total of six where care and supervision are provided for periods of 12 hours or less per day with or without financial compensation. This does not include household pets as allowed under section 4-4 of this Code.

*Kennel* means any premises where more than four cats or dogs or a combination making a total of more than four are kept overnight or where more than ten animals, including those allowed under section 4-4 of this Code, are provided care and supervision regardless of duration, except where accessory to an agricultural use.

*Lodginghouse* means a building or part thereof, other than a hotel, where lodging is provided for hire, more or less transiently, including so-called tourist homes, and with or without provisions for meals.

*Lot* means a parcel of land occupied or to be occupied by a building and its accessory buildings together with such open spaces as are required under this chapter and having its principal frontage upon a street.

*Lot line.* Lot line or adjacent property line shall be any boundary line separating one lot from another, whether the line be at the side, rear, or front of the properties.

*Lot width* means the distance from one side lot line to the other side lot line measured at the minimum building setback permitted in this chapter.

*Lots, corner, interior, and through.* A "corner lot" is a lot of which at least two contiguous sides abut upon a street for their full length. An "interior lot" is a lot other than a corner lot. A "through lot" is an interior lot or a corner lot, having a frontage on two streets which do intersect at a point contiguous to such lot.

*Lots, front, rear, and depth.* The front of a lot is that boundary line which borders on a street other than an alley. In the case of a through lot, the front of the lot shall be that boundary which does not border on a major street as designated in the major street plan and which would most conform to adjacent development patterns as designated in the approved plat, or otherwise, as determined by the planning and zoning official. In the case of a corner lot, the side which has the narrowest dimension bordering on a street shall be deemed to be the front of such lot. The rear of a lot is the side opposite to the front. In the case of a triangular or irregular lot, the rear is the boundary line not bordering on a street. The depth of a lot is the dimension measured from the front of the lot to the extreme rear line of the lot. In the case of irregularly shaped lots, the mean depth shall be taken.

*Marihuana* means that term as defined in section 7106 of the public health code, 1978 PA 368, MCL 333.7106.

*Marihuana establishment* means a marihuana grower, marihuana safety compliance facility, marihuana processor, marihuana microbusiness, marihuana retailer, marihuana secure transporter, or any other type of marihuana-related business licensed by the department of licensing and regulatory affairs pursuant to the Michigan Regulation and Taxation of Marihuana Act.

*Marihuana grower* means a person licensed pursuant to the Michigan Regulation and Taxation of Marihuana Act to cultivate marihuana and sell or otherwise transfer marihuana to marihuana establishments.

*Marihuana-infused product* means a topical formulation, tincture, beverage, edible substance, or similar product containing any usable marihuana, as defined by the Michigan Medical Marihuana Facilities Act, that is intended for human consumption in a manner other than smoke inhalation. Marihuana-infused products shall not be considered a food.

*Marihuana microbusiness* means a person licensed pursuant to the Michigan Regulation and Taxation of Marihuana Act to cultivate not more than 150 marihuana plants; process and package marihuana; and sell or otherwise transfer marihuana to individuals who are 21 years of age or older or to a marihuana safety compliance facility, but not to other marihuana establishments.

*Marihuana processor* means a person licensed pursuant to the Michigan Regulation and Taxation of Marihuana Act to obtain marihuana from marihuana establishments; process and package marihuana; and sell or otherwise transfer marihuana to marihuana establishments.

*Marihuana retailer* means a person licensed pursuant to the Michigan Regulation and Taxation of Marihuana Act to obtain marihuana from marihuana establishments and to sell or otherwise transfer marihuana to marihuana establishments and to individuals who are 21 years of age or older.

*Marihuana safety compliance facility* means a person licensed pursuant to the Michigan Regulation and Taxation of Marihuana Act to test marihuana, including certification for potency and the presence of contaminants.

*Marihuana secure transporter* means a person licensed pursuant to the Michigan Regulation and Taxation of Marihuana Act to obtain marihuana from marihuana establishments in order to transport marihuana to marihuana establishments.

*Medical marihuana grower facility* means a location where an individual, corporation, limited liability company, partnership, limited partnership, limited liability partnership, limited liability limited partnership, trust, or other legal entity is licensed as a commercial entity by the State of Michigan, under the Michigan Medical Marihuana Facilities Act, to cultivate, dry, trim, or cure and

package marihuana for sale to a processor or provisioning center.

*Medical marihuana processor facility* means a location where an individual, corporation, limited liability company, partnership, limited partnership, limited liability partnership, limited liability limited partnership, trust, or other legal entity is licensed as a commercial entity by the State of Michigan, under the Michigan Medical Marihuana Facilities Act, to purchase marihuana from a grower and extract resin from the marihuana or create a marihuana-infused product for sale and transfer in packaged form to a provisioning center.

*Medical marihuana provisioning center facility* means a location where an individual, corporation, limited liability company, partnership, limited partnership, limited liability partnership, limited liability limited partnership, trust, or other legal entity is licensed as a commercial entity by the State of Michigan, under the Michigan Medical Marihuana Facilities Act to purchase marihuana from a grower or processor and sell, supply, or provide marihuana to registered qualifying patients, directly or through the patients' primary caregivers. Provisioning center includes any commercial property where marihuana is sold at retail, under the Michigan Medical Marihuana Facilities Act, to registered qualifying patients or registered primary caregivers. Dispensaries and noncommercial locations used by primary caregivers to assist qualifying patients connected to the caregiver through the marihuana registration process in accordance with the Michigan Medical Marihuana Act are not provisioning centers.

*Medical marihuana safety compliance facility* means a location where an individual, corporation, limited liability company, partnership, limited partnership, limited liability partnership, limited liability limited partnership, trust, or other legal entity is licensed as a commercial entity by the State of Michigan, under the Michigan Medical Marihuana Facilities Act, to receive marihuana from a marihuana facility or primary caregiver, test it for contaminants and for tetrahydrocannabinol and other cannabinoids, return the test results and the marihuana to the marihuana facility.

*Medical marihuana secure transporter facility* means a location where an individual, corporation, limited liability company, partnership, limited partnership, limited liability partnership, limited liability limited partnership, trust, or other legal entity is licensed as a commercial entity by the State of Michigan, under the Michigan Medical Marihuana Facilities Act, to store marihuana and transport marihuana between marihuana facilities for a fee.

*Michigan Medical Marihuana Act* means the Michigan Medical Marihuana Act, Public Act 1 of 2008, being MCL 333.26421 to 333.26430.

*Michigan Medical Marihuana Facilities Act* means the Michigan Medical Marihuana Facilities Act, Public Act 281 of 2016, being MCL 333.27101 to 333.27801.

*Michigan Regulation and Taxation of Marihuana Act* means the Michigan Regulation and Taxation of Marihuana Act, 2018 IL 1, being MCL 333.27951 to 333.27967.

*Mixed market rental unit* means a rental dwelling unit within a multiple-family dwelling which has a mix of studio, one-bedroom, two-bedroom and three-bedroom units with no more than 25 percent of the units being three-bedroom units and each dwelling unit rented under a single rental contract.

(Code 1994, ch. 55, § 5.5; Ord. No. 1285, 1-15-2013; Ord. No. 1313, 3-4-2014; Ord. No. 1348-C, 2-2-2016; Ord. No. 1395, 12-5-2017; Ord. No. 1469, 10-29-2019)

**Cross reference**— Definitions generally, § 1-7.

Sec. 50-8. - Definitions, N through R.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:



*Natural feature* means natural topography, rivers, streams, lakes, ponds, marshes, wetlands, surface drainageways, floodplains, floodways, any tree of four inches in diameter or more, cluster of trees, cluster of shrubs exceeding two feet in height, or any other natural ground cover which increases the resistance of soil or rock to erosion, sedimentation, sliding, or other earth movement.

*Nonconforming building* means any building which does not conform to the regulations for the district in which it is located.

*Nonconforming lot* means any lot which does not meet the minimum dimensions, area, or other regulations of the district in which the lot is located.

*Nonconforming use of building* means the use of any building other than a use specifically permitted in the district in which the building is located and which was a lawful use at the time of passage of the 1960 zoning ordinance or amendments thereto.

*Nonconforming use of land* means the use of any land other than a use specifically permitted in the district in which the lot or parcel of land is located.

*Nuisance* shall embrace public nuisance as known in common law or in equity jurisprudence; and whatever is dangerous to human life or detrimental to health; and any dwelling or building which is overcrowded with occupants or is not provided with adequate ingress or egress to or from the same, or is not sufficiently supported, ventilated, sewerred, drained, cleaned, or lighted, in reference to its intended or actual use; and whatever renders the air or human food or drink unwholesome are also severally, in contemplation of this chapter, nuisances, and all such nuisances are hereby declared illegal.

*Open space* means an area of land associated with and located on the same tract of land as a major building or group of buildings, in relation to which it serves to provide light and air or scenic, recreational, or similar purposes. Such space shall be suitably improved for its intended use. Such space shall, in general, be of such a location, shape, and character suitable for entry and use by the occupants of the building or buildings involved, but may include a limited proportion of space so located and treated as to enhance the amenity of the development by providing landscaping features, screening for the benefit of the occupants of those in neighboring areas, or a general appearance of openness. Open space area may include, but shall not be limited to lawns, decorative plantings, wooded areas, landscaped areas covering structures that are not more than 12 feet above ground level, sidewalks and walkways, active and passive recreational areas, and permanent water surfaces that comprise not more than 20 percent of the total open space area. It shall not include parking lots or other vehicular surfaces or accessory buildings other than swimming pools.

*Owner* means, for the purpose of this chapter, an owner is the deedholder, titleholder, or purchaser by contract with the most immediate control of and responsibility for the management and operation of the property.

*Parking space* means a paved surface, at least eight feet by 16 feet in size, which is accessible and can be used at all times for parking a motor vehicle. Except as otherwise provided in this chapter, parking spaces shall be defined exclusive of driveways, fire and sanitary lanes, and commercial loading space.

*Pave, and its derivatives*, means the placement of materials on the ground for the purposes of providing parking, access or other improvements. Materials include, but are not limited to, concrete, gravel, bituminous material, crushed stone, tile, or brick pavers.

*Pavement expansion* means the extension of the existing boundaries of the paving on a premises.

*Pavement maintenance* means the minor repair and routine maintenance of existing paving, including applying surface sealers and patches, filling cracks and potholes, and raking and leveling loose paving materials.

*Pavement reconstruction* means the replacement of the existing paved surfaces, or the supplementation of existing paving materials, or the placement of a new type of surface material over an existing paved surface.

*Primary caregiver* means a person who is registered under the Michigan Medical Marihuana Act and is defined as a person who is at least 21 years old and who has agreed to assist with a patient's medical use of marihuana and who has never been convicted of a felony involving illegal drugs.

*Primary caregiver operation* means either of the following: (1) a building, structure or lot from which a primary caregiver transfers, delivers, or provides marihuana to his or her qualifying patients; or (2) a building, structure or lot where a primary caregiver grows and/or stores medical marihuana that is not the primary caregiver's primary residence.

*Public utility* means any person, firm, corporation, municipal department, or board duly authorized to furnish, or furnishing under regulation, to the public electricity, gas, steam, communication (but excluding wireless communication facilities), transportation, drainage, or water.

*Qualifying patient* means a person who has been diagnosed by a physician as having a debilitating medical condition for purposes of the Michigan Medical Marihuana Act.

*Registered qualifying patient* means a person who has been diagnosed by a physician as having a debilitating medical condition and who has received a registry identification card.

*Registry identification card* means a document issued by the department of community health that identifies a person as a registered qualifying patient or registered primary caregiver.

*Repairs* means the rebuilding or renewal of a part of an existing building for the purpose of maintaining its original type and classification.

*Restaurant* means all public places where food is cooked, prepared, provided, or served for human consumption.

*Roomer* means any person who engages a sleeping room in a roominghouse or other dwelling for which a consideration is given.

(Code 1994, ch. 55, § 5.5; Ord. No. 1061, 2-7-2006; Ord. No. 1245C, 3-15-2011; Ord. No. 1287, 6-18-2013; Ord. No. 1302, 12-17-2013; Ord. No. 1313, 3-4-2014; Ord. No. 1323, 4-1-2014; Ord. No. 1392, 1-10-2017)

**Cross reference**— Definitions generally, § 1-7.

#### Sec. 50-9. - Definitions, S through Z.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Secure transporter* means a licensee that is a commercial entity located in this state that stores marihuana and transports marihuana between marihuana facilities for a fee.

*Setback* means the minimum required horizontal distance between the front, side, or rear line of a building, excluding steps and unenclosed porches, and the front, rear, or side lot line.

*Shed* means a lightly constructed one- or two-story building for temporary use during the erection of a permanent building; or a light one-story structure attached to, or auxiliary to, another building and intended for storage only.

*Shopping center* means a group of commercial establishments planned and developed, owned, or managed as a unit, with off-street parking and loading provided on the premises, and related in its location, size, and type of stores, to the trade area which it serves.

- (1) *Regional shopping center* means a large-scale shopping center designed to provide general merchandising and opportunities to the consumer for comparison shopping in a regional trade area. Minimum site size is 50 acres.
- (2) *Community shopping center* means a moderate-scale shopping center designed to provide general merchandising of

a limited nature, such as junior department stores, variety stores, and home furnishings in a community trade area. Minimum site size is 20 acres.

- (3) *Neighborhood shopping center* means a small-scale center designed for the sale of convenience goods and personal services in a neighborhood trade area. Minimum site size is two acres.

*Site plan* means the documents and drawings required by the zoning ordinance to ensure that a proposed land use or activity is in compliance with local ordinances and state and federal statutes. A site plan shall include one or more accurate drawings at a scale of at least one inch to 100 feet which covers at least one lot or parcel, that shows the boundaries of the lot or parcel, and specifies the: proposed use and occupancy; exact location and dimensions of structures; preliminary floor plans and elevations of buildings; pedestrian and vehicular circulation, parking and loading facilities; freestanding signs and exterior lighting; existing grades and contours, significant vegetation, wetlands, floodplains and other natural features; and a proposed schedule for development. A site plan shall also include surrounding existing conditions within 50 feet beyond the property lines so as to show existing grades and contours, vegetation, retaining walls, and other manmade and physical features. Other related data may be required when relevant to city's evaluation.

*Solar energy systems* means any equipment or structure used to harness radiant heat and/or light from the sun for heating, cooling, conversion to electricity, or other similar purposes and rated at less than 15 kWh.

*State licensed residential facility* means a structure constructed for residential purposes that is licensed by the state under the Adult Foster Care Facility Licensing Act, 1979 PA 218, MCL 400.701 to 400.737, or 1973 PA 116, MCL 722.111 to 722.128, and provides residential services for six or fewer persons under 24-hour supervision or care.

*Story or story height.* A story is the portion of a building included between the surface of any floor, and the surface of the floor next above it, or to the ceiling for the top floor. A half story is the space under a sloping roof which has the line of intersection of the roof decking and the wall face not more than three feet above the top floor level and in which not more than two-thirds of the floor area is finished for use. Story height is the number of stories in a building which are placed above the average finished grade along the facade of the building which faces the nearest public street. Basements which extend more than six feet above the average finished grade along the facade of the building which faces the nearest public street shall be considered as a story. Attic space, penthouses or similar structures used only for storage or mechanical purposes and rooftop gardens and recreational facilities provided for residents or employees of the building shall not be considered as a story. Story height shall not apply to multiple-level parking garages or to parking levels within multi-use structures; such structures shall comply with the building height limit, as stated in feet, for the district in which the structure is located.

*Structural alterations* means any change in the supporting members of a building, such as bearing walls, columns, beams, or girders, or any substantial changes in the roof or exterior walls.

*Townhouse* means one of a series of single-family dwelling units connected by common side walls, each with its own outside entrance and exit, and constructed as part of a series of dwellings, all of which are either attached to the adjacent dwelling or dwellings by party walls or are located immediately adjacent thereto with no visible separation between walls and roofs.

*Unrelated persons* means two or more persons not constituting a family as defined in [section 50-6](#).

*Utility scale solar systems* means a collection of solar energy systems rated at 15 kWh or higher, installed with its primary purpose being the sale of generated energy for commercial sale or its primary end user being a utility company.

*Wetland* means land characterized by the presence of water at a frequency and duration sufficient to support, and that under normal circumstances does support, wetland vegetation or aquatic life and is commonly referred to as a bog, swamp or marsh.

*Wetland consultant* shall mean a person(s) professionally knowledgeable in wetland delineation and resource value assessment, wetland protection, wetland restoration and wetland mitigation.

*Wetland inventory map* refers to the City of East Lansing Wetland Inventory Map completed to comply with Section 30308 of Act 451 and adopted by the city council on April 22, 2003, as may be amended in accordance with chapter 49 of the city Code.

*Wind energy system* means any structure-mounted or tower-mounted device, such as a windmill or wind turbine, which is designed and used to convert wind power into a form of useful energy. Equipment needed to convert and transfer the power, such as generators, alternators, rotors, towers, and transformers, are included under this definition.

*Wireless communications facilities* means a broad range of telecommunication services that enables people on devices to communicate independent of location. This includes, but is not limited to, current technologies of cellular communications and personal communication services. This excludes public utilities, noncommercial antennas, radio and television signals and noncommercial satellite dishes.

*Yard* means an open space, unoccupied and unobstructed from the ground upwards, except as otherwise provided herein, and being on the same lot with a building. The measurement of a yard shall be construed as the minimum horizontal distance between the lot line and the building or structure.

- (1) A "required yard" is that portion of any lot on which the erection of a main building is prohibited.
- (2) A "front yard" is a yard on the same lot with a building between the front line of the building and the front lot line and extending from one side lot line to the other side lot line.
- (3) A "rear yard" is a yard on the same lot with a building between the rear line of the building and the rear lot line and extending from one side lot line to the other side lot line.
- (4) A "side yard" is a yard on the same lot with a building between the side lot line and the nearest side line of the building and extending from the rear yard to the front yard.

(Code 1994, ch. 55, § 5.5; Ord. No. 970, pt. I, 4-3-2001; Ord. No. 1061, 2-7-2006; Ord. No. 1149, 9-5-2006; Ord. No. 1157, 11-8-2006; Ord. No. 1256, 1-15-2013; Ord. No. 1313, 3-4-2014; Ord. No. 1395, 12-5-2017)

**Cross reference**— Definitions generally, § 1-7.

Secs. 50-10—50-30. - Reserved.

## ARTICLE II. - ADMINISTRATION AND ENFORCEMENT

### Footnotes:

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**Cross reference**— *Administration, ch. 2.*

## DIVISION 1. - GENERALLY

Sec. 50-31. - Changes and amendments.

- (a) The city council may of its own motion, or shall upon petition signed by the owners of a majority of the property proposed for rezoning, prepare an ordinance amending or changing the district boundaries or the regulations herein established. The ordinance shall, upon introduction thereof, be referred to the planning commission for review and recommendation. Prior to submitting its recommendation to the city council, the commission shall hold a public hearing, following notice thereof as required by section 202 of the Michigan Zoning Enabling Act, MCL 125.3202. For applications that require the submission and review of a traffic impact study under division 4 of this article, the required study shall be submitted with the application and forwarded to the city engineer for review. The study and the city engineer's report shall be submitted to the transportation commission for review. Final action on the application shall not be taken by the

planning commission until the transportation commission has had the opportunity to review and comment on the application at a regular meeting. The city council shall, on receipt of the report of the planning commission, set a date for a public hearing for consideration of such proposed amendment, supplement or change. After public hearing upon such proposed amendment, supplement or change, following notice thereof as required by section 202 of the Michigan Zoning Enabling Act, MCL 125.3202, the city council may act upon the adoption thereof, with or without amendment. Whenever a written protest against such proposed amendment, supplement or change, signed by the owners of 20 percent or more of the area of land proposed to be altered or by the owners of 20 percent of the area of land within 100 feet of any part of the boundary of the land proposed to be altered, excluding any publicly-owned land from either calculation, shall have been filed with the city council, the ordinance providing for such proposed amendment, supplement, or change shall not be passed except by a two-thirds vote of all members of the city council.

- (b) In reviewing an ordinance for the rezoning of land, whether with or without an offer of conditions, factors that should be considered by the planning commission and the city council include, but are not limited to, the following:
- (1) Whether the rezoning is consistent with the policies and uses proposed for that area in the city's comprehensive land use plan;
  - (2) Whether all of the uses allowed under the proposed rezoning would be compatible with other zones and uses in the surrounding area;
  - (3) Whether any public services and facilities would be significantly adversely impacted by a development or use allowed under the requested rezoning; and
  - (4) Whether the uses allowed under the proposed rezoning would be equally or better suited to the area than uses allowed under the current zoning of the land.
- (c) Following adoption of an ordinance to amend, supplement or change the district boundaries or the regulations herein established, the ordinance shall be filed with the city clerk and a notice of the ordinance adoption shall be published and mailed in accordance with the requirements of section 401 of the Michigan Zoning Enabling Act, MCL 125.3401. The ordinance shall take effect upon the expiration of seven days after its publication, unless a later effective date is specified by the city council, or unless a notice of intent to file a petition seeking to submit the ordinance to the electors of the city for action is filed with the city clerk in accordance with the provisions of section 402 of the Michigan Zoning Enabling Act, MCL 125.3402.

(Code 1994, ch. 55, § 5.141; Ord. No. 1157, 11-8-2006; Ord. No. 1162, 4-17-2007; Ord. No. 1252, 3-20-2012)

#### Sec. 50-32. - Fees.

Fees shall be paid upon the filing of the appropriate application and shall not be refundable unless otherwise specifically provided in this Code. A schedule of fees and costs shall be proposed by the city manager in consultation with the planning commission and zoning board of appeals and adopted by city council by resolution.

(Code 1994, ch. 55, § 5.141A)

#### Sec. 50-33. - Violations; penalties; enforcement.

- (a) Buildings erected, altered, razed, or converted, or uses carried on in violation of any provision of this chapter, are hereby declared to be a nuisance. The court shall order such nuisance abated, and the owner and/or agent in charge of such building or land shall be adjudged guilty of maintaining a nuisance.
- (b) For any and every violation of the provisions of this chapter, the owner, agent, architect, builder, lessee, or tenant of the land or building or part thereof where violation has been committed or exists shall be guilty of a misdemeanor; and the owner, agent, architect, builder, or any person who commits, takes part, or assists in such violation of any of the provisions of this chapter, or any person who maintains any building or land in or on which such violation exists, shall be

guilty of a misdemeanor, and upon conviction thereof before any court of competent jurisdiction, shall be punished by a fine of not more than \$100.00 for each offense, or shall be punished by imprisonment in jail for a period not to exceed 90 days, or both such fine and imprisonment at the discretion of the court. In case the owner, lessee, or tenant is an unincorporated association or a nonprofit membership corporation, every member of such association or corporation shall be deemed guilty of a misdemeanor as herein provided and subject to the penalties herein specified. Each day that a violation is permitted to exist shall constitute a separate offense.

- (c) The city or any interested party may apply to any court of competent jurisdiction to restrain any person, firm, or corporation from such disobedience or threatened violation, notwithstanding such disobedience or violation may be punishable by a fine or imprisonment above provided.
- (d) The director of planning, building and development and his/her appointed officers and inspectors, limited duty parking and property maintenance officers appointed and assigned by the chief of police, and sworn police officers shall be authorized to issue and serve appearance tickets with respect to any misdemeanor violations of this chapter pursuant to MCL 764.9c(2), and to issue and serve citations for any violation of this chapter designated as a municipal civil infraction as defined by section 113(1) of the Revised Judicature Act of 1961, as amended, in the form and manner provided by sections 8707 and 8709 of the Revised Judicature Act.
- (e) For the occupancy of a rooming and/or dwelling unit in violation of the maximum occupancy provisions of this chapter, the owner and/or agent shall be responsible for a municipal civil infraction as defined by section 113(1) of the Revised Judicature Act (MCL 600.113(1)), and upon finding of responsibility before any court of competent jurisdiction shall be punished by a civil fine of not less than \$250.00 and not more than \$500.00 for each offense. In case the owner or agent is an unincorporated association or a nonprofit membership corporation, every member of such association or corporation shall be deemed responsible for a municipal civil infraction as herein provided and subject to the civil penalties herein specified. Each day that a violation is permitted to exist shall constitute a separate offense. Cases commenced under this chapter as municipal civil infractions for over-occupancy shall be commenced by the issuance of a citation in the manner provided by section 8707 of the Revised Judicature Act and shall contain the information and be processed under the provisions of sections 8709 and 8711 of the Revised Judicature Act.
  - (1) A person found responsible by the judge or district court magistrate for any violation of this chapter charged as a municipal civil infraction shall pay the stipulated civil fine and costs to be determined by the court or magistrate, which may include all expenses, direct and indirect, to which the city has been put in connection with the municipal civil infraction, up to the entry of the judgment. Costs of not less than \$9.00 or more than \$500.00 shall be ordered.
  - (2) In addition to ordering the defendant to pay a civil fine, costs and expenses, the judge or district court magistrate may issue such writs or injunctive orders as necessary to abate a nuisance as provided in section 2940 of the Revised Judicature Act, or issue any judgment, writ, or order necessary to enforce the city ordinance as provided in section 8302 of the Revised Judicature Act.
- (f) The rental housing license shall be considered notice of the maximum occupancy for a dwelling, and no additional notification shall be required upon identification of any and every occupancy violation.

(Code 1994, ch. 55, § 5.142; Ord. No. 1313, 3-4-2014)

#### Sec. 50-34. - Administrative officers.

- (a) To administer and enforce regulations and restrictions hereafter set forth, there are hereby established the offices of planning and zoning official and building official to be filled by appointees of the city manager, subject to approval by the city council.
- (b) The planning and zoning official and building official may delegate clerical, filing, and recording work to the clerical employees of the city. They shall be responsible for the enforcement of all the provisions of this chapter as described hereunder; and they and their authorized assistants, where properly identified, shall have the authority to enter any

premises, at any reasonable time, for the purpose of investigating or inspecting any building conditions. It shall be the duty of the planning and zoning official and/or building official to receive and examine all applications for approval and/or permits as required by this chapter and to approve or reject such applications as described hereunder. They shall collect all special fees established hereby and turn them in daily to the city treasurer. They shall make such inspections as are necessary, and they shall have authority to revoke a permit as hereinafter provided.

- (c) Authority given to any person or board under this chapter shall be construed as adding to and not taking from the authority held under any other chapter or ordinance of the city. The powers and duties contained in this chapter shall be construed as separate and distinct from authorities or duties required of any official or board under any other chapter or ordinance of the city, and shall not be construed as conflicting therewith or limiting the scope thereof.

(Code 1994, ch. 55, § 5.146)

**Cross reference**— Officers and employees, § 2-61, et seq.

Sec. 50-35. - Building permits.

- (a) Before proceeding with the erection, alteration, repair, moving, or removing of any building, or part thereof, an owner or his/her or its authorized agent shall obtain a permit from the building official. The applicant for a permit must file with his/her or its request a set of plans and written specifications sufficient to indicate clearly and fully the nature of the contemplated work and the kind and quality of materials to be used therein, together with an estimate of the cost. Drawings shall be made to scale not less than one-eighth inch equal to one foot, and shall indicate clearly the size of structural members, walls, and openings, the position of the building on the site with reference to property and street lines and adjacent buildings, and such other information as may be necessary to provide for the enforcement of these regulations. It shall be the duty of all lot owners to have located accurately all corners and boundaries of their properties prior to building thereon.
- (b) A record of such applications and plans shall be kept in the office of the building official for such period of time as the city manager deems necessary.
- (c) For applications for permits for activities which require review and approval by the planning and zoning official, the zoning board of appeals, the planning commission or the city council under the provisions of this chapter, the building official shall forward the application to the planning and zoning official for review and processing. When such review has been completed, the planning and zoning official shall advise the building official of the actions taken before any building permit may be issued.
- (d) When the plans submitted have been found to conform with the requirements of this chapter, the building official shall issue a permit and affix to the plans an official stamp of approval.
- (e) When alterations begin or when the footings of a building have been constructed and before the completion of the foundation walls and also at the time of the completion of the frame and skeleton construction, the owner, contractor, or his/her or its agent shall notify the building official in writing in order that the inspection may be made at each of those times.
- (f) The building official shall make a final inspection of all buildings after completion, before occupancy begins, upon receiving notice from the owner, contractor, or his/her or its agent, that said building is ready for such final inspection. If such buildings or alterations comply with the statements in the application, plans, working drawings, and specifications, a certificate of occupancy shall be issued as hereinafter provided.
- (g) Whenever it is found that a permit has been issued in violation of this chapter or any other chapter of the City Code or state law, or in consequence of a false statement or misrepresentation of conditions, or whenever it is found that work is not being performed in accordance with the plans and specifications on which the permit issued is based, the building official shall notify the person to whom the permit was issued to appear before him/her at a stated time and place and

show cause why the permit shall not be revoked. If after such a hearing it shall appear that the permit was improperly obtained or that the work is being improperly done, or if the holder of the permit, or his/her or its authorized agent fails to appear at the stated time of the hearing, the building official shall issue a written order revoking the permit. The posting of a copy of such order upon the premises shall constitute service thereof upon the owner, or the contractor, or his/her or its agent in charge of the work. No other permit shall thereafter be issued to any person held to be violating any provision of this chapter or any other chapter of the City Code or state law until all conditions prompting the revocation of the initial permit have been satisfactorily corrected. Failure of the building official to serve notice of any violation at the time of occurrence shall not relieve the holder of the permit from responsibility for such violation.

- (h) Permits for structures on which work has not started within six months following the date of issue, or on which all permitted work has not been completed within 24 months following the date of issue and permits for structures upon which work has been abandoned for a period of six months, shall lapse and cease to be in effect. The building official shall notify the person to whom the permit is issued of the expiration date of the permit. The building official may for good cause authorize a single extension of the time period to complete for not more than 12 additional months. If the building official does not authorize a request to extend the time period of the permit prior to the expiration date, the person to whom the permit was issued may appeal to the zoning board of appeals and show cause why the permit should not lapse. Following a public hearing the zoning board of appeals may grant an extension of the permit for a period not to exceed 12 additional months for good cause, and upon finding that the extension would not unduly affect neighboring properties or the public health, safety, or welfare. An appeal to the zoning board of appeals prior to the expiration date shall stay the expiration of the permit until final action by the board. Where a building permit has lapsed and a structure does not meet the minimum structural requirements of chapter 6 or where a premises does not meet the grading and soil erosion requirements of chapter 34 of this Code, the structure or premises shall be deemed a public nuisance and an unsafe or dangerous building within the meaning of chapter 6 and the building official may proceed to abate the condition in the manner provided by chapter 6. For permits issued prior to the effective date of the ordinance from which this chapter is derived, the time limits specified above shall apply commencing on the effective date of such ordinance.

(Code 1994, ch. 55, § 5.147)

#### Sec. 50-36. - Site plan approval.

- (a) *Purpose.* Site plan approval is necessary to ensure that all land is used and developed in compliance with the requirements of this chapter and other applicable local ordinances and state and federal statutes. Site plan approval is also required to minimize adverse impacts on surrounding properties, public streets and public services and to protect the public health, safety and general welfare.
- (b) *When required.* An approved site plan shall be required to establish, construct or reconstruct all uses as specified in the use district regulations of this chapter. Except as otherwise provided in the use district regulations or in paragraph (k) below, an approved site plan shall also be required to expand or convert such uses if the expansion or conversion would result in an increased parking requirement as determined in accordance with section 50-812 of this chapter. No certificate of occupancy and no building permit for the erection, enlargement, or conversion of a building or structure shall be granted by the building official unless the required site plan has been approved in accordance with the requirements set forth in this section.
- (c) *Approval generally.* A site plan application shall be approved if it contains all the required submission materials specified in subsection (e) below, meets the required conditions for development in this chapter, satisfies the standards of review in section 50-38 of this chapter, complies with all other applicable local ordinances and state and federal statutes, and is consistent with the objectives of the comprehensive plan as approved and amended by the city.
- (d) *Conditions of approval.* A site plan may also be approved subject to reasonable conditions or certain modifications



necessary to ensure that the plan conforms to these requirements. Such conditions may include those necessary to insure that public services and facilities affected by the proposed land use or activity will be capable of accommodating increased service and facility loads caused by the development, to protect the natural environment and conserve natural resources and energy, to preserve natural features, to insure compatibility with adjacent land uses, and to promote the use of land in a socially and economically desirable manner. Such conditions shall do all the following:

- (1) Be designed to protect natural resources, the health, safety, and welfare, as well as the social and economic well-being of those who will use the land use or activity under consideration, the residents and landowners immediately adjacent to the proposed land use or activity, and the community as a whole.
  - (2) Be related to the valid exercise of the police power and purposes which are affected by the proposed use or activity.
  - (3) Be necessary to meet the intent and purpose of the zoning regulations; be related to the standards established in the ordinance for the land use or activity under consideration; and be necessary to ensure compliance with those standards.
- (e) *Submission procedure.* Applications shall be submitted to the planning and zoning official and shall include the following items:
- (1) An application for site plan approval, on a form to be provided by the planning and zoning official, signed by the owner and the prospective developer of the property;
  - (2) The application review fee(s) specified in section 50-32 of this chapter;
  - (3) The site plan application materials specified in section 50-37 of this chapter.
- (f) *Initial staff review.* Upon receipt of a complete submission, the planning and zoning official shall review the proposal with respect to the requirements of this chapter, the comprehensive plan, other local land use policies and regulations, and accepted design principles. The planning and zoning official shall also initiate the review of the proposal by others.
- (1) The planning and zoning official shall transmit copies of the site plan application materials to other departments and agencies which have review or operational responsibilities relevant to the proposal. Written reports on the proposal from the departments and agencies shall be submitted to the planning and zoning official within eight working days of their receipt of the site plan materials.
  - (2) The planning and zoning official shall schedule and publish notification of a public hearing before the planning commission on the application in accordance with the commission's bylaws and, where applicable, in accordance with the requirements of section 103 of the Michigan Zoning Enabling Act, MCL 125.3103.
  - (3) The planning and zoning official shall forward notice of each application to the chairperson of the following city boards and commissions:
    - a. Commission on the environment, all applications;
    - b. Transportation commission, all applications;
    - c. Downtown development authority, each application on property located within or adjacent to the downtown development authority district;
    - d. Historic district commission, each application on property located within or adjacent to a designated historic district; and
    - e. Parks and recreation commission, each application on property located adjacent to a public park or recreation facility and each application that proposes to create a public park or recreation facility.

If the chairperson of one or more of the above boards so requests at or before the public hearing on an application, final action on the application shall not be taken by the planning commission until the applicable board(s) has had the opportunity to review the application at a regular meeting.
  - (4) For properties shown to potentially contain wetlands on the city wetland inventory map, the presence of wetlands

shall be verified and the boundaries of any wetland present shall be delineated by the city engineer, unless the city engineer determines that delineation is not required pursuant to section 49-7(2)a. of the city Code, before final action on the application is taken by the planning commission. The wetland boundaries determined by the city engineer shall apply unless a boundary delineation is prepared by the Michigan Department of Environmental Quality, in which case, the wetland boundaries determined by the MDEQ shall apply. The wetland verification and boundary determination report prepared by the city engineer shall be provided to the commission on the environment for information. Where wetlands are verified to be present on the site, final action on the application shall not be taken by the planning commission until the commission on the environment has had the opportunity to review and comment on the application at a regular meeting.

- (5) For applications that require the submission and review of a traffic impact study under division 4 of this article, the required study shall be submitted with the application and forwarded to the city engineer for review. The study and the city engineer's report shall be submitted to the transportation commission for review. Final action on the application shall not be taken by the planning commission until the transportation commission has had the opportunity to review and comment on the application at a regular meeting.
- (6) The planning and zoning official shall prepare a preliminary report on the application and submit it to the planning commission and the applicant prior to the public hearing. The report shall be available to the public at the public hearing and by request. The report shall include:
  - a. A description of the application;
  - b. A review of its conformance to the comprehensive plan and to applicable regulations and standards in this chapter;
  - c. An enumeration of any variances that may be required;
  - d. A review of its impact on traffic and public facilities and services; and
  - e. The reports received from other departments and agencies.
- (g) *Planning commission review.* Following the public hearing as required in subparagraph (f)(2) above, the commission shall advise the applicant and staff of issues which need further study and of changes to the plans which should be considered.
  - (1) Any revisions to the plans shall be prepared by the applicant and submitted to the planning and zoning official.
  - (2) If proposed revisions to the plans may affect the conclusions and recommendations of other departments or agencies, the planning and zoning official shall refer the revised plans to them for additional review.
  - (3) After receipt of the revised plans and additional comments from other departments and agencies, if any, verification of any wetland boundaries by the city engineer, as required, and any comments from the commission on the environment and the transportation commission, the planning and zoning official shall prepare a final report and recommend action on the application, including any conditions deemed necessary to ensure the proposal's compliance with local policies and regulations. The final report shall be forwarded to the planning commission and the applicant and shall be available to the public.
  - (4) Upon receipt of the planning and zoning official's final report, the commission shall recommend approval of the application as submitted if it is in compliance with all applicable local policies and regulations, recommend approval subject to conditions deemed necessary to ensure the application's compliance with local policies and regulations, or recommend denial if the application would not comply with local policies and regulations.
  - (5) Written notification of the commission's action shall be transmitted to the applicant and to the city council prior to the city council's next regular meeting. The planning and zoning official's final report, minutes of relevant commission meetings, and copies of all written materials submitted to the commission shall also be transmitted to city council.

- (h) *City council review and action.* City council shall review the application at a regular meeting and shall take action on it according to the following procedures:
- (1) City council may approve the application as submitted, approve the application subject to conditions or reject the plans if the application would not comply with local policies and regulations. It may also defer action on the application to some specified date if additional information is necessary.
  - (2) Before acting on any site plan being considered in conjunction with any special use permit application, as provided for in article II, division 3, of this chapter, or any clustered development plan application, as provided for in article IV, division 7, of this chapter, any neo-traditional neighborhood redevelopment plan application, as provided for in article IV, division 8, of this chapter, or any planned unit development application, as provided for in article V, division 2, of this chapter, the city council shall hold one public hearing, with notice thereof provided in accordance with the requirements of section 103 of the Michigan Zoning Enabling Act, MCL 125.3103.
  - (3) If city council takes no action to approve, modify, deny, or defer the application within 20 working days of receipt of the planning commission's action, or within 20 days of its public hearing, if such hearing is required in subparagraph (2) above, the commission's recommendation shall be deemed adopted by city council.
  - (4) Written notification of city council's action shall be transmitted by the city clerk to the applicant and the planning and zoning official within five days of the action or the expiration of the 20-day review period.
- (i) *Granting of permits.* After approval of the site plan in accordance with the procedures in this section, the applicant shall submit a final site plan to the planning and zoning official. The final site plan shall comply with the city council approval and incorporate any conditions of approval. The applicant shall also secure and submit copies of all required zoning variances, wetland use permits, and permits or approvals from other agencies.
- (1) The grading, clearing and site construction elements of the final site plan shall be reviewed and approved by the city engineer in accordance with applicable regulations and specifications.
  - (2) When the city engineer has approved the final site plan, the planning and zoning official shall determine if the final site plan continues to comply with the city council approval, and if so, shall forward certified copies of the final site plan to the building official and the city engineer. If the final site plan does not comply with the city council approval, the final site plan shall be processed in accordance with the provisions governing modifications as specified in subsection (k) of this section.
  - (3) When the site grading, clearing and site construction elements of the final site plan have been approved by the city engineer and all required zoning variances, wetland use permits, and permits or approvals from other agencies have been secured, the planning and zoning official may certify those portions of the final site plan. The planning and zoning official may defer action on other elements, such as final landscaping and site lighting plans, that may be submitted and approved at a later date.
  - (4) Upon receipt of the certified site plan, or a portion thereof, the city engineer and/or building official may issue a grading/soil erosion and sedimentation control permit, tree removal/land clearing permit, building permit, or other required permits in accordance with other applicable city codes and procedures.
  - (5) If the building official issues a temporary occupancy permit before all required site improvements have been completed, the building official may require that a cash deposit, certified check or irrevocable bank letter of credit in an amount equal to the city engineer's estimated cost of the uncompleted improvements be deposited with the city to insure the timely completion of the required improvements. Upon request, the building official may rebate portions of the cash deposit or certified check as improvements are satisfactorily completed or, with a letter of credit, the building official may allow the original one on file to be replaced with a new letter of credit. When all required improvements have been satisfactorily completed by the applicant, the final guarantee shall be returned by the building official.

- (6) The authorities and responsibilities of the city engineer and the building official shall, with respect to applications having approved pursuant to this section, be the same as for other applications for grading/soil erosion and sedimentation control permits, tree removal/land clearing permits, wetland use permits, building permits and certificates of occupancy submitted for approval, and nothing in this section shall be constructed to abrogate such authority and responsibility.
- (j) *Time limit of approval.* Except as otherwise provided in this chapter, the site plan approval shall remain valid for 12 months from the date of its approval by the city council. If work on the proposed development has not begun within the 12-month limit, the approval shall automatically become null and void and all rights thereunder shall lapse; except that upon written application filed at least one month prior to the expiration of the 12-month limit, the planning commission may authorize a single 12-month extension of the time limit. Once work on the proposed development site has begun, it shall be completed in accordance with the provisions and limits or extended limits of section 50-35(h) of this chapter. For developments which include two or more principal buildings or otherwise include improvements which are to be constructed in phases, each phase shall be considered as a separate project for the purposes of section 50-35(h).
- (k) *Modifications of approved site plans as described under section 50-37(1) and approved building plans as described under section 50-37(6) or existing developments.* The planning and zoning official may administratively approve applications to modify previously approved site plans, or to expand or convert the use of buildings or site improvements which legally existed prior to the adoption of this section, which meet all of the following standards:
- (1) The modification would comply with all other requirements of this chapter and other applicable regulations;
  - (2) The modification would comply with all previously imposed conditions of approval, if any;
  - (3) The modification would not otherwise increase the overall scale or intensity of the use in a way that would have a material adverse effect on adjacent properties, natural features, public streets or public services;
  - (4) The modification would not increase by more than five percent any or all of the following characteristics of the property: the total floor area of building(s); the total residential occupancy; or the total number of parking spaces required or provided; and
  - (5) The modification would not materially alter the approved architectural style, façade materials to be used, window size or overall window area more than five percent, or other architectural features and adornments.

An application to modify an approved site plan or to expand or convert the use of an existing building which does not meet the standards above may be referred to the city council for consideration if the modifications would not result in a significant change to the site plan and would otherwise be recommended for approval by the planning and zoning official. An application to modify an approved site plan that is not administratively approved or referred to the city council pursuant to this section shall be treated as a new application and must be approved in accordance with the procedures and standards of this section and section 50-38. In determining if an application to modify an approved site plan or to expand or convert the use of an existing building meets the standards above, the planning and zoning official may consult with other departments or agencies or seek guidance from the planning commission or city council.

- (l) *Concept plan approval.* Before submitting one or more detailed site plan applications, a developer may choose to submit a proposed concept plan for review and approval. The purpose of concept plan approval is to determine whether the extent, nature and layout of the development would conform to the city's comprehensive plan and other land use policies and likely comply with the standards of this chapter and other applicable regulations, once detailed site plans are prepared and submitted. Concept plan approval signifies that the city finds the extent and nature of the development and the proposed arrangement of uses and improvements on the property are acceptable, subject to any conditions of approval and the ultimate compliance of the development to all requirements of this chapter and other relevant local policies and regulations.
- (1) An application for concept plan approval shall provide sufficient information about the proposed development to make a determination consistent with the purpose of this review. The application shall address all the submission

requirements specified in section 50-37, although it is expected that the level of detail of the design will be schematic in character. At a minimum, the application shall include the following information:

- a. The size of the property and general site conditions.
  - b. The approximate location, size and occupancy of all proposed buildings;
  - c. The approximate location, extent, and nature of any natural features on the site;
  - d. The proposed location of streets, driveways and parking areas to provide access and serve each building;
  - e. The proposed extension of utilities necessary to serve the overall site;
  - f. Any other proposed facilities to be provided on the site;
  - g. Other information as may be necessary to accomplish the purpose of the review;
  - h. The fee specified in section 50-32 of this chapter.
- (2) The schematic development plan application shall be processed in accordance with subsections (f) through (h) of this section and reviewed in accordance with the standards of review provided in section 50-38.
- (3) An approved schematic development plan shall remain valid for 18 months from the date of its approval by the city council. If a formal application for site plan approval for at least a portion of the proposed development has not been submitted within the 18-month limit, the approval shall automatically become null and void and all rights thereunder shall lapse; except that upon written application filed at least one month prior to the expiration of the 18-month limit, the planning commission may authorize a single extension of the time limit of not more than 12 months.
- (m) *Phased development.* Where a parcel is intended to be divided into several building sites, such as a site condominium, or the development would consist of two or more buildings, or the property would otherwise be developed in phases, the developer(s) may choose to submit site plans for each phase separately. At a minimum, the applicant shall initially submit an overall concept plan for the entire site, as provided for in subsection (l) of this section; the applicant may also simultaneously submit a detailed site plan application for one or more portions of the site. When the concept plan and any initial site plan have been approved, detailed site plans for each subsequent phase(s) shall be submitted for review and approval. Each subsequent phase shall be considered as an amendment to the overall site plan for the parcel. The initial phase and each subsequent phase shall comply with the requirements of this chapter and be designed to function properly should subsequent phases not be developed.
- (n) *Procedures.* Procedures for the processing and review of applications for site plan approval as required by this section shall be approved by the planning commission and shall be made available, in written form, to applicants for site plan approval.
- (o) *Site plan compliance.* It shall be the responsibility of the owner(s) of the property to construct all structures in conformity with the approved site plans, including but not limited to the approved building elevations showing the size, height, architectural style, materials, colors, and window sizes and locations and to use and maintain the property in compliance with the approved site plan and all conditions of approval. All elements of the approved plan shall be maintained in safe and usable condition and shall promptly be repaired and/or replaced as needed. The planning and zoning official shall make periodic inspections of each site to ensure that the sites remain in compliance with the approved site plan. The violation, enforcement and penalty provisions of section 50-33 of this chapter shall apply. The building official shall issue a stop work order upon the planning and zoning official's request for any structure that is being constructed contrary to the approved site plan.

(Code 1994, ch. 55, § 5.147A; Ord. No. 1061, 2-7-2006; Ord. No. 1157, 11-8-2006; Ord. No. 1162, 4-17-2007; Ord. No. 1236, 8-17-2010; Ord. No. 1319, 2-18-2014; Ord. No. 1492, 12-15-2020)

The planning and zoning official shall determine the format(s) and number of copies of the application materials necessary to facilitate review by other departments and agencies, presentation at public meetings, inclusion in printed reports and incorporation into public records. The application shall include sufficient information and detail to determine if the proposed development meets applicable standards of review under this chapter. The information shall be prepared by persons with applicable competencies so that the city may rely on its accuracy and feasibility. The application shall typically include the following drawings and information, as may be relevant to the nature of the application and the city's review requirements:

- (1) A site plan, as defined in section 50-9 of this chapter, showing the proposed size and location of buildings, parking and access facilities, free-standing signs and other improvements to be constructed or installed on the site, and the proposed use and treatment of other areas on the site. The site plan shall be clearly dimensioned to show the setbacks of buildings and parking areas, the separation between buildings and parking areas, the height of buildings, the width of roadways and driveways, the size of parking spaces, and other elements of the site plan as necessary to ensure the site plan complies with the applicable dimensional standards of this chapter.
- (2) An existing topographic survey and boundary description of the site, drawn at the same scale as the site plan, showing the following existing conditions:
  - a. Exact dimensions and size of the site and any easements, rights-of-way or other physical encumbrances on the site;
  - b. Location, size, and composition of all existing buildings, paved areas and other improvements;
  - c. Existing ground contours at two-foot intervals or less, indicating the direction of surface drainage flow, and the type of surface soils present;
  - d. Location and species of all existing individual trees which have a diameter (d.b.h.) of four inches or more, or where significant clusters of trees and shrubs are present, the location and general composition of such clusters, and an indication of which individual trees or tree clusters will be removed or retained;
  - e. Location and boundaries of water bodies, including, but not limited to rivers, streams, lakes, ponds, marshes, city or county drains and manmade surface drainageways;
  - f. Where wetland of any size may be present, as indicated on the city's wetland inventory map, a report prepared by a qualified wetland consultant which verifies the presence of any wetland, establishes the boundary of any wetland, describes the character and quality of any wetland, and indicates if any wetland may be regulated by the state or protected by chapter 49 of the City Code; except, this requirement may be waived by the city engineer where it is clearly evident that the proposed site changes would not disturb any wetland on the property;
  - g. The boundary and elevation of areas of special flood hazard and floodways, as defined in chapter 18 of the City Code;
  - h. Location and size of all existing utility lines, manholes, catch basins, and fire hydrants on or near the site which may be used to serve the site;
  - i. Delineation of areas on the site which are known or suspected to be environmentally contaminated, together with a report on the status of cleanup or closure.
- (3) A proposed landscape plan which, at a minimum, conforms to the requirements of section 50-840 of this chapter, drawn at the same scale as the site plan or larger, showing: the location and size of areas to be landscaped; the type, size and placement of plant materials to be installed; the type, size and location of existing trees and significant clusters of trees or shrubs to be preserved; the location and height of proposed earth berms; and the size and design of fences or other screens to be erected. For clarity, detailed plans drawn at a larger scale than the site plan may be submitted to show the typical design and treatment of similar landscaped areas and fencing.

- (4) Proposed preliminary engineering plans, drawn at the same scale as the site plan or larger, showing the following proposed conditions:
  - a. Ground contours at two-foot intervals or less, indicating the direction of surface drainage flow;
  - b. Ground and floor elevations of buildings and other site improvements drawn to two decimal places;
  - c. Location, dimensions and composition of roadways, driveways, curb cuts, parking and access facilities, curbing and sidewalks;
  - d. Location and size of public utility connections, fixtures and easements;
  - e. Stormwater management plan including the design of sewers, outlets, and retention or detention ponds, with sufficient data regarding site runoff estimates and off-site drainage patterns to permit review of the feasibility and permanence of drainage detention and/or retention as well as the impact on local surface and groundwater;
  - f. Location and delineation of any wetland that would be disturbed and the location, existing character and proposed treatment of any proposed mitigation sites;
  - g. Location and screening of exterior trash storage facilities;
  - h. Type, height and placement of exterior light fixtures, including fixtures mounted on poles and on buildings;
  - i. Location and status of any floor drains in existing or proposed structures on the site, indicating the point of discharge for all drains and pipes;
  - j. Location of any on-site wastewater collection, treatment and disposal system;
  - k. Location of existing and proposed public and private drinking water wells, monitoring wells, irrigation wells, test wells or wells used for industrial processes;
  - l. Inventory of hazardous substances to be stored, used or generated on-site, in a format acceptable to the local fire marshal (including CAS numbers);
  - m. Descriptions of type of operations proposed for the property with drawings showing size, location, and description of any proposed interior or exterior areas for storing, using, loading or unloading hazardous substances, hazardous wastes, and/or polluting materials;
  - n. Description and location for any existing or proposed aboveground and belowground storage facilities;
  - o. Completed environmental permits checklist on the form provided by the planning and zoning official.
- (5) A traffic impact study if so required under the provisions of division 4 of this article.
- (6) Proposed preliminary building plans, drawn at an accurate scale, including:
  - a. Interior floor plans showing the arrangement and use of rooms for each floor, maximum occupancy and seating plans where applicable;
  - b. Building elevations showing the size, height, architectural style, and exterior materials to be used, and areas intended to be used for wall-mounted signage.
- (7) A descriptive text which addresses the following items:
  - a. The design principles followed in preparing the plans and how the plans address the objectives and criteria specified in section 50-38;
  - b. The type of occupants anticipated and the market the project is intended to serve; for nonresidential uses, the intended hours of operation and the expected number of employees; for residential uses, the expected occupancy, the period of leases, and the approximate range of sale prices or rental rates of the proposed dwelling units;
  - c. The land use statistics reflected in the proposed plans as measured against the required conditions in the applicable zoning district;

- d. A rationale for any variances from the requirements of this chapter which may be requested as part of the application.
- e. The proposed construction schedule and staging of the development.

(8) Proposed plans showing compliance with the requirements of the public art requirement of section 50-38(6) of the City Code or a detailed narrative of the basis for an exemption from the requirement pursuant to section 50-38(6)d.

(Ord. No. 1061, 2-7-2006; Ord. No. 1163, 2-20-2007; Ord. No. 1162, 4-17-2007; Ord. No. 1313, 3-4-2014; Ord. No. 1319, 2-18-2014; Ord. No. 1339, 10-7-2014)

Sec. 50-38. - Standards of review for site plan approval.

A site plan application shall meet the development standards of the use district in which it is to be located and all other required conditions for development in this chapter, comply with other applicable local ordinances and state and federal statutes, and be consistent with the objectives of the comprehensive plan as approved and amended by the city. A site plan application shall also substantially comply with the standards of review specified below. A site plan may be approved subject to certain conditions or modifications necessary to bring the plan into conformance with these requirements, including the approval of any variance that may be granted by the zoning board of appeals.

- (1) *General site conditions.* The site shall be designed and developed to provide a logical relationship between functional elements, to effectively serve the purposes for which it is to be developed, and to be reasonably compatible with surrounding properties.
  - a. The size, height, design and architectural treatment of buildings shall be reasonably compatible with surrounding properties; except, if the site is in an area which is expected to redevelop in accordance with the provisions of the comprehensive plan, the size, height, design and architectural treatment of buildings shall be consistent with the objectives in the comprehensive plan.
  - b. Buildings, including windows, balconies and other openings, shall be located and designed to provide reasonable privacy for residents and employees on the site and those adjacent to the site; buffers such as walls, fencing, landscape plantings or additional setbacks may be required to protect residents and employees from adverse impacts from adjacent uses or streets.
  - c. Yard areas on the site shall be arranged and improved to provide adequate light and ventilation; separation between buildings, roads and other activity areas; trees and other vegetation; passive and active recreational areas; and to improve the appearance of the property, ensure reasonable privacy and enjoyment for residents and employees and promote the public health, safety and welfare.
  - d. Outdoor activity areas, such as pools, playgrounds, courts, cooking or dining facilities, shall be located and screened sufficiently to minimize impacts on adjacent properties or dwelling units on the site and to provide appropriate security.
- (2) *Natural features.* The site shall be designed and developed to minimize the disruption or loss of its desirable natural elements and to enhance its overall appearance by incorporating those elements into required open spaces and setbacks.
  - a. The design and placement of buildings, other site improvements and open space shall respect the natural topography of the site to minimize the extent of site grading, excavation and filling.
  - b. Mature trees and significant clusters of trees and shrubs shall be retained where possible to provide shade for buildings and over parking areas and driveways, to maintain privacy between adjacent properties and to enhance the appearance of the site.
  - c. Within a regulated wetland, no filling, grading, dredging, excavating, draining or construction shall be permitted unless the required permit is first obtained from the Michigan Department of Environmental Quality and/or the city in accordance with chapter 49 of the City Code. Existing wetland areas not regulated by the state or the city



and surface drainageways shall be preserved to the maximum practicable extent to maintain stormwater control, water quality, natural habitat and open space.

- d. Buildings and other site improvements shall be set back an appropriate distance from the perimeter of preserved natural features to protect them from encroachment, damage, degradation or pollution, both during and after construction, to preserve the aesthetic and functional values of the resources and to provide access to use and maintain the site improvements. All construction activities within the drip line of existing trees shall be minimized to avoid damage to their root systems. Buildings and other site improvements shall be set back from the edge of a wetland or other surface water feature the following minimum distances:

Setbacks from preserved wetlands and other surface water features:	Minimum distance:
Principal buildings .....	25 feet
Accessory buildings and site features supported by frost footings .....	15 feet
Decks, stairways and other features supported by post footings .....	10 feet
Parking areas, driveways and curbing .....	15 feet
Sidewalks, patios and other flatwork .....	10 feet
Stormwater collection, detention or retention facilities .....	10 feet

A vegetation strip at least ten feet wide consisting of plant species that are consistent with a wetland habitat shall be provided and maintained around the perimeter of a preserved wetland or surface water feature. Existing trees, shrubs and ground cover may be preserved within this strip or appropriate trees, shrubs and other perennial species native to a Michigan wetland habitat shall be installed to enhance the strip. Once established, this strip shall not be mowed or clear cut, except for vegetation that requires cutting to reseed and maintain healthy growth, and trees and shrubs may be selectively pruned to maintain views of the wetland or water feature and to protect and maintain access to buildings and other site improvements. Pathways no more that ten feet in width may be cleared and maintained to provide access to the wetland or surface water feature. Observation decks or docks may also be permitted to allow viewing of the water feature or wetland.

The setback and vegetation strip requirements in this subsection may be increased or decreased if it is determined that a proposed activity is in the public interest. In determining whether the proposed activity is in the public interest, the benefit which would reasonably be expected to accrue from the proposal shall be balanced against the reasonably foreseeable detriments of the construction or activity, taking into consideration the local, state and national concern for the protection and preservation of the environmental feature in question. The following general criteria shall be applied in undertaking this balancing test:

1. The relative extent of the public and private need for the proposed activity.
  2. The availability of feasible and prudent alternative locations and methods to accomplish the expected benefits from the activity.
  3. The extent and permanence of the beneficial or detrimental effects which the proposed activity may have on the public and private use to which the area is suited, including the benefits the natural feature and/or natural feature open space provides.
  4. The probable impact of the activity in relation to the cumulative effect created by other existing and anticipated activities in or near the natural feature to be protected.
  5. The probable impact on recognized historic, cultural, scenic, ecological, or recreational values, and on fish, wildlife and public health.
  6. The size and quantity of the natural feature open space being considered.
  7. The amount and quantity of the remaining natural feature open space.
  8. Proximity of the proposed activity in relation to the natural feature, taking into consideration the degree of slope and the soil type within and adjacent to the natural feature and the setback area, the quantity and speed of surface runoff expected and the nature of the natural feature to be protected.
  9. Economic value, both public and private, of the proposed activity and economic value, both public and private, if the proposed activity were not permitted.
- e. Development within designated floodplain areas shall be accomplished in a way that does not alter or obstruct stormwater flow within a designated floodway, maintains the overall stormwater storage capacity of the site and does not increase risks to persons and property.
- f. Appropriate ground cover, trees and other vegetation shall be planted and maintained on the site to control stormwater runoff and prevent erosion, siltation and dust, to provide privacy between adjacent uses and mitigate impacts from noise and lights, and to enhance the appearance of the site.
- g. Parking and access facilities shall be landscaped in accordance with the requirements of section 50-816(8) of this chapter.
- (3) *Traffic access.* The site shall be designed and developed to provide safe and efficient access for all forms of travel and to minimize impacts on adjacent public facilities.
- a. The site shall not overburden adjacent public streets nor cause significant hazards to public safety due to excessive traffic generation or inadequate traffic control.
  - b. Existing and proposed public streets shall be designed and constructed in accordance with the requirements of chapter 40 of the City Code and applicable local standards and specifications.
  - c. Roadway or driveway connections between the site and adjacent public streets shall be spaced sufficiently apart and may be limited in number to minimize congestion and delays in traffic flow along the adjacent public streets and to minimize conflicts with other turning movements on adjacent public streets or private driveways.
  - d. Where practicable, principal access to and from the site shall be provided from major streets; access to local streets shall be designed to avoid excessive traffic volumes and speed through adjacent neighborhoods.
  - e. Appropriate curb radii and lane widths shall be provided and acceleration and deceleration lanes may be required at roadway or driveway openings to protect public safety and minimize congestion and delays along adjacent public streets.
  - f. Separate turn lanes may be required at roadway or driveway openings to reduce on-site stacking and congestion and such lanes shall be clearly marked.
  - g. Secondary access may be required to adjacent public streets or alleys or through adjacent private parking areas

- to provide sufficient access for emergency vehicles.
- h. Where two or more adjacent sites may be developed for similar or complementary uses, the city may require the creation of shared or linked access facilities, which may be constructed in phases, to minimize turning movements on public streets and provide access between the adjacent uses.
  - i. Roadways and driveways within the site shall be designed to provide safe and efficient access while minimizing speeds and safety risks; the placement of traffic control devices within the site may be required to regulate speeds and minimize safety risks.
  - j. Sidewalks shall be installed to provide safe and convenient pedestrian and bicycle access to and within the site, including sidewalks along public street frontages and linkages between such sidewalks and all principal buildings, between the principal buildings and parking facilities on the site, and between adjacent sites, where practicable.
  - k. Sidewalks and other pedestrian access pathways within the site shall be located to minimize conflicts with vehicular traffic and enhance safety; pavement markings and signs may be required at principal points where pedestrians would cross driveways within the site.
  - l. Sidewalks and ramps within the site shall be designed to provide safe and convenient barrier-free access.
  - m. Parking facilities shall be located and designed to provide safe and convenient access to the building(s) they are intended to serve and, where practicable, to separate maneuvering areas from principal routes of traffic flow through the site.
  - n. Parking areas shall be located or sufficiently screened to avoid headlights projecting into windows of residential dwellings.
  - o. Parking and access facilities shall be designed and constructed in accordance with the requirements of section 50-816 of this chapter.
  - p. Bicycle parking and storage facilities shall be provided in accordance with the requirements of section 50-820 of this chapter.
  - q. Parking facilities shall be designed to provide the required electric vehicle charging stations required by section 50-821.
- (4) *Utilities and public services.* The site shall be designed and developed to facilitate the efficient provision and maintenance of adequate public services.
- a. Existing and proposed utility services to and within the site shall be of adequate size and design to serve the expected needs of the development.
  - b. Appropriate easements shall be provided to the city to afford access to all existing, proposed and known future extensions of public utilities on or adjacent to the site.
  - c. The site shall be designed and developed to afford adequate access for fire suppression and other emergency services; fire hydrants, stand pipes and similar water service connections may be required; designated fire lanes may also be required.
  - d. Stormwater collection and discharge facilities shall be provided and designed to minimize the risk of flooding or soil erosion, on or off the site; stormwater detention or retention facilities may be required to regulate the rate of flow of stormwater off the site to avoid flooding and to comply with the requirements of article IV, chapter 34, of the City Code.
  - e. Stormwater collection and discharge facilities and site grading shall be designed to avoid runoff onto adjacent properties and public streets and sidewalks.
  - f. Stormwater treatment facilities shall be provided as required by the city engineer to comply with the city's Michigan Department of Environmental Quality NPDES Phase II Stormwater Permit.

- g. Loading docks, loading spaces and other service areas and external utility and mechanical equipment shall be located and screened to minimize noise, vibration, or visual impacts which may affect adjacent properties or residents within the walls or other solid screens may be required to attenuate noise impacts.
  - h. Adequate containers or compactors shall be provided on the site to collect and store trash or other waste materials and recyclable materials; such containers or compactors shall be effectively screened to obscure them from view, prohibit materials from blowing away and to control access; such containers shall also be located as inconspicuously as possible on the site.
  - i. In order to further the goal of the city to minimize the disposal of solid waste and to maximize waste diversion through recycling, every owner of a multiple dwelling approved for construction after January 1, 2007, shall construct, provide, and maintain adequate and safe facilities or containers for the collection, storage, and disposal of recyclable materials placed for collection by their tenants, unless such premises is approved by the director of public works for city curbside recycling services as provided in article III of chapter 36 of this Code.
  - j. Exterior lighting shall be installed as necessary to provide adequate safety and security; all exterior lighting shall be designed and shielded to direct the light downward and avoid projecting light onto adjacent properties or creating glare along public streets; pole-mounted lights shall be restricted in height to be in scale with the site and its environment and avoid projecting light onto adjacent properties.
- (5) *Environmental protection.* The site shall be designed and developed to minimize any risk of pollution of natural resources and to protect the public health, safety and welfare.
- a. The project and related improvements shall be designed to protect land and water resources from pollution, including pollution of soils, groundwater, rivers, streams, lakes, ponds, open drains and wetlands.
  - b. Stormwater retention, detention, transport, and drainage facilities shall be designed to use or enhance the natural stormwater system on-site, including the storage and filtering capacity of wetlands, watercourses, and water bodies, and/or the infiltration capability of the natural landscape. Stormwater facilities shall not cause flooding or the potential for pollution of surface or groundwater, on-site or off-site. Stormwater facilities shall not damage natural features by depositing pollutants in them, by draining them or by depriving them of sufficient stormwater runoff to maintain their natural condition.
  - c. General purpose floor drains shall be connected to a public sanitary or combined sewer system or an on-site holding tank (not a septic system) in accordance with state, county and municipal requirements, unless a groundwater discharge permit has been obtained from the Michigan Department of Environmental Quality. General purpose floor drains which discharge to the public stormwater system or into the groundwater are generally prohibited.
  - d. Sites at which hazardous substances, hazardous wastes, or potentially polluting materials are stored, used, or generated shall be designed to prevent spills and discharges of such materials to the air, surface of the ground, groundwater, lakes, streams, rivers or wetlands.
  - e. Secondary containment facilities shall be provided for aboveground storage of hazardous substances, hazardous wastes, or potentially polluting materials in accordance with state and federal requirements. Aboveground secondary containment facilities shall be designed and constructed so that the potentially polluting material cannot escape from the unit by gravity through sewers, drains, or other means, directly or indirectly into a sewer system, or to the waters of the state (including groundwater).
  - f. Underground storage tanks shall be registered, installed, operated, maintained, closed or removed in accordance with regulations of the Michigan Department of Environmental Quality.
  - g. Aboveground storage tanks shall be certified, installed, operated, maintained, closed or removed in accordance with regulations of the Michigan Department of Environmental Quality.

- h. Bulk storage facilities for pesticides and fertilizers shall be in compliance with requirements of the Michigan Department of Agriculture.
  - i. Abandoned water wells (wells that are no longer in use or are in disrepair), abandoned monitoring wells, and cisterns shall be plugged in accordance with regulations and procedures of the Michigan Department of Environmental Quality.
  - j. State and federal requirements for storage, spill prevention, recordkeeping, emergency response, transport and disposal of hazardous substances, hazardous wastes, liquid industrial waste or potentially polluting materials shall be met. No discharge to surface water or groundwater, including direct and indirect discharges of waste, waste effluent, wastewater, pollutants, or cooling water, shall be allowed without approval from appropriate state, county and local agencies.
- (6) *Public art requirement.* Unless the project is exempt from this requirement pursuant to subparagraph (6)d. of this paragraph, the site shall be designed and developed to contain public art as defined by section 2-313 of the City Code and in accordance with the following:
- a. A budget for the public art required by this section shall be established based on the allocation of one percent of the total project cost up to \$25,000.00 to be committed to the procurement and display of public art on the site.
  - b. The public art shall be a work of art as defined by section 2-313 of the City Code and shall be approved by the city's arts commission in accordance with the definition of public art and the standards set forth in section 2-315(a)(1) and (7) of the City Code and the city council prior to site plan approval. The approval by the arts commission and city council shall not be unreasonably withheld.
  - c. The total allocation as established pursuant to subparagraph (6)a. shall be expended on those items listed in section 2-314(a)(1) through (4) of the City Code and shall not include any other expenditures. Maintenance shall be the responsibility of the owner of the property in addition to the allocation established by subparagraph (6)a. Failure to install the public art as required by this subparagraph and in accordance with the approved site plan shall result in denial of a certificate of occupancy. Failure to properly maintain the public art in accordance with the approved site plan is a violation of the zoning code and subject to enforcement pursuant to the provisions of section 50-33. Prior to any enforcement action a violation notice shall be sent to the responsible party. A failure to cure the violation within 30 days shall constitute a violation and each day thereafter that the violation remains uncured shall constitute a separate offense.
  - d. The following projects are exempt from the public art requirements of this section:
    - 1. Projects where the application of this requirement would constitute a governmental taking or otherwise be contrary to law, as determined by the zoning administrator, under the particular facts and circumstances of that case as explained in detail by the applicant. The zoning administrator may request additional information from the applicant if insufficient information is provided with the site plan to make a determination. The applicant has all appeal rights as would otherwise be applicable to any determination by the zoning administrator.
    - 2. Projects where the total project cost is less than \$500,000.00.
    - 3. Residential projects containing less than four residential units.
    - 4. Projects where, upon issuance of the building permit, the applicant donates an amount equivalent to the amount established pursuant to subparagraph (6)a. of this paragraph to the public art fund as established pursuant to section 2-312 of the City Code or donates a "work of art" approved by the art commission of equal value to the fund as established pursuant to subparagraph (6)a. of this paragraph.
  - e. A developer may choose to partially exempt a project from the public art requirement of this section to the extent the developer chooses to donate funds or works of art less than the amount established pursuant to

subparagraph (6)a. of this paragraph in which case the budget required for public art shall be reduced by a corresponding amount.

(Ord. No. 1061, 2-7-2006; Ord. No. 1163, 2-20-2007; Ord. No. 1313, 3-4-2014; Ord. No. 1339, 10-7-2014; Ord. No. 1445, 3-26-2019)

Sec. 50-39. - Certificate of occupancy and compliance.

- (a) No vacant land shall be occupied or used, and no building hereafter erected or altered shall be occupied or changed in use until a certificate of occupancy and compliance shall be issued by the building official stating that the building or proposed use of the building or premises complies with all of the building and health laws and ordinances, including the provisions of this chapter.
- (b) Certificates of occupancy and compliance shall be applied for coincident with the application for a building permit and shall be issued within ten days after the construction or alteration of such buildings shall have been substantially completed in conformity with the provisions of these regulations and shall have been finally inspected as required by section 50-35(f). A record of all certificates shall be kept on file in the office of the building official, and copies shall be issued on request to any person having a proprietary or tenancy interest in the building affected. No fee shall be charged for an original certificate applied for coincident with the application for a building permit. For all other certificates or for copies of any original certificate there shall be a charge of \$1.00 each.
- (c) No permit for excavation for or the erection of any building shall be issued before application has been made for certificate of occupancy and compliance.

(Code 1994, ch. 55, § 5.148; Ord. No. 1061, 2-7-2006)

Sec. 50-40. - Other land use restrictions.

It is not intended by this chapter to interfere with or abrogate or annul any ordinance, rules, regulations, or permits previously adopted or issued, and not in conflict with any of the provisions of this chapter or the provisions of other chapters of the Ordinance Code, or which shall be adopted or issued, pursuant to law, relating to the use of buildings or premises.

Except as specified in section 50-531 of this chapter, it is not intended by this chapter to interfere with or abrogate or annul any easements, covenants, or other agreements between parties, provided, however, that where this chapter imposes a greater restriction upon the use of buildings or requires larger open spaces than are imposed or required by such other chapters, ordinances, rules, regulations or permits, or by easements, covenants, or agreements, the provisions of this chapter shall control.

(Code 1994, ch. 55, § 5.149; Ord. No. 1061, 2-7-2006; Ord. No. 1386, 3-7-2017)

Secs. 50-41—50-60. - Reserved.

DIVISION 2. - BOARD OF APPEALS

*Footnotes:*

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**Cross reference**— *Boards and commissions, § 2-241 et seq.*

Sec. 50-61. - Created; membership; meetings.

An appeal board, to be known as the East Lansing Zoning Board of Appeals, and to consist of seven members, is hereby created. The members of the appeal board shall be selected by the city council. The legislative body may appoint to the zoning board of appeals not more than two alternative members for the same term as regular members. One regular or alternate member may be

a member of the legislative body of the city. Such member shall not serve as the chairperson of the zoning board of appeals. Alternate members may also be members of the planning commission of the city. Members shall be appointed at or before the first council meeting in December of each year to serve from and after January 1 of the following year. All members shall each hold office for a term of three years. Each member shall hold office until his/her successor is selected in the manner above provided. The board shall select its chairperson annually. The planning and zoning official shall serve as secretary of the board. All meetings shall be open to the public. The board shall adopt its own rules of procedure and keep a record of its proceedings, showing the action taken upon each matter considered. Meetings of the board shall be held at such times and places as may be designated by the planning and zoning official. Four members shall constitute a quorum. The planning and zoning official is authorized to call such meetings at any time when matters are pending requiring attention by the board. The planning and zoning official shall call such meetings whenever:

- (1) A meeting is to be held as previously determined by the board;
- (2) The planning and zoning official is so instructed by the chairperson; or
- (3) The planning and zoning official is so instructed in writing by any other members of the board.

(Code 1994, ch. 55, § 5.143; Ord. No. 1157, 11-8-2006; Ord. No. 1284, 1-15-2013)

#### Sec. 50-62. - Appeals generally.

Any decision of the building official or the planning and zoning official which falls within the jurisdiction of the board of appeals may be appealed to said board by any person aggrieved or by any office, department, board, or bureau of the city affected by any decision of the building official or the planning and zoning official within such time as shall be prescribed by the board by general rule. To effect such appeal, the appellant shall file with the planning and zoning official and with the board of appeals on forms to be furnished by such official, a written notice of appeal specifying the grounds thereof. The planning and zoning official shall forthwith transmit to the board all the papers constituting the record upon which the action appealed from was taken.

- (1) *Hearings.* The board of appeals shall fix a reasonable time for the hearing of the appeal within 60 days from the date of filing thereof, and give due notice thereof, in accordance with the board's bylaws and in accordance with the requirements of section 103 of the Michigan Zoning Enabling Act, MCL 125.3103. Any party may appear in person or by agent or attorney at a hearing considering his/her request or appeal.
- (2) *Decisions.* The board of appeals shall return a decision upon each case within 90 days after a request for appeal has been filed, unless a further time is agreed upon with the parties concerned. The board shall render and file its decision with a written statement of findings of relevant facts and reasons therefore. Any decision of the board shall not become final until the expiration of five days from the date of entry of such order, unless the board shall find the immediate effect of such order is necessary for the preservation of property or personal rights and shall so certify on the record.
- (3) *Vote.* The concurring vote of four members of the board of appeals shall be necessary to reverse, wholly or partly, or to modify any order, requirement, decision or determination of the building official or the planning and zoning official or to decide in favor of the applicant any matter upon which they are required to pass or to effect any variation in this chapter.

(Code 1994, ch. 55, § 5.144; Ord. No. 1157, 11-8-2006)

#### Sec. 50-63. - Stay of proceedings pending decision on appeal.

An appeal shall stay all proceedings in furtherance of the action appealed from, unless the building official certifies to the board of appeals, after the notice of appeal shall have been filed with them, that by reason of facts stated in the certificate, a stay, would in his opinion, cause imminent peril to life or property, in which case proceedings shall not be stayed except by a restraining order

which may be granted upon due cause shown, by the board of appeals or by the circuit court, upon application and following timely notice thereof to the building official.

(Code 1994, ch. 55, § 5.144A)

Sec. 50-64. - Powers and duties.

The board of appeals has the following powers and duties.

- (1) *Review.* The board shall review, hear, and decide upon appeals from any order, requirement, decision, or determination made by the building official or the planning and zoning official in the enforcement or application of this chapter.
- (2) *Interpretation.* The board shall have the power to review, hear, and decide upon appeals which request the following determinations:
  - a. Requests for the interpretation of the provisions contained within any section of this chapter;
  - b. Classify a use into a comparable use category which is not specifically mentioned by this chapter;
  - c. Determine the off-street parking and loading space requirements of any use which is not specifically mentioned in article VIII of this chapter.
- (3) *Granting of variances.* The board shall have the power to authorize upon an appeal specific variances from such dimensional requirements as lot area and width regulations, building height, bulk regulations, yard width, side, and depth regulations, and off-street parking and loading requirements as specified in this chapter, provided, however, that all of the following variance conditions are adhered to and that at least one of the following special findings can be satisfied:
  - a. *Variance conditions.* All of the following conditions, in the judgment of the board, shall exist before any variance from this chapter shall be granted. Any variance granted shall:
    1. Not be contrary to the public interest or the general intent and purpose of this chapter.
    2. Not permit the establishment of a use within a given district which is prohibited therein.
    3. Not be a variance so commonly recurring as to make reasonably practical the formulation of a general regulation by the city council.
    4. Not cause substantial adverse effect to properties in the immediate vicinity or in the zoning district where the variance is located.
    5. Relate only to property that is described in the application for the variance.
  - b. *Special findings.* If all the foregoing variance conditions can be satisfied, a variance may be granted when the board determines that any one of the following special findings can be clearly demonstrated:
    1. That there are practical difficulties resulting from the physical characteristics of the property in question which make it unfeasible to carry out the strict letter of this chapter.
    2. That there are exceptional or extraordinary circumstances or conditions which apply to the property in question that do not apply to other properties and which have not resulted from any act of the applicant subsequent to the adoption of the ordinance from which this chapter is derived.
    3. That such variation is necessary for the preservation of a substantial property right possessed by other properties within the same zoning district.
- (4) *Conditions of approval of variance.* In granting a variance, the board may specify, in writing, such other conditions regarding the location, character, landscaping, or other treatment that will, in the board's judgment, be reasonably necessary to the furtherance of the intent of this chapter and the protection of the public interest. The breach of any



such condition shall automatically invalidate the permit granted.

- (5) *Time limit on variances.* Each variance granted under the provisions of this chapter shall become null and void after one year from the date of granting unless the construction or occupancy authorized by such variance or permit has commenced and is being pursued diligently to completion.
- (6) *Extensions of variances.* The board may grant one extension for a period not to exceed one year for an approved variance when the appellant requests such an extension in writing to the planning and zoning official at least two weeks prior to the expiration date of the original approval and when the board determines that the salient facts of the appeal have not significantly changed. If the board determines that the salient facts of the appeal may have changed significantly, the request shall be treated as a new appeal and processed according to the provisions of section 50-62.
- (7) *Reapplication for denied variances.* After a variance has been denied in whole or in part by the board, then no application shall be resubmitted for a period of one year from the date of the last denial; provided, however, that a denied variance may be reconsidered by the board when, in the opinion of the planning and zoning official, or the board, newly discovered evidence or changed conditions warrant such reconsideration.
- (8) *Planning coordination.* Since the actions and policies of the board of appeals affect, and are affected by, the planning, zoning, and land use policies of the City of East Lansing, close cooperation and coordination with the East Lansing Planning Commission is desirable if the public interest is to be served and substantial justice is to be done. The planning department shall act as an advisory staff to the board and may submit maps, charts, and reports, along with data or recommendations which will aid the board in arriving at a decision. Such reports, data, and recommendations which are submitted will be purely advisory in nature and will be for the purpose of achieving better coordination of the zoning and land use policies within the City of East Lansing.

(Code 1994, ch. 55, § 5.145; Ord. No. 1157, 11-8-2006)

Secs. 50-65—50-90. - Reserved.

### DIVISION 3. - SPECIAL USE PERMIT

Sec. 50-91. - Purpose.

The purpose of this division is twofold: first, to provide greater flexibility in the placement of certain kinds of uses when, because of their unique characteristics, these uses are such that they can be compatible with and complementary to the uses now permitted in the zone, provided that appropriate safeguards are imposed; second, to provide an adequate review and tighter control of certain uses which have a marked effect on the surrounding area due to their unusual design or operational characteristics or the amount of traffic they generate.

(Code 1994, ch. 55, § 5.161; Ord. No. 1061, 2-7-2006)

Sec. 50-92. - Scope.

In order to accomplish such safeguards, in addition to ensuring each use complies with the site plan approval requirements of this chapter, provision is made in this division for a more detailed consideration of the proposed use in relationship to the location, design, size, operation, intensity of use, and potential impacts on traffic generation and safety, public facilities and services and the surrounding neighborhood.

(Code 1994, ch. 55, § 5.162; Ord. No. 1061, 2-7-2006)

## Sec. 50-93. - Procedure for application and review.

Any application for a special use permit for any use permitted under this division shall be submitted and reviewed in accordance with the requirements and procedures for site plan approval as specified in section 50-36 of this chapter. A special use permit application may be approved if it meets the required conditions for site plan approval as specified in section 50-36 of this chapter and the applicant makes an affirmative showing and the city finds that the application meets the relevant additional standards of review in sections 50-94, 50-94a or 50-94b of this division. A special use permit may also be approved subject to reasonable conditions or certain modifications necessary to ensure that the use conforms to all applicable requirements.

(Code 1994, ch. 55, § 5.163; Ord. No. 1061, 2-7-2006; Ord. No. 1492, 12-15-2020)

## Sec. 50-94. - Standards for review.

- (a) *All uses.* Except as may be provided elsewhere in this section or chapter, each special use permit application shall meet each of the following standards:
- (1) The proposed use shall be consistent with the purpose of the use district in which it is located and the purpose and provisions of this division.
  - (2) The site plan for the property shall be approved in accordance with the provisions of section 50-36 of this chapter.
  - (3) The proposed size, height, architectural character and placement of new or expanded structures on the site shall be reasonably compatible with the existing or anticipated buildings on adjacent properties.
  - (4) Streets and access facilities serving the site shall be able to safely accommodate the expected traffic generated by the proposed use; the use shall not cause excessive traffic congestion or delays, obstruct access to adjacent properties, or imperil the safety of motorists, pedestrians or bicyclists.
  - (5) The proposed use shall not adversely affect the use and enjoyment of adjacent properties by generating excessive noise, vibration, light, glare, odors or any other form of pollution or nuisances.
  - (6) The proposed use shall not materially diminish the economic value of adjacent properties or the city as a whole.
  - (7) The proposed use shall not materially diminish the privacy, safety, security or enjoyment of any residential dwelling or residential neighborhood within the vicinity of the site.
  - (8) The proposed use shall be located with direct access to and frontage on a major street as designated in the major street plan, or within an area designated for adaptive reuse in the city center element of the comprehensive plan.
- (b) *Specific uses.* In addition to the standards above, to address their unique characteristics, certain uses shall also meet the applicable standards below.
- (1) *Churches.*
    - a. Standards set forth in items (3) and (8) of subsection (a) above do not apply to churches.
    - b. The minimum yard requirements of the use district in which the church is to be located shall apply except that in no event shall the yard requirement be less than 0.5 feet of yard to each foot of building height (excluding steeples) as applied to rear yard or side yard depth.
  - (2) *Businesses selling alcoholic beverages.* The following additional standards shall apply to restaurants and businesses licensed or to be licensed for the sale of alcoholic beverages or alcoholic liquor for consumption on or off the premises.
    - a. The establishment shall not be located in such proximity to churches, elementary, or secondary schools, child development centers, or community centers so as to annoy, injure, offend, disrupt, disturb, or interfere with the activities conducted thereon or the persons conducting, attending, or traveling to or from such premises. This restriction may be waived by city council at the request of the church, school district, child development center or community center whose location would otherwise prohibit the proposed use or, if there is an objection to the

waiver of this restriction by the church, school or development of community center, city council may waive this restriction only after hearing and good cause shown that the proposed establishment will not be in such proximity so as to annoy, injure, offend, disrupt, disturb, or interfere with the activities of the particular church, school or development of community center.

- b. The establishment shall not cause or continue an undue concentration of similar uses in the neighborhood such that liquor establishments and trade become a dominant influence or feature of the district or neighborhood.

This section does not apply to businesses selling alcoholic beverages only for off-the-premises consumption and if less than 25 percent of the sales floor area is devoted to the sale of alcoholic beverages.

(3) *Fraternities and sororities.*

- a. The standard set forth in item (8) of subsection (a) above does not apply to fraternities and sororities.
- b. In addition to the parking requirements for such uses specified in section 50-812, fraternities and sororities shall provide and maintain a parking access and management arrangement sufficient to serve the parking and access demands associated with chapter meetings, formal and informal social activities, or other on-site events which include the attendance of persons other than those who reside on the property. Such parking and access arrangements may include, but are not limited to, the provision of additional on-site parking, the use of private off-premises parking, the use of public parking in municipal lots or on-street spaces, and the availability of bus or shuttle service or carpooling arrangements.

(4) *Multiple-family dwellings in business districts.* Where multiple-family dwelling units are provided in conjunction with business uses on a property in a business district, the following additional standards shall apply.

- a. Except where multiple-family dwelling units may be permitted as the sole principal use of a building to provide unique housing opportunities which are not otherwise available in the city center, at a minimum, the first floor of any building shall primarily be used for principal permitted business uses, and the number of multiple-family dwelling units and the permitted occupancy of the units shall be limited to maintain a reasonable balance between the business and residential uses on the property consistent with the purpose of each business district. The provision of first floor retail may be waived by majority vote of the city council in the area of the B-3 district outside of the area bounded by Grand River Avenue, Bailey Street, Albert Avenue, Grove Street, Linden Street, Abbot Road, City Parking Lot 15, the north-south alley west of Abbot Road and 200 West Grand River Avenue (The Peoples Church) where warranted by the existing retail opportunities in close proximity to the project.
- b. The number of multiple-family dwelling units, the permitted occupancy of the units and the height and size of structures containing such units shall be limited to be compatible with adjacent development patterns and any nearby residential districts.
- c. Reasonable amounts of yard areas and open space shall be provided where necessary to be consistent with surrounding use and development patterns and to provide for the privacy and enjoyment of the residents.
- d. The design, type and operational characteristics of the business and residential uses on the property shall be compatible with one another.
- e. The residential units shall be designed and marketed to diversify housing opportunities in the neighborhood and shall not increase existing high concentrations of similar housing units in the neighborhood. Further, in the area west of Collingwood Drive within the district boundaries of the City of East Lansing Downtown Development Authority, in order to achieve diversity in the types of housing offered in the area including an appropriate balance of owner occupied housing, senior housing, low to moderate income housing, mixed-market rental housing and other types of diverse housing in the area, for all development plans that contain housing, an appropriate number of the dwelling units shall be marketed and/or sold as owner occupied housing or housing offered to and restricted to residents 55 and older, restricted to low to moderate income housing or restricted to

some other occupancy that would add diversity to the area so that at least 25 percent of the housing is owner occupied, restricted to residents 55 and older, restricted to low to moderate income housing or restricted to some other occupancy that would add diversity to the area. For purposes of this section, "development" shall include more than one structure as long as multiple structures are part of the same site plan approval. The requirement of this section shall not apply to hotels. For any development that is constructed and occupied in excess of the 25 percent requirement of this section, the developer shall be given one credit for each residential unit in excess of the 25 percent. The credits, or any portion thereof, may be used by the developer, or the developer's assignee, as a credit, on a one for one basis, to meet the 25 percent requirement for future development projects in this area. The number of credits obtained for any development shall be calculated by the zoning official and maintained in the city records. Any assignment of credits must be in writing and signed by the developer. The intent to use credits of this nature, the number of credits intended to be used, the location of the development which created the credits, and any documentation showing any assignment of the credits shall be submitted with the site plan or amended site plan.

(5) *Additional building height.*

- a. Where a special use permit is required to permit building height above the base level permitted in any use district, the compatibility of the building shall be determined in part by the extent to which the use of the building and the building design, its setbacks and its orientation on the site successfully mitigate negative impacts upon neighboring uses, the natural features of the site and public facilities and services. Such buildings may be approved only if they comply with subsection (a) of this section and all of the following additional standards:
  1. The building shall not be located in such proximity to a single-family or two-family neighborhood so as to cause excessive noise or shadowing impacts, or substantial reductions in personal privacy or property values. The planning and zoning administrator may require the applicant to submit a solar angle diagram and shadow analysis prepared by a registered architect or engineer showing the extent of shadowing caused by the proposed building on adjacent properties and structures.
  2. The portion of the building extending above the base level permitted in each use district shall be located no closer to the property line of a residentially zoned property than a distance equal to the amount of the height in excess of the base level.
  3. The building shall not result in traffic generation which exceeds the carrying capacity of adjacent streets, exceeds the parking capacity of on-site spaces or nearby municipal parking facilities, causes excessive congestion or risks to public safety, or causes or substantially contributes to excessive volumes of traffic through residential neighborhoods.
  4. The building shall not generate demands which exceed the capacity of public utilities and services necessary to serve the site.
- b. In addition, the city council may further increase the maximum permitted building height in the B-3 district as specified in section 50-593(f) for a building deemed to be of significant public benefit. The city council shall find, upon an affirmative vote of three-fourths of all members of the city council, that such buildings meet subsections (5)a.1. through 4., of this subsection and all of the following standards:
  1. The building, through its proposed use, shall contribute substantially to the mix of desirable commercial, residential, social, cultural or employment opportunities or public amenities or open space available in the business district to achieve one or more public goals or objectives, as specified in the comprehensive plan or other strategic plan of the city, to benefit the business district, the adjacent residential or public areas, and the city as a whole.
  2. The applicant demonstrates that additional building height is necessary in order to make the proposed

development economically feasible for the intended use and no reasonable alternative to additional height exists.

3. The additional building height will cause no significant additional negative impact on adjacent properties, public streets and parking facilities, or public utility and services.

(6) *Dispensaries and primary caregiver operations.* The following additional standards shall apply to dispensaries and primary caregiver operations:

- a. They shall comply at all times and in all circumstances with the Medical Marihuana Act and the General Rules of the Michigan Department of Community Health and/or the Department of Licensing and Regulatory Affairs.
- b. They must be located outside of a 1,000-foot radius from any school, including any licensed facility with after school programs, child care centers, or daycare centers, to insure community compliance with federal "Drug-Free School Zones" requirements.
- c. No more than five primary caregivers may operate from a dispensary.
- d. All medical marihuana shall be contained within an enclosed, locked facility, inaccessible on all sides and equipped with locks that permit access only by the registered caregivers, as reviewed and approved by the building official and the police department.
- e. All necessary building, electrical, plumbing and mechanical permits shall be obtained for any portion of the structure which contains electrical wiring, lighting and/or watering devices that support the cultivation, growing or harvesting of marihuana.
- f. Any portion of the structure where energy usage and heat exceeds typical residential use, such as a grow room, and the storage of any chemicals such as herbicides, pesticides, and fertilizers shall be subject to inspection and approval by the fire department to insure compliance with the Michigan Fire Protection Code.
- g. They shall not be operated from a business which sells alcoholic beverages.
- h. The establishment shall not be located in such proximity to churches or community centers so as to annoy, injure, offend, disrupt, disturb, or interfere with the activities conducted thereon or the persons conducting, attending, or traveling to or from such premises.
- i. The establishment shall not cause or continue an undue concentration of similar uses in the neighborhood such that dispensaries and medical marihuana paraphernalia trade become a dominant influence or feature of the district or neighborhood and no caregiver operation or dispensary shall be located within 500 feet of another caregiver operation or dispensary.
- j. The establishment shall be designed, operated, and maintained at all times consistent with responsible business practices and so that no excessive demands shall be placed upon public safety services, nor any excessive risk of harm to the public health, safety, or sanitation, interference with vehicular or pedestrian traffic or parking, or the continuance or maintenance of any unlawful conduct, public nuisance, or disorderly conduct either within the establishment or on or about the adjacent businesses and public streets, alleys, parks, parking facilities, or other areas open to the public. The establishment shall make reasonable effort to report to authorities any unlawful conduct that is observed from the premises. The requirements of this section shall be a written condition of each special use permit issued to a dispensary or caregiver operation.
- k. No drive-through facilities shall be permitted.
  - l. They may not be operated out of a residence or residential structure.
- m. All transfers and deliveries of medical marihuana to qualifying patients must occur within the structure out of public view or inside the patient's residence.
- n. The consumption of medical marihuana on the premises is prohibited.

- (7) *Household pet daycares.* The following additional standards shall apply to household pet daycares:
- a. Household pet daycare shall be located within a fully enclosed accessory structure meeting the requirements of the zoning code. Such accessory structure shall be located in the rear yard no closer than 100 feet from any adjoining dwelling and no closer than 25 feet from the dwelling of the owner thereof.
  - b. The enclosure shall be properly ventilated to prevent drafts and remove odors, shall be of sufficient size to accommodate the animals, and shall be designed so as to prevent rats, mice, or other rodents from being harbored underneath, inside, or inside the walls of the enclosure.
  - c. Outdoor activities must be supervised and restricted to the hours between 9:00 a.m. and 5:00 p.m.; and fully contained within a six-foot high solid fenced area in the rear yard. The required fenced area shall be a minimum of 15 feet from the property line. A fence located on a property line shall not satisfy the requirement for a fenced area.
  - d. Hours of operation shall be 12 hours or less and be restricted to the hours between 6:00 a.m. and 7:00 p.m. Animals shall be kept within the accessory structure or within a fenced area at all times unless leashed, and shall not be permitted to run at large.
  - e. All structures for the keeping of such animals shall be constructed of material that can be easily cleaned and shall be kept in a clean and sanitary condition. The required fenced area must be cleaned daily and kept free from trash and accumulated droppings. Appropriate disposal of droppings is required. All provisions of the city Code relating to noise, odor, and sanitation, including the provisions of this article, shall apply to the keeping of animals under this section.
- (8) *Reduced building height.* Where a special use permit is required to permit building height below the level permitted in any use district, such buildings may be approved only if they comply with subsection (a) of this section and one of the following additional standards:
- a. The proposed building is of a particular architectural style that has significant importance to the proposed use of the building or is deemed an architecturally significant addition to the overall attractiveness of the district and the applicant has demonstrated that there is no reasonable alternative to the height sought in achieving such attractive construction.
  - b. The proposed use contributes substantially to the mix of desirable commercial, residential, social, cultural or employment opportunities or public amenities or open space available in the business district to achieve one or more public goals or objectives as specified in the comprehensive plan or other strategic plan of the city, to benefit the business district, the adjacent residential or public areas or the city as a whole.
- (9) *Kennels, including small animal veterinary hospitals and clinics.* The following additional standards shall apply to kennels and small animal veterinary hospitals and clinics:
- a. Pet daycare shall be located within a fully enclosed structure meeting the requirements of the zoning code.
  - b. The enclosure shall be properly ventilated to prevent drafts and remove odors, shall be of sufficient size to accommodate the animals, and shall be designed so as to prevent rats, mice, or other rodents from being harbored underneath, inside, or inside the walls of the enclosure.
  - c. No outside exercise or training areas shall be located within 500 feet from any property zoned residential, excepting Residential Agricultural.
  - d. Outdoor activities must be supervised and fully contained within a six-foot high solid and opaque fenced area in the rear yard. The required fenced area shall be a minimum of 15 feet from the property line. A fence located on a property line shall not satisfy the requirement for a fenced area.
  - e. Hours of operation for outdoor activities shall be restricted as set forth in the special use permit. Animals shall be kept within a structure or within a fenced area at all times unless leashed, and shall not be permitted to run at

large.

- f. All structures for the keeping of such animals shall be constructed of material that can be easily cleaned and shall be kept in a clean and sanitary condition. The required fenced area must be cleaned daily and kept free from trash and accumulated droppings. Appropriate disposal of droppings is required. All provisions of the city Code relating to noise, odor, and sanitation, including the provisions of this article, shall apply to the keeping of animals under this section.

(Code 1994, ch. 55, § 5.164; Ord. No. 953, 10-5-1999; Ord. No. 954, 2-1-2000; Ord. No. 970, pt. IX, 4-3-2001; Ord. No. 1061, 2-7-2006; Ord. No. 1245C, 3-15-2011; Ord. No. 1285, 1-15-2013; Ord. No. 1302, 12-17-2013; Ord. No. 1348-C, 2-2-2016; Ord. No. 1384, 11-9-2016; Ord. No. 1425, 6-5-2018; Ord. No. 1437a, 10-16-2018; Ord. No. 1492, 12-15-2020)

Sec. 50-94a. - Additional standards for medical marihuana facility uses.

- (a) *All uses.* Except as may be provided elsewhere in this section or chapter and except to the extent the standards would interfere with or conflict with statutory regulations for the licensing of marihuana facilities under the Medical Marihuana Facilities Licensing Act, each special use permit for a medical marihuana facility shall meet the standards of section 50-94(a) and the following standards.
- (1) They shall comply at all times and in all circumstances with the Michigan Medical Marihuana Facilities Licensing Act, the Michigan Medical Marihuana Act and the rules of the Michigan Department of Community Health and the Department of Licensing and Regulatory Affairs and provide a copy of official paperwork issued by LARA indicating that the applicant has successfully completed the prequalification application for a state operating license at the time of filing a site plan. An approved special use permit issued under this chapter is valid only if the permit holder also holds a valid current state operating license and a copy of the valid current state license has been provided to the city clerk by the holder.
  - (2) They must be located outside of 1,000 feet from the lot lines of any school, including any licensed facility with after school programs, child care centers, or daycare centers, to insure community compliance with federal "Drug-Free School Zones" requirements.
  - (3) They may not be operated out of a residence or residential structure.
  - (4) The consumption of alcohol, medical marihuana or tobacco products on the premises is prohibited.
  - (5) The facility shall be operated and maintained at all times so that any by-products or waste of any kind shall be properly and lawfully kept and disposed of so as to preclude any risk of harm to the public health, safety or welfare.
  - (6) All transfers and deliveries of medical marihuana, marihuana infused products, marihuana seeds, and marihuana plants to facilities on different properties must be to a processor, a provisioning center, or safety compliance facility and only by means of a secure transporter and must occur within the structure out of public view except as allowed by the Medical Marihuana Facilities Licensing Act or rules or regulations promulgated thereunder. Licensed grower, processors, provisioning centers, and safety compliance facilities that have stacked license or are located on the same property are allowed to transfer medical marihuana, marihuana infused products, marihuana seeds, and marihuana plants without the use of a secure transporter.
  - (7) They may not concurrently act as a primary caregiver or dispensary out of or in conjunction with a processor, a safety compliance facility, a secure transporter facility, or a growing facility.
  - (8) Except when in the process of being transferred, being processed, or during the process of testing all marihuana and marihuana infused product shall be contained within an enclosed, locked facility, inaccessible on all sides and equipped with locks that permit access only by the licensed growers or their employees, as reviewed and approved by the building official and the police department.
  - (9) The facility shall be designed, operated, and maintained at all times consistent with responsible business practices so

that there shall be no excessive demands placed upon public safety services, nor any excessive risk of harm to the public health, safety, or sanitation, or environmental quality, interference with vehicular or pedestrian traffic or parking, or the continuance or maintenance of any conduct unlawful under state or local law, public nuisance, or disorderly conduct either within the establishment or on or about the adjacent businesses and public streets, alleys, parks, parking facilities, or other areas open to the public. The establishment shall make reasonable effort to report to authorities any conduct unlawful under state or local law that is observed from the premises.

- (10) No marihuana shall be cultivated, grown, manufactured, or processed in any manner that would emit odors reasonably discernable to another person outside the area from which the odor is generated. If the facility is in a building, the odor must be prevented by the installation of an operable filtration to ventilation and exhaust equipment and odors must otherwise be effectively confined to the interior of the building from which the odor is generated.
  - (11) Cultivation of marihuana in an outdoor facility shall be permitted so long as the area is enclosed, locked, and inaccessible on all sides, and that the structure meets all building code and zoning regulations.
  - (12) The licensee of any facility must pay an annual, nonrefundable fee of \$5,000.00 to the city.
  - (13) The proposed size, height, architectural character and placement of any renovated structures on the site shall be reasonably compatible with the existing or anticipated buildings on adjacent properties.
- (b) *Additional specific special use standards for medical marihuana provisioning center facilities.* In addition to the standards set forth in this section and section 50-94a of this Code, to address their unique characteristics, medical marihuana provisioning center facilities shall also meet the applicable standards below except to the extent the standard or standards would interfere with or conflict with statutory regulations for the licensing of marihuana facilities under the Michigan Medical Marihuana Facilities Licensing Act.
- (1) The establishment shall not cause or continue an undue concentration of similar uses in the neighborhood such that medical marihuana provisioning center facilities and paraphernalia trade become a dominant influence or feature of the district or neighborhood.
  - (2) Hours of operation must be set between 8:00 a.m. and 9:00 p.m.
  - (3) No marihuana or marihuana-infused products shall be visible from the exterior of the facility.
  - (4) All marihuana and marihuana-infused products shall be contained within locked containers or locked display cases unless being displayed to a patient on the premises by a caregiver.
  - (5) The operators of the medical marihuana provisioning center facility shall provide an annual donation in the amount of one percent of net profits from its operations or \$5,000.00, whichever amount is greater, to an organization qualifying for exemption from taxation pursuant to 26 USC 501(c)(3) largely benefitting the residents of East Lansing and organized and operated exclusively for purposes of improving the lives of people with low to moderate income, conserving or improving natural resources, or preventing cruelty to children or animals, and with the use of the funds being in accordance with MCL 125.3504.
  - (6) No medical marihuana provisioning center shall be allowed to locate within 500 feet of the lot lines of another medical marihuana provisioning center except that in the medical marihuana provisioning center facility overlay district located in the DDA District, no medical marihuana provisioning center facility shall be permitted to locate within 1,000 feet of another medical marihuana provisioning center facility.

(Ord. No. 1395, 12-5-2017; Ord. No. 1416a, 11-7-2018; Ord. No. 1448, 3-26-2019)

Sec. 50-94b. - Additional standards for marihuana establishments.

- (a) *All uses.* Except as may be provided elsewhere in this section or chapter and except to the extent the standards would interfere with or conflict with statutory regulations for the licensing of marihuana facilities under the Michigan



Regulation and Taxation of Marihuana Act, each special use permit for a marihuana establishment shall meet the standards of section 50-94(a) and the following standards.

- (1) They shall comply at all times and in all circumstances with the Michigan Regulation and Taxation of Marihuana Act, Michigan Medical Marihuana Facilities Licensing Act, the Michigan Medical Marihuana Act and the rules of the Michigan Department of Health and Human Resources and the department of licensing and regulatory affairs. An approved special use permit issued under this chapter is valid only if the permit holder also holds a valid current state operating license and a copy of the valid current state license has been provided to the city clerk by the holder.
  - (2) They must be located outside of 1,000 feet from the lot lines of any school, including any licensed facility with after school programs, child care centers, or daycare centers, to insure community compliance with federal "Drug-Free School Zones" requirements.
  - (3) They may not be operated out of a residence or residential structure.
  - (4) The consumption of alcohol, marihuana or tobacco products on the premises is prohibited.
  - (5) The facility shall be operated and maintained at all times so that any by-products or waste of any kind shall be properly and lawfully kept and disposed of so as to preclude any risk of harm to the public health, safety or welfare.
  - (6) Except when in the process of being transferred, being processed, or during the process of testing all marihuana and marihuana infused product shall be contained within an enclosed, locked facility, inaccessible on all sides and equipped with locks that permit access only by the licensed growers or their employees, as reviewed and approved by the building official and the police department.
  - (7) The facility shall be designed, operated, and maintained at all times consistent with responsible business practices so that there shall be no excessive demands placed upon public safety services, nor any excessive risk of harm to the public health, safety, or sanitation, or environmental quality, interference with vehicular or pedestrian traffic or parking, or the continuance or maintenance of any conduct unlawful under state or local law, public nuisance, or disorderly conduct either within the establishment or on or about the adjacent businesses and public streets, alleys, parks, parking facilities, or other areas open to the public. The establishment shall make reasonable effort to report to authorities any conduct unlawful under state or local law that is observed from the premises.
  - (8) No marihuana shall be cultivated, grown, manufactured, or processed in any manner that would emit odors reasonably discernable to another person outside the area from which the odor is generated. If the facility is in a building, the odor must be prevented by the installation of an operable filtration to ventilation and exhaust equipment and odors must otherwise be effectively confined to the interior of the building from which the odor is generated.
  - (9) Cultivation of marihuana in an outdoor facility shall be permitted so long as the area is enclosed, locked, and inaccessible on all sides, and that the structure meets all building code and zoning regulations.
  - (10) The licensee of any facility must pay an annual, nonrefundable fee of \$5,000.00 to the city.
  - (11) The proposed size, height, architectural character and placement of any renovated structures on the site shall be reasonably compatible with the existing or anticipated buildings on adjacent properties.
- (b) *Additional specific special use standards for marihuana retailers.* In addition to the standards set forth in this section and section 50-94(a) of this Code, to address their unique characteristics, marihuana retailers shall also meet the applicable standards below except to the extent the standard or standards would interfere with or conflict with statutory regulations for the licensing of marihuana establishments under the Michigan Regulation and Taxation of Marihuana Act.
- (1) The establishment shall not cause or continue an undue concentration of similar uses in the neighborhood such that medical marihuana provisioning center facilities and paraphernalia trade become a dominant influence or feature of the district or neighborhood.
  - (2) Hours of operation must be set between 8:00 a.m. and 9:00 p.m.

- (3) No marihuana or marihuana-infused products shall be visible from the exterior of the facility.
- (4) All marihuana and marihuana-infused products shall be contained within locked containers or locked display cases unless being displayed to a patient or a customer on the premises by a caregiver or retailer.
- (5) The operators of the marihuana retail establishment shall provide an annual donation in the amount of one percent of net profits from its operations or \$5,000.00, whichever amount is greater, to an organization qualifying for exemption from taxation pursuant to 26 USC 501(c)(3) largely benefitting the residents of East Lansing and organized and operated exclusively for purposes of improving the lives of people with low to moderate income, conserving or improving natural resources, or preventing cruelty to children or animals, and with the use of the funds being in accordance with MCL 125.3504.
- (6) The marihuana retailers must have been issued a special use permit for a medical marihuana provisioning center facility and have an equivalent license issued by the State as defined by the administrative rules for the Michigan Regulation and Taxation of Marihuana Act for the same.

(Ord. No. 1469, 10-29-2019)

#### Sec. 50-95. - Enforcement.

- (a) The planning and zoning official shall make periodic investigations of developments authorized by special use permit. Any violations shall be corrected within 30 days after an order to correct has been issued by the planning and zoning official. Violations not so corrected shall automatically cancel the certificate of occupancy and compliance.
- (b) If the planning and zoning official finds conditions prohibited by section 50-94(b)(2)c continue unabated for seven days during any 30-day period after a notice of violation and order to correct have been issued, the special use permit shall be suspended and the certificate of occupancy and compliance canceled until the proprietor of the restaurant provides adequate assurances that the adverse conditions have been remedied, which assurances may include the requirement of a cash bond in an amount sufficient to reimburse the city for any unusual expenses incurred and the adjacent property for any damages suffered; or if no adequate assurances can be provided, shall revoke the special use permit and the certificate of compliance and occupancy subject to review as provided by section 50-62 and section 50-64.

(Code 1994, ch. 55, § 5.165; Ord. No. 1061, 2-7-2006)

#### Sec. 50-96. - Recording of conditions.

Whenever a special use permit is issued upon stipulated specific provisions pursuant to section 50-93, the permit shall not be effective until such time as a memorandum of the protective provisions constituting the conditions has been recorded with the Ingham County Register of Deeds. The memorandum shall be in a form approved by the planning commission, and acknowledged in writing by all of the owners of the property. It shall be the duty of the applicant for the permit to record same and to pay any fees for said recording. The planning commission shall cause the special use permit to include a recitation of the provisions of this section in language sufficient to give notice of the substance of the conditions of this section.

(Code 1994, ch. 55, § 5.166)

#### Sec. 50-97. - Time limitations; termination of permit; reapplication after denial.

- (a) If any use for which a special use permit has been granted is not established or under construction within 12 months of the date of the granting of the permit, the permit shall automatically be terminated.
- (b) If work on the proposed development has not begun within the 12-month period, the approval shall automatically become null and void and all rights thereunder shall terminate. Upon written application filed prior to the termination of the 12-month period, the planning commission may authorize one extension of the time limit for a further period of 12

months without the necessity of holding another public hearing thereon. Once work on the proposed development has begun, it shall be completed in accordance with the provisions and the limits or extended limits of subsection 50-35(h) of this chapter. For developments which include two or more principal buildings or otherwise include improvements which are to be constructed in phases, each phase shall be considered as a separate project for the purposes of subsection 50-35(h).

- (c) Use permits shall be automatically terminated if the use for which the permit was granted has ceased or has been suspended for a period of one year.
- (d) No application for a special use permit which has been denied by the planning commission and/or city council shall be accepted before the expiration of one year from the date of such denial, except on grounds of newly discovered evidence or substantially changed conditions that would warrant such reconsideration by the planning commission and/or city council.

(Code 1994, ch. 55, § 5.167; Ord. No. 1236, 8-17-2010)

Secs. 50-98—50-100. - Reserved.

#### DIVISION 4. - TRAFFIC IMPACT STUDY REQUIREMENTS

Sec. 50-101. - Purpose.

The provisions of this division shall be held to be the minimum requirements adopted to evaluate the expected impacts of proposed land development projects to assist in a decision-making process that is a comprehensive approach to evaluating the overall impacts of various developments to the existing and proposed transportation system within the community.

(Ord. No. 1162, 4-17-2007)

Sec. 50-102. - Definitions.

The following definitions shall apply in the interpretation and enforcement of this division:

*Average day* means a Tuesday, Wednesday, or Thursday for most uses. The average day may be a Saturday for uses that have higher peak-hour traffic volumes on a Saturday rather than mid-week.

*Gap/critical gap* means the median time headway (in seconds) between vehicles in a major traffic stream which will permit side-street vehicles at STOP or YIELD controlled approach to cross through or merge with the major traffic stream under prevailing traffic and roadway conditions.

*Level of service* means a qualitative measure, defined on a scale from A to F, describing operational conditions within a traffic stream; generally described in terms of such factors as speed and travel time, delay, freedom to maneuver, traffic interruptions, comfort and convenience, and safety.

*Master plan* means the comprehensive plan for the physical development of the City of East Lansing adopted by the Planning Commission pursuant to section 2-342 of the City Code and the Municipal Planning Act, Act 285 of 1931.

*Peak hour* means a one-hour period representing the highest hourly volume of traffic flow on the adjacent street system during the morning (a.m. peak hour), during the afternoon or evening (p.m. peak hour); or representing the hour of highest volume of traffic entering or exiting a site (peak hour of generator).

*Regional transportation plan* means the most recent plan adopted by the Tri-County Regional Planning Commission which identifies transportation deficiencies and guides the expenditure of transportation funds in the region.

*Study area* means the geographic area containing those critical arterial intersections (and connecting roadway segments) which are expected to be affected by the site-traffic generated by a development.

*Traffic impact study* means the analysis of the potential traffic impacts generated by a proposed project. This type of study and level of analysis will vary dependent upon the type and size of the project. The types of traffic impact studies:

- (1) *Traffic impact rezoning study* means a traffic study which typically contrasts the traffic impact associated with uses permitted under current zoning with uses permitted under the zoning district requested.
- (2) *Traffic impact assessment* means a traffic impact study for relatively low traffic generating uses which focuses on the impacts at proposed site access points.
- (3) *Traffic impact statement* means a traffic impact study which evaluates the impacts on roadways adjacent to the study site and specified nearby intersections.
- (4) *Regional traffic analysis* means a traffic impact study for very high traffic-generating uses. This type of study typically covers a large geographic area and may include traffic condition projections for up to a 20-year period.

*Trip/directional trip* means a single or one-direction vehicle movement with either the origin or the destination (exiting or entering) inside a study site.

*Trip generation rates* means those trip generation rates and formulas for different land use categories provided in the most recent edition of Trip Generation published by the Institute of Transportation Engineers (ITE).

(Ord. No. 1162, 4-17-2007)

#### Sec. 50-103. - Compliance required for rezoning, site plan and plat approval.

No rezoning or site plan application, as provided for in this chapter, or plat application, as provided for in chapter 40, shall be recommended for approval by the planning commission unless the applicant has submitted and the planning commission and transportation commission have considered a traffic impact study consistent with the requirements of this chapter and related land development regulations.

(Ord. No. 1162, 4-17-2007)

#### Sec. 50-104. - Traffic impact study required.

A traffic impact study shall be required and shall be submitted by the petitioner with any application for a rezoning, site plan or plat under any of the following situations:

- (1) The following rezoning requests, if received without a corresponding site plan proposal, shall require a rezoning traffic impact study:
  - a. A proposed rezoning when the highest traffic generation expected from among the typical uses permitted in the proposed zone, as determined by the planning and zoning official, would increase directional trips during a peak hour by at least 100 or would increase directional trips during an average day by at least 750 as compared with the traffic generation expected from the existing use(s) of the property.
  - b. Proposed rezoning of a site along any corridor identified as a critical or deficient transportation corridor in the master plan or regional transportation plan.
- (2) A proposed site plan or plat to develop or redevelop a site where:
  - a. The traffic expected to be generated is at least 100 directional trips during the peak hour of the traffic generator or the peak hour on the adjacent streets, or at least 750 trips during an average day shall require a traffic impact statement.

- b. The traffic expected to be generated is 50 to 99 directional trips during a peak hour shall require a traffic impact assessment.
  - c. It is proposed along a corridor identified in the master plan or regional transportation plan as critical or deficient and it would be expected to generate at least 50 directional trips during the peak hour of the traffic generator or the adjacent streets, or at least 500 trips during an average day shall require a traffic impact statement.
  - d. Traffic access and circulation facilities may be expected, as determined by the city engineer, to have some appreciable negative effect on the adjacent street system shall require a traffic impact statement.
- (3) A change or expansion to either an existing site plan or an approved phased development plan that:
- a. Is expected to increase traffic by at least 50 directional trips during a peak hour or by at least 500 vehicle trips for the entire site during an average day shall require a traffic impact assessment.
  - b. Is expected to both increase traffic by at least 250 directional trips per day for the entire site during an average day and result in a total of at least 750 directional trips per day for the entire site, and for which a traffic impact study has not been performed and submitted to the city for four years shall require a traffic assessment.
  - c. Modifies traffic access and circulation facilities in ways that may, as determined by the city engineer, have some appreciable negative effect on the adjacent street system shall require a traffic impact statement.
- (4) Exceptions:
- a. A traffic impact study shall not be required for applications to zone a neighborhood into a rental restriction overlay district as provided for in division 5 of article VI of this chapter;
  - b. Since uses in the downtown typically do not provide on-site parking and access facilities, a traffic impact study shall generally not be required for a proposed site plan in the B-3 City Center Commercial District; however, for uses that do include on-site parking and access facilities, the city engineer may require a traffic impact statement or assessment where the use may have some appreciable negative effect on the adjacent street system;
  - c. A traffic impact study shall not be required for applications for existing restaurants or retail stores seeking special use permit approval to allow the sale of alcohol, as long as the capacity of the restaurant or size of the store is not being increased;
  - d. A traffic impact study shall not be required for a modification to an existing site plan that is administratively approved in accordance with subsection 50-36(k) of this chapter;
  - e. A traffic impact study shall not be required for a wireless communication facility as provided for in section 50-153 of this chapter.

(Ord. No. 1162, 4-17-2007)

Sec. 50-105. - Traffic impact study requirements.

The specific information required in the traffic impact study shall be determined at a preapplication conference with the city engineer or his/her designee from the following items:

- (1) A description of the site, surroundings, and study area including:
  - a. Illustrations.
  - b. A narrative describing the adjacent roadway system.
  - c. The surrounding land uses, expected development in the vicinity which could influence future traffic conditions, special site features and a description of any committed roadway improvements.
  - d. Justification of the study area selected for analysis.
- (2) A description of the requested rezoning and a comparison of the potential uses allowed under current and proposed zoning.

- (3) Existing traffic conditions including:
  - a. Peak-hour traffic volumes (and daily volumes if applicable) on street(s) adjacent to the site which are two years old or less.
  - b. Counts and levels of service for intersections in the vicinity which are included in the study area.
  - c. Estimated traffic generated by the current or most recent use of the site.
- (4) Existing roadway characteristics.
- (5) Existing driveways and potential turning movement conflicts.
- (6) Existing right-of-way along with any planned or desired expansion of the right-of-way requested by the city.
- (7) Traffic crash data and analysis covering the most recent three (3) years for the study area or proximity to site access points.
- (8) For any project requiring a Traffic Impact Statement with a completion date beyond one year at the time of the traffic study, the study shall also include a scenario analyzing forecast traffic at date of completion along the adjacent street network using a forecast based on a network traffic assignment model, historic annual percentage increases and/or future development in the area which has been approved.
- (9) Forecasted trip generation of the proposed use for the a.m. and p.m. peak hour and average day. The forecasts shall be based on the data and procedures outlined in the most recent edition of Trip Generation published by the Institute of Transportation Engineers (ITE). The applicant may use other commonly accepted sources of data or supplement the standard data with data from at least three similar projects in Michigan.
  - a. For rezoning requests where a traffic study is required, the study should contrast the traffic impacts of typical uses permitted in the requested zoning district with uses permitted in the current zoning district. The determination of typical uses shall be made by the planning and zoning official. For traffic impact assessments, statements, or regional traffic analyses, the rates or formulas for the specific use(s) proposed shall be used.
  - b. Any trip reduction for pass-by trips, transit, ridesharing, other modes, internal capture rates, etc., shall be based either on ITE findings or documented survey results acceptable to the city. The city may elect to reduce the trip reduction rates used.
  - c. For projects intended to be developed in phases, the trip generation by phase shall be described.
- (10) Traffic distribution where the projected traffic generated shall be distributed (inbound v. outbound, left turn v. right turn) onto the existing street network to project turning movements at site access points, and nearby intersections where required. Projected turning movements shall be illustrated in the report. A description of the standard engineering procedures for determining the distribution should also be attached.
- (11) Impact analysis.
  - a. Level of service or capacity analysis at the proposed access points using the procedures outlined in the most recent edition of the Highway Capacity Manual published by the Transportation Research Board. For projects requiring a traffic impact statement or regional traffic analysis, before and after capacity analyses shall also be performed for all street intersections where the expected traffic generated at the site will comprise at least five percent of the existing intersection capacity, and/or for roadway sections and intersections experiencing congestion or a relatively high crash rate, as determined by the city or applicable road agency.
  - b. Gap studies for unsignalized intersections where applicable.
  - c. The city engineer may require a regional traffic analysis which evaluates the impact on the street network over a wide area and/or for up to 20 years for a project of regional significance, if a network model is available.
- (12) Access design/Access management standards which shall include a map and description of the location and design of proposed access (driveways or new street intersections) including:

- a. Any sight distance limitations.
  - b. Dimensions from adjacent driveways and intersections within 250 feet on either side of the main roadway.
  - c. Data to demonstrate that the number of access points proposed is the fewest necessary and that they will provide safe and efficient traffic operation based on current standards of the city and other applicable road agencies.
- (13) Mitigation/alternatives that demonstrate any changes to the level of service achieved by these measures. Any alternatives or suggested phasing of improvements should be described. The mitigation measures may include items such as roadway widening, need for bypass lanes or deceleration tapers/lanes, changes to signalization, use of access management techniques or a reduction in the proposed intensity of use. Proposed mitigation measures should be discussed with the applicable road agency. The responsibility and timing of roadway improvements shall be described.
- (14) Description of any needed nonmotorized facilities.
- (15) Description of site circulation and available sight distances at site driveways.
- (16) If the use involves a drive-through facility, the adequacy of the (queuing stacking) area should be evaluated.
- (17) If a median crossover is desired, separate analysis should be provided.
- (18) If a traffic signal is being requested, the relationship of anticipated traffic to traffic signal warrants in the Michigan Manual of Uniform Traffic Control Devices. Analysis should also be provided on the impacts to traffic progression along the roadway through coordinated timing, etc.
- (19) Any additional requirements that may be necessary to reasonably evaluate and mitigate the potential traffic impacts of the proposed development.

(Ord. No. 1162, 4-17-2007)

Sec. 50-106. - Waiver of study requirements.

The requirement for a traffic impact study, or the study elements listed in section 50-105, Traffic impact study requirements, may be waived/modified solely at the discretion of the city following the pre-development conference called for at section 50-105 and consultation with the city engineer. Reasons for the waiver or modification shall be documented by the city engineer. Reasons to be considered may include, but not be limited to, the following:

- (1) Roadway improvements are scheduled which are expected to mitigate any impacts associated with the proposed project.
- (2) The existing level of service along the roadway is not expected to drop below C due to the proposed project.
- (3) The existing level of service is not expected to be significantly impacted by the proposed project due to specific conditions at this location.
- (4) A similar traffic study was previously prepared for the site and is still considered applicable.

(Ord. No. 1162, 4-17-2007)

Sec. 50-107. - Fees.

At the time of submitting the traffic impact study, the applicant will be required to submit a review fee in an amount to be established by resolution of the city council for use to reimburse actual costs required in review of the traffic impact study. The study will be reviewed by the city or its designee.

(Ord. No. 1162, 4-17-2007)

## Sec. 50-108. - Qualifications.

- (a) *Study preparer.* The traffic impact study shall be prepared by a trained traffic engineer or transportation planner with extensive background and experience in traffic-related analyses. The city engineer shall prepare and maintain policy guidelines describing the required qualifications for a study preparer and the documentation required in each study. These policy guidelines, and any future amendments, shall be approved by the transportation commission.
- (b) *Reviewer.* To ensure that the analysis and recommendations are based on accepted practices, the traffic impact study shall be reviewed by a trained traffic engineer or transportation planner. The qualifications of the reviewer should parallel those of the preparer as outlined above.

(Ord. No. 1162, 4-17-2007)

## Sec. 50-109. - Procedures.

- (a) The applicant shall meet with the city engineer or his/her designee in a preapplication conference to determine if a study is needed, what type of study is needed and specific items to be addressed.
- (b) A revised study may be required as the scope and details of the land use proposal change.
- (c) When an application is submitted, the planning and zoning official shall forward the traffic impact study to the city engineer. The planning and zoning official and the city engineer shall establish an expected review schedule for the application.
- (d) The city engineer shall distribute the traffic impact study to the appropriate road agencies, and adjacent communities, if appropriate, for comments and advise them of the expected review schedule. A copy may also be submitted to the metropolitan planning organization, transit agency, etc., as appropriate for projects of regional significance or along critical corridors.
- (e) Road and other review agencies may provide the city review authority with comments prior to final action on the land use proposal.
- (f) The required study shall be reviewed by the city engineer and/or his/her designated reviewer. The study and the city engineer's report and any comments received from other review agencies shall be submitted to the transportation commission for review. Final action on the application shall not be taken by the planning commission until the transportation commission has had the opportunity to review and comment on the application at a regular meeting.
- (g) The study and the city engineer's report and any comments or recommendations from the transportation commission shall be forwarded to the planning commission and the city council prior to their final action on the application.

(Ord. No. 1162, 4-17-2007)

## DIVISION 5. - CONDITIONAL REZONING

## Sec. 50-110. - Purpose.

It is recognized that there are certain instances where it would be in the best interest of the city, as well as advantageous to property owners seeking a change in zoning boundaries, if certain conditions could be proposed by property owners as part of a request for a rezoning. It is the intent of this section to provide a process consistent with the provisions of section 405 of the Michigan Zoning Enabling Act, 2008 PA 110, as amended (codified at MCL 125.3405 et seq.) by which an owner seeking a rezoning may voluntarily propose conditions regarding the use and/or development of land as part of the rezoning request.

(Ord. No. 1252, 3-20-2012)



## Sec. 50-111. - Application and offer of conditions.

- (a) An owner of land may voluntarily offer in writing conditions relating to the use and/or development of land for which a rezoning is requested. This written offer shall be made prior to the planning commission public hearing.
- (b) The required application and process for considering a rezoning request with conditions shall be the same as that for considering rezoning requests made without any offer of conditions, except as modified by the requirements of this division.
- (c) The owner's offer of conditions may not purport to authorize uses or developments not permitted in the requested new zoning district.
- (d) The owner's offer of conditions shall bear a reasonable and rational relationship to the property for which rezoning is requested.
- (e) Any use or development proposed as part of an offer of conditions that would require a special land use permit under the terms of section 50-91 of this Code may only be commenced if a special land use permit for such use or development is ultimately granted in accordance with the provisions of this Code.
- (f) Any use or development proposed as part of an offer of conditions that would require a variance under the terms of section 50-61 of this Code may only be commenced if a variance for such use or development is ultimately granted by the zoning board of appeals in accordance with the provisions of this Code.
- (g) Any use or development proposed as part of an offer of conditions that would require site plan approval under the terms of section 50-36 of this Code may only be commenced if site plan approval for such use or development is ultimately granted in accordance with the provisions of this Code.
- (h) The offer of conditions may be amended during the process of rezoning consideration provided that any amended or additional conditions are voluntarily offered by the owner in writing, signed, dated, and made part of the record of proceeding. An owner may withdraw all or part of its offer of conditions any time prior to final rezoning action of the city council provided that, if such withdrawal occurs subsequent to the planning commission's public hearing on the original rezoning request, then the rezoning application shall be referred to the planning commission for a new public hearing with appropriate notice and a new recommendation.
- (i) The offer shall be supplemented with sufficient graphic representation to depict written conditions.
- (j) The owner shall describe how the proposed use fits the comprehensive plan and zoning district involved.

(Ord. No. 1252, 3-20-2012)

## Sec. 50-112. - Planning commission review.

The planning commission, after public hearing and consideration of the factors for rezoning, set forth in section 50-31(b) of this Code may recommend approval, or denial of the rezoning.

(Ord. No. 1252, 3-20-2012)

## Sec. 50-113. - City council review.

After receipt of the planning commission's recommendation, the city council shall deliberate upon the requested rezoning and may approve or deny the conditional rezoning request. The city council's deliberations shall include, but not be limited to, a consideration of the factors for rezoning set forth in section 50-31(b) of this Code. Should the city council consider owner amendments, withdrawing all or part of its offer of conditions, to the proposed conditional rezoning advisable and if such contemplated amendments to the offer of conditions are acceptable to and thereafter offered by the owner, then the city council

shall, in accordance with section 308(1) of the Michigan Zoning Enabling Act, MCL 125.3308, refer such amendments to the planning commission for review and recommendation thereon within a time specified by the city council and proceed thereafter in accordance with said statute to deny or approve the conditional rezoning.

(Ord. No. 1252, 3-20-2012)

Sec. 50-114. - Approval.

- (a) If the city council finds the rezoning request and offer of conditions acceptable, the offered conditions shall be incorporated into a formal written conditional rezoning agreement acceptable to the owner and conforming in form to the provisions of this section. The conditional rezoning agreement shall be incorporated by attachment or otherwise as an inseparable part of the ordinance adopted by the city council to accomplish the requested rezoning.
- (b) The conditional rezoning agreement shall:
  - (1) Be in a form recordable with the register of deeds of the county in which the subject land is located or, in the alternative, be accompanied by a recordable affidavit or memorandum prepared and signed by the owner giving notice of the conditional rezoning agreement in a manner acceptable to the city council.
  - (2) Contain a legal description of the land to which it pertains.
  - (3) Contain a statement acknowledging that the conditional rezoning agreement runs with the land and is binding upon successor owners of the land.
  - (4) Incorporate by attachment or reference any diagram, plans or other documents submitted or approved by the owner that are necessary to illustrate the implementation of the conditional rezoning agreement. If any such documents are incorporated by reference, the reference shall specify where the document may be examined.
  - (5) Contain a statement acknowledging that the conditional rezoning agreement or an affidavit or memorandum giving notice thereof may be recorded by the city with the register of deeds of the county in which the land referenced in the conditional rezoning agreement is located.
  - (6) Contain the notarized signatures of all of the owners of the subject land preceded by a statement attesting to the fact that they voluntarily offer and consent to the provisions contained within the conditional rezoning agreement.
  - (7) Other information as requested by the city necessary to define the conditional rezoning agreement.
- (c) Upon the rezoning taking effect, the zoning map shall be amended to reflect the new zoning classification along with a designation that the land was rezoned with a conditional rezoning agreement. The city clerk shall maintain a listing of all lands rezoned with a conditional rezoning agreement.
- (d) The approved conditional rezoning agreement or an affidavit or memorandum giving notice thereof shall be filed by the city with the register of deeds of the county in which the land is located.
- (e) Upon the rezoning taking effect, the use of the land so rezoned shall conform thereafter to all of the requirements regulating use and development within the new zoning district as modified by any more restrictive provisions contained in the conditional rezoning agreement.

(Ord. No. 1252, 3-20-2012)

Sec. 50-115. - Compliance with conditions.

- (a) Any person who establishes a development or commences a use upon land that has been rezoned with conditions shall continuously operate and maintain the development or use in compliance with all of the conditions set forth in the conditional rezoning agreement. Any failure to comply with a condition contained within the conditional rezoning agreement shall constitute a violation of this zoning code and be punishable accordingly. Additionally, any such violation shall be deemed a nuisance per se and subject to judicial abatement as provided by law.

- (b) No permit or approval shall be granted under this division for any use or development that is contrary to an applicable conditional rezoning agreement.

(Ord. No. 1252, 3-20-2012)

Sec. 50-116. - Time period for establishing development or use.

Unless another time period is specified in the ordinance conditionally rezoning the subject land, the approved development and/or use of the land pursuant to building and other required permits must be commenced upon the land within 18 months after the conditional rezoning took effect and thereafter proceed diligently to completion. This time limitation may upon written request be extended by the city council if (1) it is demonstrated to the city's reasonable satisfaction that there is a strong likelihood that the development and/or use will commence within the period of extension and proceed diligently thereafter to completion and (2) the city council finds that there has not been a change in circumstances that would render the current zoning with a conditional rezoning agreement is compatible with other zones and uses in the surrounding area or otherwise inconsistent with sound zoning policy.

(Ord. No. 1252, 3-20-2012)

Sec. 50-117. - Reversion of zoning.

If approved development and/or use of the rezoned land do not occur within the time frame specified under section 50-116, then the land shall revert to its former zoning classification as set forth in MCL 125.3405(2). The reversion process shall be initiated by the planning and zoning official, at the time which the conditional rezoning agreement is no longer valid, requesting that the planning commission proceed with consideration of rezoning of the land to its former zoning classification. The procedure for considering and making this reversionary rezoning shall thereafter be the same as applies to all other rezoning requests.

(Ord. No. 1252, 3-20-2012)

Sec. 50-118. - Subsequent rezoning of land.

When land that is rezoned with a conditional rezoning agreement is thereafter rezoned to a different zoning classification or to the same zoning classification but with a different or no conditional rezoning agreement, whether as a result of a reversion of zoning pursuant to section 50-117 above or otherwise, the conditional rezoning agreement imposed under the former zoning classification shall cease to be in effect. Upon the owner's written request, the city clerk shall record with the register of deeds of the county in which the land is located a notice that the conditional rezoning agreement is no longer in effect.

(Ord. No. 1252, 3-20-2012)

Sec. 50-119. - Amendment of conditions.

- (a) During the time period for commencement of an approved development or use specified pursuant to section 50-116 above or during any extension thereof granted by the city council, the city shall not add to or alter the conditions in the conditional rezoning agreement.
- (b) The conditional rezoning agreement may be amended thereafter in the same manner as was prescribed for the original rezoning and conditional rezoning agreement.

(Ord. No. 1252, 3-20-2012)

Sec. 50-120. - City right to rezone.

Nothing in the conditional rezoning agreement nor in the provisions of this section shall be deemed to prohibit the city from rezoning all or any portion of land that is subject to a conditional rezoning agreement to another zoning classification; provided, however, that no such rezoning shall be effective prior to the expiration of the time period for commencement of the development or land use as specified under section 50-116. Any rezoning shall be conducted in compliance with this division and the Michigan Zoning Enabling Act, MCL 125.3308.

(Ord. No. 1252, 3-20-2012)

Sec. 50-121. - Failure to offer conditions.

The city shall not require an owner to offer conditions as a requirement for rezoning. The lack of an offer of conditions shall not affect an owner's rights under this Code.

(Ord. No. 1252, 3-20-2012)

Sec. 50-122. - Notice of adoption.

A notice of the conditional rezoning ordinance adoption shall include a summary of conditions of approval and be published and mailed in accordance with the requirements set forth in section 50-31(c).

(Ord. No. 1252, 3-20-2012)

Sec. 50-123. - Enforcement.

The planning and zoning official shall make periodic investigations of developments authorized by conditional rezoning. Any violations shall be corrected within 30 days after an order to correct has been issued by the planning and zoning official. Violations not so corrected shall automatically cancel the certificate of occupancy and compliance.

(Ord. No. 1252, 3-20-2012)

Secs. 50-124—50-140. - Reserved.

ARTICLE III. - GENERAL DISTRICT REGULATIONS

Sec. 50-141. - Classes of districts.

The City of East Lansing is hereby divided into the following districts.

RA	Residential Agricultural
R-1	Low Density Single-Family Residential
R-2	Medium Density Single-Family Residential
R-3	Single-Family and Two-Family Residential
RM-8	Planned Unit Development

RM-14	Low Density Multiple-Family Residential
RM-22	Medium Density Multiple-Family Residential
RM-32	City Center Multiple-Family Residential
RM-54	University Oriented Multiple-Family Residential
C	Community Facilities
B-1	General Office Business
B-2	Retail Sales Business
B-3	City Center Commercial
B-4	Restricted Office Business
B-5	Community Retail Sales Business
M-1	Manufacturing
OIP	Office Industrial Park
P	Parking
U	University

(Code 1994, ch. 55, § 5.6)

Sec. 50-142. - District boundaries.

If uncertainty exists with respect to the boundaries of the various districts as shown on the maps accompanying and made part of this chapter, the following rules shall apply:

- (1) The district boundaries are either streets or alleys unless otherwise shown, and where the designations on the maps accompanying and made a part of this chapter indicating the various districts are approximately bounded by street or alley lines, the center of said street or alley shall be construed to be the boundary of such districts.
- (2) Where the district boundaries are not otherwise indicated and where the property has been or may hereafter be divided into blocks and lots, the district boundaries shall be construed to be lot lines, and where the designations on the maps accompanying and made a part of the chapter indicating the various districts are approximately bounded by lot lines, said lot lines shall be construed to be the boundary of such district, unless said boundaries are otherwise indicated on the maps.
- (3) In unsubdivided property, the district boundary lines on the maps accompanying and made a part of this chapter

shall be determined by the use of the scale contained on such maps.

(Code 1994, ch. 55, § 5.7)

Sec. 50-143. - Compliance with use, density and lot regulations.

Except as hereinafter provided:

- (1) No building shall be erected, converted, enlarged, reconstructed, or structurally altered, nor shall any building or land be used which does not comply with all of the district regulations established by this chapter for the district in which the building or land is located.
- (2) No lot upon which a building has been erected shall be so reduced or diminished in area that the yards or open spaces shall be smaller than those prescribed by this chapter, nor shall the density of use be increased in any manner except in conformity with regulations hereby established for the district in which such property is located.
- (3) Every building hereafter erected, or structurally altered, shall be located on a lot as herein defined.

(Code 1994, ch. 55, § 5.8)

Sec. 50-144. - Structures and encroachments in yards.

Every part of any required yard shall be open and unobstructed by any building, from the ground to the sky. Attached garages, exterior stairways, fire escapes, fire towers, enclosed porches, balconies, and other projections shall be considered as part of the building subject to the setback requirements of section 50-301. This provision shall not apply to:

- (1) One fireplace or one chimney projecting into the required side yard a distance not more than 25 percent of the required setback and not more than eight feet in length.
- (2) Accessory buildings, unenclosed porches, and decks not exceeding one story in height located in the required side or rear yard and meeting the setback requirements of an accessory building under section 50-301.
- (3) Porches or decks projecting not more than five feet into the required front yard.
- (4) Ramps designed to provide barrier-free access to the first floor of a dwelling unit.
- (5) Cornices and gutters which extend into the required yard a distance not more than 25 percent of the required setback.
- (6) Window wells projecting into the required yard a distance not more than 45 percent of the required setback.
- (7) Fences designed to meet the requirements of section 50-147(1) and (2).
- (8) Swimming pools.

(Code 1994, ch. 55, § 5.9; Ord. No. 1238, 8-9-2011; Ord. No. 1359, 3-15-2016; Ord. No. 1492, 12-15-2020)

Sec. 50-145. - Buildings below ground level.

No building shall be erected or occupied in any district unless the same consists of or includes one or more stories above the ground level, nor shall any such structure be occupied prior to the completion thereof and the obtaining of a certificate of occupancy and compliance from the building official as herein required.

(Code 1994, ch. 55, § 5.10)

Sec. 50-146. - Use of yards.

No part of any required yard shall be used again as a yard for another building for the purpose of complying with the provisions of this chapter.

(Code 1994, ch. 55, § 5.11)

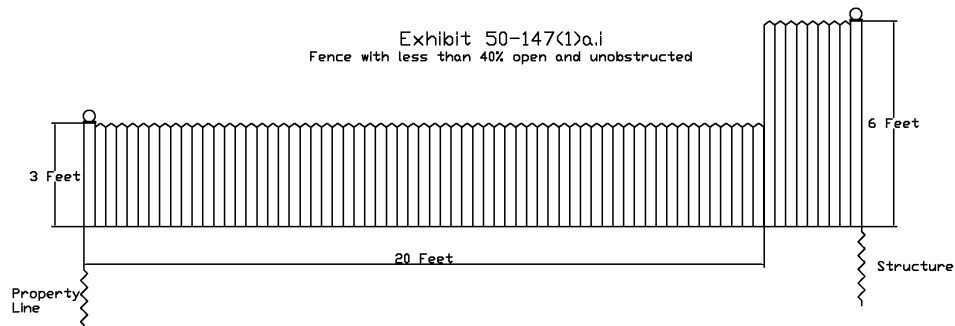
## Sec. 50-147. - General requirements.

(1) *Fences.*

a. Within any yard bordering a street, fences or walls, other than retaining walls, shall not exceed the following maximum heights:

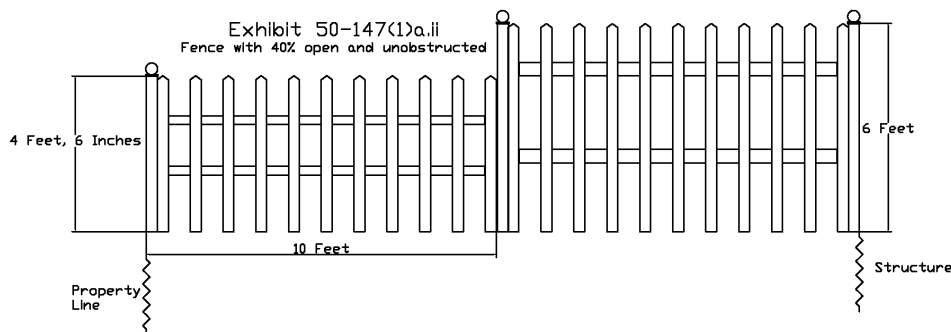
i. When less than 40 percent open and unobstructed (Exhibit 50-147(1)a.i).

1. Three feet at the property line.
2. Six feet, when set back at least 20 feet from the property line.



ii. When at least 40 percent open and unobstructed (Exhibit 50-147(1)a.ii)

1. Four feet, six inches at the property line.
2. Six feet when set back at least ten feet from the property line.



b. Within any yard not bordering a street, fences or walls, other than retaining walls, shall not exceed six feet in height.

c. In rear and side yards where six-foot fences are permitted, a fence may also include an additional two feet of height, up to a maximum of eight feet, provided that the top two feet are at least 75 percent open and unobstructed.

- (2) On any corner lot, no fence, wall, accessory structure, sign, or planting of more than three feet in height shall be maintained within a triangular area whose sides shall measure 40 feet along each street line from the intersection of two street lines.
- (3) On any through lot or corner lot, all buildings shall be set back from each lot line abutting a street a distance not less than that required for a front yard as provided in this chapter for the district in which said lot is located.
- (4) Accessory buildings, detached garages, and other similar structures shall not be placed on any part of the front yard.
- (5) No motor vehicle shall be stored or parked on any lot on which there is no building without obtaining approval under the standards for the zoning district in which the property is located.
- (6) No trailer, camper, recreational vehicle, boat or similar object shall be stored or parked in a front yard, or any required yard adjacent to a public street, except during the months of April 1 thru December 1 they may be parked on a driveway designed and constructed according to the standards of sections 50-814 through 50-817.

- (7) Class A home occupations shall conform to the following provisions:
- a. No person other than those residing on the premises shall be engaged in the conduct of the occupation on the premises.
  - b. The use of the premises for the occupation shall be clearly incidental and subordinate to its use for residential purposes, and no more than an area equal to 25 percent of the floor area of the dwelling, or 500 square feet, whichever is less, shall be used in conjunction with the occupation.
  - c. The occupation shall be conducted within the dwelling or an accessory building on the same lot, including the storage of any inventory or materials used in conjunction with the occupation.
  - d. There shall be no alterations or exterior treatments to the building or property which would in any way change its residential character or appearance.
  - e. No inventory or materials shall be displayed, directly sold, or delivered to customers on the premises in a manner which is visible from adjacent properties.
  - f. No commercial vehicles with a capacity over 1½ tons shall be used in the conduct of the occupation on the premises or be parked on the premises.
  - g. No equipment shall be used on the premises in conjunction with the occupation which creates noise, vibration, odors, or smoke which is discernible to adjacent dwellings.
  - h. Services shall be provided on an individual or small group basis.
  - i. No occupation by its nature or conduct shall generate undue traffic in excess of that normally expected in and consistent with the character of a residential neighborhood.
  - j. Customers of the occupation shall be accommodated on an appointment basis; no regular hours shall be maintained or advertised where the premises are generally open to customers.
  - k. No food or beverages shall be sold to be consumed on the premises.
  - l. No amusement games or similar devices shall be provided for use by customers on the premises.
- (8) Except for adult foster care facilities licensed by a state agency for care and treatment of persons released from or assigned to adult correctional institutions, a state licensed residential facility shall be considered a residential use of property for the purposes of zoning and a permitted use in all residential districts.
- (9) Dumpsters.
- a. No dumpster shall be located in a front yard or any yard bordering a street without approval of a site plan, as set forth in section 50-36 of this chapter.
  - b. All dumpsters shall be screened on all sides with wood fencing or an alternative material as approved by the planning and zoning administrator.
  - c. Screening fences shall be at least one foot taller than any dumpster, with a minimum screening height of six feet.
  - d. Dumpsters shall be subject to the setback standards for accessory structures in the district in which they are located.
  - e. All standards of chapter 36, solid waste, shall also apply to dumpsters regulated under this section.

(Code 1994, ch. 55, § 5.14; Ord. No. 997, § 5.14, 9-16-2003; Ord. No. 1157, 11-8-2006; Ord. No. 1238, 8-9-2011)

**Editor's note**— Ordinance No. 1238, adopted Aug. 9, 2011, changed the title of § 50-147 from "Residential districts, general requirements" to "General requirements."

Sec. 50-148. - Essential services.



Essential services shall be exempt from the provisions of this chapter. Buildings required in conjunction with an essential service may be permitted in any district when approved by the planning commission. In granting such permission the planning commission shall take into consideration the effect such building will have on the adjacent land area and buildings. A determination of fact that a necessity exists for the building to provide service to the community must be made. The commission shall also determine the location, size, design, and use of such building, including all necessary landscaping in connection therewith.

(Code 1994, ch. 55, § 5.15)

Sec. 50-149. - Churches.

Churches shall be permitted in all residential districts subject to an approved special use permit as set forth in article II, division 3 of this chapter.

(Code 1994, ch. 55, § 5.16; Ord. No. 1015, 8-20-2002)

Sec. 50-150. - Child care organizations.

Child care organizations shall be permitted in all districts as provided below.

- (1) Foster family homes, foster family group homes, and family day care homes shall be permitted in all residential districts subject to the following provisions:
  - a. Such uses shall be duly licensed by the appropriate state agency.
  - b. Buildings and lots so used shall conform to all state and local code requirements, except that such uses or structures shall be permitted in buildings and lots which are nonconforming uses or structures as defined in this chapter.
- (2) Child care centers, day care centers, and group day care homes shall be permitted in all residential districts by special use permit, as provided by article II, division 3 of this chapter. Additionally, such uses shall be subject to the following provisions:
  - a. Group day care homes, and child care centers provided within a residential development to primarily serve residents of the development, shall be exempt from section 50-94(a)(8).
  - b. Such uses shall be duly licensed by the appropriate state agency.
  - c. Buildings and lots so used shall conform to all state and local code requirements, except that such uses or structures shall be permitted in buildings and lots which are nonconforming uses or structures as defined in this chapter.
- (3) Child care centers and day care centers shall be permitted as a principal use in all business districts, the C District and the OIP district by special use permit, as provided by article II, division 3 of this chapter. Additionally, such uses shall be subject to the following provisions:
  - a. Such uses shall be exempt from the standards specified in section 50-94(a)(8).
  - b. Such uses shall be duly licensed by the appropriate state agency.
  - c. Buildings and lots so used shall conform to all state and local code requirements, except that such uses or structures shall be permitted in buildings and lots which are nonconforming uses or structures as defined in this chapter.
  - d. All such child care centers and day care centers shall comply with existing state law with regard to handicapper access.

(Code 1994, ch. 55, § 5.17; Ord. No. 1113, 7-19-2005; Ord. No. 1061, 2-7-2006)

Sec. 50-151. - Temporary use permit for sale of seasonal decorations.

In the B-1, B-2, or B-3 zone or on the property of any church, the planning and zoning official may approve and issue a temporary use permit not to exceed 30 days for the display and sale of products grown and/or produced for seasonal decorations.

(Code 1994, ch. 55, § 5.18)

Sec. 50-152. - Automatic teller machines (ATMs).

As permitted in the B-1, B-2, B-3, B-4, and B-5 districts, automatic teller machines shall be subject to the following general regulations in addition to those of the district in which they are located:

- (1) ATMs located on-premise with their main bank or financial institution, or an approved branch, shall be regarded as part of the principal use.
- (2) ATMs which are used exclusively to automate merchant sales activities of a principal use shall be considered part of the principal use and shall be required to meet only the district requirements for the principal use and the general regulations pertaining to automatic teller machines.
- (3) ATMs which can be accessed by persons waiting in motor vehicles shall comply with those regulations and standards for uses with drive-in facilities.
- (4) All lighting in connection with automatic teller machines shall be so arranged and shielded as to reflect downward away from adjoining streets or properties.
- (5) No use of automatic teller machines shall be permitted to occupy or restrict space within the public right-of-way, or to restrict the use of a public street, sidewalk, or alley, unless the proper authorization is first granted by the city council or its agents.
- (6) Parking space requirements for enclosed ATMs or ATMs which are considered part of a principal use shall consist only of those spaces required for the principal use, plus any required storage spaces.
- (7) ATMs which are fully enclosed within an existing principal use shall be exempt from site plan requirements, provided there is no increase in gross floor area of the principal use.

(Code 1994, ch. 55, § 5.19; Ord. No. 1061, 2-7-2006)

Sec. 50-153. - Wireless communications.

Wireless communications as defined herein are permitted subject to the following criteria:

- (1) *Administrative review.*
  - a. The planning and zoning official may administratively approve any wireless communication facility for which all support equipment is screened from view and which complies with one of the following criteria:
    1. A roof-mounted antenna not exceeding ten feet in height and located on a nonresidential structure.
    2. Antennas which are architecturally integrated with a building or structure so as not to be recognized as antennas.
    3. Up to three whip antennas with a maximum height of 20 feet.
    4. Co-location of a wireless communication antenna on a public water tower, athletic field light standard, electrical utility transmission tower or distribution pole, or on an existing tower or pole within the right-of-way or easement of an electrical utility corridor.
  - b. However, if any such a wireless communication antenna is to be located on public property and if the antenna would be located within 300 feet of any residential property the following provisions shall apply.

1. The planning and zoning administrator shall send via first class mail notice of the application to all owners and residential properties which lie within 300 feet of the proposed antenna. The notice shall identify the proposed describe the intended installation. The notice shall indicate that written protests in opposition to the application to the planning and zoning administrator's office within 30 days of the mailing.
  2. If a written protest in opposition to the application is submitted within the 30-day period by any property owner or occupant within the notice area, the planning and zoning administrator shall forward the application to the city council for action. The city council shall consider the application at a public hearing. Notice of the hearing shall be sent via first class mail to the owners and occupants of all residential properties which lie within 300 feet of the proposed antenna.
  3. Following the public hearing, the city council may act to approve the application, or approve the application with conditions necessary to mitigate adverse impacts of the application, or it may reject the application if it finds that the proposed antenna installation would be detrimental to the residential neighborhood due to visual impacts, noise, traffic, loss of privacy or safety or security concerns.
- (2) *Special use permit.* All other wireless communication facilities shall be new monopoles or similar support structures and shall be subject to the granting of special use permit in accordance with article II, division 3 of this chapter and the following standards.
- a. *Locational criteria.*
    1. Facilities shall be sited to provide the least intensive impact as is reasonably possible to minimize views from residential areas or the public right-of-way.
    2. Support structures will be limited in all geographic areas to avoid excessive visual impacts.
    3. Monopoles and similar support structures are prohibited in all residential zones. Wireless communication facilities are permitted in C community facilities districts, all B business district zones, the M-1 manufacturing district, and the OIP office industrial park district.
    4. Monopoles and similar support structures are prohibited in parks, schoolgrounds or other areas heavily trafficked by children.
  - b. *Development and design standards.*
    1. *Setbacks.*
      - i. Wireless communications facilities employing guy anchors shall be sited so that the guy anchors for the structure meet the minimum setback requirements of the zoning district where they are located and do not cross into another zoning district.
      - ii. Separation requirements for towers shall comply with the following minimum standards:

Off-Site Use/Designated Area	Separation Distance
Single-family or duplex residential units <sup>1</sup>	200 feet or 300% height of tower, whichever is greater
Vacant single-family or duplex residentially zoned land which is either platted or has preliminary subdivision plan approval which is not expired	200 feet or 300% height of tower <sup>2</sup> , whichever is greater
Vacant unplatted residentially zoned lands <sup>3</sup>	100 feet or 100% height of tower, whichever is greater
Existing multifamily residential units greater than duplex units	100 feet or 100% height of tower, whichever is greater
Non-residentially zoned lands or nonresidential uses	None, only setbacks apply

<sup>1</sup> Includes modular homes and mobile homes used for living purposes.

<sup>2</sup> Separation measured from base of tower to closest building setback line.

<sup>3</sup> Includes any unplatted residential use properties without a valid preliminary subdivision plan or valid development plan approval and any multifamily residentially zoned land.

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- iii. Mounted wireless communication facilities shall meet the required setbacks for the structure upon which they are located and shall be situated to provide for maximum safety on the site.
2. *Height.* Height of the support structure must be the minimum necessary to support the required coverage; however, in no case shall the antenna or its support structure exceed:
    - i. For a single user, 100 feet.
    - ii. For two users, 150 feet.
    - iii. For three or more users, 200 feet.
  3. *Color.* Support structures shall be painted in unobtrusive colors, unless in accordance with any other statutory or regulatory requirements.
  4. *Equipment buildings.* Where an equipment building accompanying the support structure is erected, it shall be designed to be compatible with the adjacent architecture.
  5. *Landscaping and visual impact requirements.*
    - i. Landscaping shall be provided in sufficient quantity around the perimeter of the required security fencing, as well as adjacent to any buildings and anchors. Site access entrances shall also be landscaped. This information shall be presented on a landscape plan.
    - ii. When located on an otherwise undeveloped site, the existing natural vegetation of the property shall be maintained to the greatest extent possible. The applicants shall provide information on a landscape plan regarding existing vegetation which is proposed to be removed and methods for replacement. In no case shall an entire site be graded and/or cleared for installation of a wireless communication tower.
    - iii. Whether a freestanding or mounted wireless communications facility is proposed, the applicants shall demonstrate how the accessory building's design will limit adverse visual impacts to neighboring property owners.
    - iv. Lighting at the facility and accessory structures shall be designed so not to adversely affect adjacent property owners and shall be in compliance with FAA standards.
  6. *Prevention of unauthorized climbing.* Support structures shall be designed to prevent unauthorized climbing.
- c. *Safety and security requirements.*
1. All new wireless communication facilities shall be designed within the applicable ANSI/EIA standards (RSA-22, Revision E), and so as not to be in conflict with existing airport locations and flight patterns.
  2. The applicant shall, in conjunction with the application, submit a statement that is certified and sealed by a licensed architect or engineer indicating that the proposed wireless communication facility is in compliance with all Federal Communications Commission (FCC) regulations and all building and code requirements.
  3. All wireless communication facilities shall maintain appropriate liability insurance and supply the city with proof of same prior to construction.
  4. Security fencing shall be installed completely around freestanding facilities, any accessory utility structures and guy anchors. Access shall be provided only by a locked gate. Security fencing shall not be required for mounted facilities.
  5. All wireless communication facilities shall receive regular and routine care and maintenance.

d. *Co-location.*

1. In order to maximize the efficiency of the provision of wireless communication services, while also minimizing the impact of such facilities on the community, co-locating (the provision of more than one facility at a single location and on a single tower) shall be encouraged. All applicants for wireless communication facilities shall be required to provide information regarding the feasibility of co-location at proposed or existing sites. Furthermore, all applicants shall be required to provide a notarized letter of intent to lease excess space on the proposed facility and commit itself to the following:
  - i. Respond to any requests for information from another potential shared use applicant;
  - ii. Negotiate in good faith and allow for leased shared use if an applicant demonstrates that it is technically feasible; and
  - iii. Make no more than a reasonable charge for a shared use lease.
2. Should co-location be proposed at a wireless communication facility, accessory mechanical buildings shall either be situated directly adjacent to or abutting each other and separated by a firewall, shall be placed underground, or shall be designed in a manner which limits the number and size of the building(s) on the site. On-site constraints, such as existing topographical and other natural features, may be considered when reviewing a proposed co-location design. Accessory mechanical buildings shall be designed to be consistent in design, style and exterior appearance. Review and approval of accessory mechanical building(s) at a co-location site shall be made by the planning and zoning official.

e. *Abandonment.*

1. Wireless communication facilities which have been abandoned or are unused or disconnected from the network for a period of 12 months shall be immediately removed from the site at the cost of the facility applicant, or their successor(s).
2. Upon removal from the site of a tower, the foundation shall also be removed to a depth of at least six feet. Additionally, the fencing and accessory structure(s) shall be demolished and removed from the site at the cost of the facility applicant, or their successor(s).

(1) *Application requirements.* Applications for a special use permit as set forth in this section shall contain the following:

- a. An explanation of the need of the applicant's clientele for this communications capacity
- b. Site and landscape plans drawn to scale;
- c. A report including a description of the tower with technical reasons for its design;
- d. Documentation establishing the structural integrity for the tower's proposed uses;
- e. The general capacity of the tower, and information necessary to assure that ANSI standards are met;
- f. A statement of intent on whether excess space will be leased;
- g. Proof of ownership or authorization to utilize the proposed site;
- h. Copies of any easements necessary;
- i. An analysis of the area containing existing topographical contours;
- j. A presentation size map which shows an inventory of existing and proposed cell site installations within the City of East Lansing and within one mile of the border thereof, including specific information about the location, height and design of each tower. The planning and zoning official may share such information with other applicants applying for administrative approvals or seeking special use permits under this chapter or other organizations seeking to locate antennas within East Lansing, provided, however, that the planning and zoning official is not, by sharing such information, in any way representing or warranting that such sites are available or suitable.

(Code 1994, ch. 55, § 5.19A; Ord. No. 982, 4-17-2001; Ord. No. 1469, 10-29-2019)

Sec. 50-154. - Uses prohibited unless permitted.

- (a) Dispensaries and primary caregiver operations that are not otherwise identified as a permitted use in a district are prohibited.
- (b) Medical marihuana facilities that are not otherwise identified as a permitted use in a district are prohibited.
- (c) Marihuana establishments that are not otherwise identified as a permitted use in a district are prohibited.

(Ord. No. 1245C, 3-15-2011; Ord. No. 1469, 10-29-2019)

Sec. 50-155. - Exterior lighting.

Exterior lighting in all zoning districts shall be subject to the following requirements:

(1) *Maximum fixture height.*

- a. When adjacent to non-residentially used or zoned properties, exterior light fixtures shall not be mounted higher than 25 feet above grade.
- b. When adjacent to residentially used or zoned properties, exterior light fixtures shall not be mounted higher than 15 feet above grade.

(2) *Cutoff angle of light fixtures.*

- a. All exterior light fixtures, including those used for single-family residential homes, shall have a cutoff angle of 90 degrees.
- b. Canopy mounted light fixtures shall be recessed into the canopy so as to limit visibility from surrounding properties or the public right-of-way.
- c. No lenses, lamps, or light sources shall be visible at the property line.

(3) Lighting intended to illuminate building facades shall be directed entirely at the building, with the cutoff angle designed to prevent light from spilling directly into the sky.

(4) Lighting levels shall be regulated by ASHRAE standards.

(Ord. No. 1238, 8-9-2011; Ord. No. 1424, 6-5-2018)

**Editor's note**— Ordinance No. 1238, adopted Aug. 9, 2011, amended the Code by the addition of § 50-154. Inasmuch as section so numbered already exists, to avoid duplication and at the editor's discretion, these provisions have been redesignated as § 50-155.

Sec. 50-156. - Alternative energy generation systems.

(1) *Solar energy systems.*

- a. Solar energy systems shall be permitted in all zoning districts.
- b. All solar panels shall be constructed of non-reflective materials.
- c. Roof mounted solar energy systems shall be permitted on both residential and non-residential structures, subject to approval in section 50-35 of this chapter and the standards of the zoning district where they are being installed.
- d. Ground mounted solar energy systems shall be permitted subject to approval under section 50-35 of this chapter and the following requirements:
  - i. No part of the system shall exceed ten feet at the highest point.
  - ii. Systems shall be setback in the rear and side yards a distance equal to the accessory building setback for the zoning district in which the system is located.

- iii. No installation shall occur in the front yard of any lot.
- iv. In all districts, ground mounted solar energy systems shall not count against ground coverage requirements, if the area under the system is planted with grasses or other landscape materials.

(2) *Utility scale solar systems.*

- a. Utility scale solar systems shall be permitted in the RA, Residential Agricultural district only, subject to approval under section 50-91.
- b. A minimum of five acres shall be required for any utility scale solar system site.
- c. All systems shall be designed and located in order to prevent reflective glare toward any inhabited buildings on adjacent properties as well as adjacent street rights-of-way. Landscape screening shall be provided at the edge of the property, as necessary, to further prevent glare that cannot be eliminated through design and location.
- d. If the area under any ground mounted system is planted with grasses or other landscape materials, the system shall not count against ground coverage requirements. Gravel or stone shall not be permitted.
- e. No part of the system shall exceed 20 feet in height at the highest point.
- f. All roads and access facilities shall be paved in accordance with the standards in section 50-816.

(3) *Wind energy systems.*

- a. Wind energy systems shall be permitted in all zoning districts.
- b. Maximum height:
  - i. The total height of any wind energy system shall not exceed 100 feet, from ground to blade tip.
  - ii. Any system less than 30 feet in total height shall be subject to approval as provided for in section 50-35 of this chapter.
  - iii. Any system greater than 30 feet in total height shall be subject to site plan approval as provided for in section 50-36 of this chapter.
  - iv. Roof or structure mounted systems shall not exceed the maximum building height for the zoning district in which they are located and shall be subject to approval as provided for in section 50-35 of this chapter.
- c. Setbacks:
  - i. From property lines: Setback shall be equal to the total height of the system.
  - ii. From occupied structures: 1.5 times the total height of the system, except for roof or structure mounted systems.
- d. Noise emanating from the operation of a wind energy system shall not exceed the lowest ambient sound level between 10:00 p.m. and 8:00 a.m., plus five dBa, as measured from the property line of the parcel on which the system is located.
- e. At no point shall the minimum ground clearance from the blade tips be less than one-half of the total height of the system.
- f. Wind energy systems shall be permitted in rear yards only.
- g. Only upwind mounted designs shall be permitted.
- h. No artificial lighting shall be permitted, except as required by the Federal Aviation Authority or other applicable authority.

(4) *Carport solar energy systems.*

- a. Carport solar energy system shall be permitted in the B4 and B5 zoning districts subject to site plan approval as provided for in section 50-35 of this chapter.
- b. No part of the system shall exceed 20 feet at the highest point.
- c. The array shall not exceed a maximum slope of ten degrees.

d. Minimum clearance under the system shall be eight feet six inches or the minimum height for structured parking found in the ordinance.

e. The parking setbacks shall be subject to section 50-814 of this chapter.

(Ord. No. 1256, 1-15-2013; Ord. No. 1357, 5-11-2016)

Secs. 50-157—50-200. - Reserved.

#### ARTICLE IV. - SINGLE-FAMILY AND TWO-FAMILY RESIDENTIAL DISTRICTS

##### DIVISION 1. - GENERALLY

Secs. 50-201—50-220. - Reserved.

##### DIVISION 2. - RESIDENTIAL AGRICULTURAL DISTRICT, RA

Sec. 50-221. - Purpose.

The residential agricultural district is established for the purpose of regulating use of land for agricultural and similar purposes and low density residential use in a rural environment. The district is primarily designed for large tracts of land not subdivided into residential building lots and local streets and which are primarily used or suitable for agricultural pursuits or open space or lie beyond current growth and development areas.

(Code 1994, ch. 55, § 5.20; Ord. No. 1034, § 5.20, 6-3-2003)

Sec. 50-222. - Permitted uses.

In the RA district no buildings or premises shall be used and no building shall be erected or altered unless otherwise specifically provided for in this chapter, except for the following uses:

- (1) Permitted principal uses.
  - a. Single-family dwellings.
  - b. Nurseries and allied uses, general farming, orchards, greenhouses, and truck farming, except that the raising of poultry, pets, or livestock for strictly commercial purposes or on a scale that would be objectionable because of noise or odor shall not be permitted.
- (2) Permitted principal uses subject to an approved site plan as set forth in section 50-36 of this chapter.
  - a. Public schools.
  - b. Private or parochial schools.
  - c. Publicly owned parks and recreation areas.
  - d. Commercial outdoor recreation establishment.
- (3) Permitted principal uses subject to an approved special use permit as provided for in article II, division 3 of this chapter.
  - a. Construction contracting businesses that provide services off-premises, including concrete, masonry, carpentry, plumbing, electrical, mechanical, roofing, siding, fencing and similar services; provided, that all equipment, materials, trailers and vehicles, except typical passenger vehicles, used in conjunction with the business, shall be



stored in enclosed buildings or in yard areas that are completely enclosed with screen fencing or walls.

- b. In conjunction with a nursery or greenhouse, the retail sale of related supplies and accessories, such as soil, fertilizer, mulch, ground cover materials, planters, gardening tools, and equipment.
- c. Household pet daycare as defined in section 50-7 which is provided in conjunction with an owner-occupied residential property.
- d. Utility scale solar energy systems, subject to the regulations in section 50-155.

(4) Permitted accessory uses.

- a. Private garages, the capacity of which shall not exceed three automobiles, in conjunction with a single-family dwelling.
- b. Outdoor sheds and storage buildings.
- c. The keeping of not more than one roomer by an owner residing in a single-family dwelling, except that a person owning a single-family dwelling on the effective date of Ordinance No. 900 shall be permitted to keep two roomers while continuing to own and reside in the dwelling. The maximum occupancy shall not exceed three unrelated persons, including the owner, for an owner-occupied dwelling or two unrelated persons for a non-owner-occupied dwelling. For purposes of this subsection, persons comprising a "domestic unit" as defined under "family" in section 50-6 shall be deemed related persons.
- d. The sale of items grown upon the premises.
- e. Swimming pools, tennis courts, and other similar uses when used for noncommercial purposes.
- f. Class A home occupations.

(Code 1994, ch. 55, § 5.21; Ord. No. 1034, § 5.21, 6-3-2003; Ord. No. 1061, 2-7-2006; Ord. No. 1269, 1-17-2012; Ord. No. 1256, 1-15-2013; Ord. No. 1285, 1-15-2013)

Sec. 50-223. - Lot and building requirements.

The principal building, accessory buildings and other land uses shall be located so as to comply with the requirements of 50-301.

(Code 1994, ch. 55, § 5.22; Ord. No. 1034, § 5.23, 6-3-2003)

Secs. 50-224—50-240. - Reserved.

DIVISION 3. - LOW DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT, R-1

Sec. 50-241. - Purpose.

The purpose of the R-1 district is to establish and preserve quiet single-family home neighborhoods as desired by large numbers of people, free from other uses, except those which are both compatible with and convenient to the residents of such a district.

(Code 1994, ch. 55, § 5.31)

Sec. 50-242. - Permitted uses.

In the R-1 single-family residential districts, no buildings or premises shall be used and no building shall be hereafter erected or altered, unless otherwise specifically provided for in this chapter, except for the following uses:

- (1) Permitted principal uses.
  - a. Single-family dwellings.

- b. Clustered development plan, in accordance with the provisions of division 7 of this article.
- (2) Permitted principal uses subject to an approved site plan as set forth in section 50-36 of this chapter.
  - a. Public schools.
  - b. Private or parochial schools.
  - c. Public parks.
- (3) Permitted accessory uses.
  - a. Private garages, the capacity of which shall not exceed three automobiles.
  - b. Outdoor sheds and storage buildings.
  - c. Swimming pools, tennis courts, and other similar uses when not used for commercial purposes.
  - d. The keeping of not more than one roomer by an owner residing in a single-family dwelling, except that a person owning a single-family dwelling on the effective date of Ordinance No. 900 shall be permitted to keep two roomers while continuing to own and reside in the dwelling. The maximum occupancy shall not exceed three unrelated persons, including the owner, for an owner-occupied dwelling or two unrelated persons for a non-owner-occupied dwelling. For purposes of this subsection, persons comprising a "domestic unit" as defined under "Family" in section 50-6 shall be deemed related persons.
  - e. Class A home occupations.

(Code 1994, ch. 55, § 5.32; Ord. No. 949, 6-18-2002; Ord. No. 1061, 2-7-2006)

Sec. 50-243. - Lot and building requirements.

The principal building, accessory buildings and other uses shall be located so as to comply with the requirements in section 50-301.

(Code 1994, ch. 55, § 5.33)

Secs. 50-244—50-260. - Reserved.

DIVISION 4. - MEDIUM DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT, R-2

Sec. 50-261. - Purpose.

The purpose of the R-2 district is to establish and preserve quiet, single-family home neighborhoods, particularly in older subdivisions with smaller platted lots, as desired by large numbers of people, free from other uses, except those which are both compatible with and convenient to the residents of such a district.

(Code 1994, ch. 55, § 5.35)

Sec. 50-262. - Permitted uses.

In the R-2 single-family residential districts no buildings or premises shall be used and no building shall be hereafter erected or altered unless otherwise specifically provided for in this chapter, except for the following uses:

- (1) Permitted principal uses.
  - a. Single-family dwellings.
  - b. Clustered development plan, in accordance with the provisions of division 7 of this article.

- c. Neo-traditional neighborhood redevelopment plan, in accordance with the provisions of division 8 of this article.
- (2) Permitted principal uses subject to an approved site plan as set forth in section 50-36 of this chapter.
- a. Public schools.
  - b. Private or parochial schools.
  - c. Public parks.
- (3) Permitted accessory uses.
- a. Private garages, the capacity of which shall not exceed three automobiles.
  - b. Outdoor sheds and storage buildings.
  - c. Swimming pools, tennis courts, and other similar uses when not used for commercial purposes.
  - d. The keeping of not more than one roomer by an owner residing in a single-family dwelling, except that a person owning a single-family dwelling on the effective date of Ordinance No. 900 shall be permitted to keep two roomers while continuing to own and reside in the dwelling. The maximum occupancy shall not exceed three unrelated persons, including the owner, for an owner-occupied dwelling or two unrelated persons for a non-owner-occupied dwelling. For purposes of this subsection, persons comprising a "domestic unit" as defined under "Family" in section 50-6 shall be deemed related persons.
  - e. Class A home occupations.

(Code 1994, ch. 55, § 5.36; Ord. No. 949, 6-18-2002; Ord. No. 1061, 2-7-2006; Ord. No. 1156, 1-16-2007)

Sec. 50-263. - Lot and building requirements.

The principal building, accessory buildings, and other uses shall be located so as to comply with the requirements in section 50-301.

(Code 1994, ch. 55, § 5.37)

Secs. 50-264—50-280. - Reserved.

DIVISION 5. - SINGLE-FAMILY AND TWO-FAMILY RESIDENTIAL DISTRICT, R-3

Sec. 50-281. - Purpose.

The purpose of the R-3 district is to establish and preserve quiet single-family and two-family home neighborhoods as desired by large numbers of people, free from other uses, except those which are both compatible with and convenient to the residents of such a district.

(Code 1994, ch. 55, § 5.38)

Sec. 50-282. - Permitted uses.

In the R-3 district no buildings or premises shall be used and no building shall be hereafter erected or altered, unless otherwise specifically provided for in this chapter, except for the following uses.

- (1) Permitted principal uses.
  - a. Single-family dwellings.
  - b. Two-family dwellings.

- c. Neo-traditional neighborhood redevelopment plan in accordance with the provisions of division 8 of this article.
- (2) Permitted principal uses subject to an approved site plan as set forth in section 50-36 of this chapter.
  - a. Public schools.
  - b. Private or parochial schools.
  - c. Public parks.
- (3) Permitted accessory uses.
  - a. Private garages, the capacity of which shall not exceed four automobiles.
  - b. Outdoor sheds and storage buildings.
  - c. Swimming pools, tennis courts, and other similar uses when used for noncommercial purposes.
  - d. The keeping of not more than one roomer by an owner residing in a single-family dwelling.
  - e. The keeping of not more than one roomer by an owner residing in each unit of a two-family dwelling. The maximum occupancy shall not exceed three unrelated persons per dwelling unit for an owner-occupied dwelling unit or two unrelated persons for a non-owner-occupied dwelling unit.
  - f. Class A home occupations.

(Code 1994, ch. 55, § 5.39; Ord. No. 1061, 2-7-2006; Ord. No. 1156, 1-16-2007)

Sec. 50-283. - Lot and building requirements.

The principal building, accessory buildings and other uses shall be located so as to comply with the requirements in section 50-301.

(Code 1994, ch. 55, § 5.40)

Secs. 50-284—50-300. - Reserved.

DIVISION 6. - TABLE OF LOT AND BUILDING REQUIREMENTS

*Footnotes:*

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**Cross reference**— *Buildings and building regulations, ch. 6.*

Sec. 50-301. - Table of lot and building requirements.

Zoning District:	RA		R-1	R-2	R-3	
Use Category:	1 Fam.	Other	All	All	1 Fam.	Other
Minimum lot area	8,000 SF	1 acre	8,000 SF	5,000 SF	5,000 SF	10,000 SF
Minimum lot width	70'	200'	70'	60'	60'	100'
Minimum setback, principal building:						
from front lot line	25'	50'	25'	20'	20'	20'

from rear lot line	25'	30'	25'	20'	20'	20'
from side lot line:						
interior lot line	10% LW,	20'	10% LW,	5' min.	5' min.	10'
(LW=lot width; total=2 sides)	8' min.		8' min.	total - 15'	total - 15'	
corner lot line	25'	50'	25'	20'	20'	20'
Maximum building height:						
Principal building	30' or 2½ stories	30' or 2½ stories	30' or 2½ stories	30' or 2½ stories	30' or 2½ stories	30' or 2½ stories
Accessory building	15'	20'	15'	15'	15'	15'
Maximum building coverage	25%	25%	25%	25%	25%	30%
Maximum ground coverage ratio	40%	40%	40%	40%	40%	40%
Accessory buildings:						
Minimum setbacks:						
Buildings in rear yard:						
from rear lot line	3'	20'	3'	3'	3'	3'
from interior side lot line	3'	20'	3'	3'	3'	3'
corner side lot line	Same as principal building		Same as principal building		Same as principal building	
Buildings in side yard:						
from side lot line	Same as principal building		Same as principal building		Same as principal building	
From principal building	6'	10'	6'	6'	6'	6'

(Code 1994, ch. 55, § 5.23; Ord. No. 1034, § 5.23, 6-3-2003; Ord. No. 997, § 5.23, 9-16-2003; Ord. No. 1087, pt. I, 12-21-2004)

Secs. 50-302—50-320. - Reserved.

DIVISION 7. - CLUSTERED DEVELOPMENT PLAN

Sec. 50-321. - Purpose and objectives.

- (a) These provisions are intended to permit and regulate large scale planned residential communities using innovative clustered designs as an alternative to traditional subdivision development in the R-1 and R-2 single-family residential districts. Through this overlay zoning process, all forms of housing development are permitted, singularly or in combination, but at an overall site density commensurate with the limits of the underlying single-family zoning district. This process also permits limited office uses, golf courses and country clubs and a variety of other open space and recreational elements to complement the development and benefit the residents of the planned community. This process encourages innovative, comprehensive and integrated design to ensure that the different uses present are compatible and complementary with each other and with their neighbors. It also limits total site development to preserve substantial areas of open space and protect desirable natural features of the site.
- (b) It is also the purpose of the district to achieve the following objectives:
  - (1) To have land developed in a planned and orderly manner, at one time or in phases, in accordance with an overall site plan.
  - (2) To expand and diversify home ownership opportunities available within the city by providing for a range of different housing types but at a density equal to traditional single-family subdivisions.
  - (3) To encourage more affordable housing by permitting clustered and innovative site designs and by permitting limited office use within the development.
  - (4) To control congestion and safety along public streets and to provide safe and convenient access by limiting principal access to major streets, by requiring designated and improved facilities for pedestrians, bicycles, and motor vehicles, and by requiring linkages to neighboring developments and public facilities.
  - (5) To protect the privacy of residents and to minimize noise, congestion, and nuisance impacts by regulating the size and placement of buildings and parking facilities and by requiring buffers consisting of setbacks and landscape screens between uses and along streets.
  - (6) To maintain an attractive community appearance and to provide a desirable living environment for residents by preserving natural features, particularly stands of mature trees, wetlands and floodplains, and by requiring open space and recreational facilities, and requiring visual and pedestrian access to those open spaces and recreational facilities.

(Ord. No. 949, ch. 55, § 5.41-51, 6-18-2002; Ord. No. 1019, ch. 55, § 5.41-51, 11-19-2002)

Sec. 50-322. - Uses permitted.

The following uses of buildings and premises, individually or in combination, shall be permitted in a clustered development plan.

- (1) Permitted principal uses, subject to site plan approval as provided for in section 50-36 of this chapter:
  - a. Single-family dwellings.
  - b. Two-family dwellings.
  - c. Townhouse dwellings.
  - d. Multiple-family dwellings, except hotels and motels.
  - e. All other principal uses permitted in the R-1 or R-2 districts.

- (2) Permitted principal uses, subject to an approved special use permit, as provided for in article II, division 3 of this chapter developed in conjunction with a residential development as permitted in subsection (1) of this section:
- a. Offices.
  - b. Extended care/nursing facilities.
  - c. Golf courses or country clubs.
  - d. Restaurants or banquet facilities, including those licensed for the sale of alcoholic beverages or alcoholic liquor as defined by MCL 436.2, which are provided in conjunction with a golf course or country club.
  - e. Hotels or motels which are provided primarily to serve patrons of a golf course or country club.
- (3) Permitted accessory uses, when provided in conjunction with the principal uses and the appropriate approvals above:
- a. All accessory uses permitted in the R-1 or R-2 districts.
  - b. Parking spaces, parking lots, garages, carports, and driveways.
  - c. Recreational facilities and structures provided for the exclusive use of residents of the development and their guests.
  - d. Storage buildings and areas for equipment necessary to maintain the development.
  - e. One sales, rental, or management office for the development, when such office is located in a building intended to be used for one of the principal uses in subsection (1) of this section, or in a clubhouse or similar structure.
  - f. Other facilities or structures provided for the exclusive use and convenience of residents of the development, such as laundries and storage rooms.
  - g. Facilities and structures which are customarily provided in conjunction with a golf course or country club including, but not limited to, a club-house, pro shop, starter shed, snack shop, driving range, practice putting and chipping greens, and storage buildings for carts or maintenance equipment.

(Ord. No. 949, ch. 55, § 5.41-52, 6-18-2002; Ord. No. 1019, ch. 55, § 5.41-52, 11-19-2002; Ord. No. 1061, 2-7-2006)

Sec. 50-323. - Required conditions.

A clustered development plan must comply with the following standards.

- (1) *Minimum site area.* The site must have a contiguous area of at least 20 acres. Parcels which are the equivalent of one-half of one-quarter of one-quarter of a section shall be considered to meet this requirement. The site shall be developed by a single owner or a group of owners acting jointly in accordance with an approved site plan which encompasses the entire site.
- (2) *Maximum residential density.* The maximum number of residential units permitted on a site shall be determined by dividing the total site area by the minimum site area per unit standards from the following schedule:

Type of Unit	Minimum Site Area R-1 District	Minimum Site Area R-2 District
Efficiency or 1 bedroom	7,000 sq. ft. per unit	3,500 sq. ft. per unit
2 bedroom	8,000 sq. ft. per unit	4,500 sq. ft. per unit
3 bedroom or larger	10,000 sq. ft. per unit	6,000 sq. ft. per unit

Extended care	4,000 sq. ft. per person*	2,000 sq. ft. per person*
*Based on the maximum permitted residential occupancy.		

For the purposes of this calculation, total site area shall not include any portion of the site which is used for offices or a golf course or country club, including their related parking areas, accessory uses and required yard areas. Where the type of unit to be built is not known or stipulated at the time of site plan review, as may be the case with subdivided building lots, each unknown unit shall be assumed to be a three-bedroom unit in determining the number of units permitted.

- (3) *Phased development; density of individual elements.* A site within this district may be planned and developed by a single owner or developer, or it may be developed in phases by two or more owners or developers in accordance with an overall site plan for the entire site. Individual elements of the overall site plan may be designed and developed at different densities as long as the total number of dwelling units on the entire site complies with the overall density limit established in subsection (2) of this section.
- (4) *Minimum residential lot area.* Where part of the site is to be subdivided into separate building lots or to be designated as limited common space as part of a site condominium, the minimum lot area shall be 5,000 square feet for detached single-family units, 7,500 square feet for two-family structures and 3,000 square feet per unit for townhouse structures.
- (5) *Maximum use restrictions.* No more than ten percent of the total site area, exclusive of existing and intended public street rights-of-way, shall be used for office purposes. No more than 25 percent of the dwelling units on the site shall be multiple-family dwelling units in buildings containing more than four units. No more than 50 percent of the units shall be designed and collectively marketed as rental units.
- (6) *Maximum building height.* The maximum permitted height of buildings shall be determined according to the following schedule:

a.	Principal buildings	Maximum Height
	Single-family, two-family and townhouse dwellings	2½ stories, or 30 feet
	Multiple-family dwellings and extended care facilities	3 stories, or 40 feet
	Offices	1 story, or 24 feet
	Hotels or motels	4 stories, or 50 feet

If two or more principal uses are contained in one building, the highest permitted height for the uses included from the schedule above shall apply.

b.	Accessory buildings	Maximum Height



Clubhouse, recreation buildings	2 stories, or 36 feet
Parking garages or decks	2 stories, or 25 feet
Other accessory buildings	1 story, or 15 feet

(7) *Maximum building and ground coverage.*

- a. The maximum building and ground coverage ratios for the entire site, excluding any portion of the site which is used for a golf course or country club, shall be 25 percent and 40 percent, respectively.
- b. For subdivided building lots or limited common areas within a site condominium which are comparable to a subdivided lot, and which are to be developed for a single-family or two-family dwelling unit, the maximum building and ground coverage ratios shall be 45 percent and 60 percent, respectively. For townhouse dwellings with limited common areas surrounding each dwelling unit, the maximum building and ground coverage ratios shall be 50 percent and 60 percent, respectively.
- c. If the amounts of building and ground coverage on subdivided lots or limited common areas are not known nor otherwise stipulated at the time of site plan review, the coverage ratios for the entire site shall be calculated by assuming that each lot and limited common area is developed to the maximum permissible standards.

(8) *General setback requirements.* The minimum setback requirements for principal and accessory buildings and parking spaces and parking lots are as follows:

		Minimum Setbacks	
		Buildings	Parking
a.	From major streets	50'	50'
b.	From other public streets	20'	25'
c.	From private roads, driveways	20'	0'
d.	From exterior site boundaries	2 × H + LI*, minimum = 25'	25'
*H = Building height.			
LI = Length increment = 10% of the building length over 50 ft.			

Parking facilities may be allowed within or under any building; otherwise, parking spaces not on a driveway shall be located no closer than ten feet to any building.

- (9) *Setback requirements for interior lots.* Buildings and parking spaces on subdivided lots or limited common areas within the development shall meet the standards in subsection (7) of this section. Other setbacks for individual lots may be required to achieve the design standards and principles in [section 50-324](#).
- (10) *Minimum distance between buildings.* Two detached buildings shall be located no closer to one another than a distance equal to the height of the taller one, except that this distance may be reduced by up to 50 percent if the buildings are designed and located to maintain privacy between neighbors and to minimize noise, shadowing, and other nuisance and appearance impacts on residents. In no case shall two detached buildings be located closer than ten feet apart.
- (11) *Minimum horizontal distance between building wings.* The angle between two wings of one building shall not be less than 90 degrees. In instances where two wings of the same building face each other, such as in a U-shaped building, the wings must be separated according to the standards in subsection (9) of this section.
- (12) *Required parking.* Parking facilities shall be provided, constructed and screened in accordance with the requirements of article VIII of this chapter; except that the yard paving restrictions in [section 50-816\(3\)](#) and the parking and driveway setbacks in [section 50-816\(4\)](#) shall not apply.
- (13) *Open space and recreation.*
- a. A minimum of 40 percent of the total site, exclusive of required perimeter setbacks, shall be open space held for the use and enjoyment of residents of the development. Private yards on subdivided lots or limited common areas surrounding dwelling units, preserved woodlots and wetlands, playgrounds, and the space occupied by freestanding recreational facilities and buildings may be counted as open space.
  - b. Where land is to be dedicated as open space within subdivisions or condominium developments, appropriate easements or land dedication documents shall accompany the application for approval.
  - c. A playground with a variety of equipment or other improved recreational areas or facilities shall be provided in accordance with the anticipated interests of the expected occupants of the development.

(Ord. No. 949, ch. 55, § 5.41-53, 6-18-2002; Ord. No. 1019, ch. 55, § 5.41-53, 11-19-2002; Ord. No. 1030, § 5.41-53, 4-1-2003; Ord. No. 1087, pt. II, 12-21-2004; Ord. No. 1104, 4-19-2005)

#### Sec. 50-324. - Design standards and principles.

A clustered development plan shall substantially conform to the following design principles and standards.

- (1) *General site layout.*
- a. The placement and concentration of uses and structures on the site shall be arranged to minimize congestion on the site and contrasts in the intensity of activities between abutting land uses.
  - b. The placement of uses and the bulk and design of structures shall be arranged to minimize contrasts in scale between abutting uses and structures and to: ensure reasonable privacy for residents and neighbors of the development; protect residents and neighbors from noise, shadowing, and other nuisance impacts; maintain adequate visibility for safety along streets and sidewalks; and provide an attractive appearance of the development from abutting properties and public streets.
  - c. The development shall be attractively landscaped around the perimeter of the site and within it. Trees of a type and size specified in [section 48-32](#) of the City Code shall be planted no more than 60 feet apart within the right-of-way along all public streets abutting or within the development. A variety of trees and shrubbery shall be

planted between buildings, parking areas, or other improved facilities and all exterior boundaries of the development. These requirements may be modified or waived where there are existing trees or shrubbery to be retained.

- d. The development shall be designed and maintained to minimize damage to desirable natural features, including wetlands, floodplains and woodlots.

(2) *Residential uses.*

- a. The placement and concentration of residential uses and structures within the site shall be arranged to minimize congestion on the site and contrasts in density.
- b. The placement of residential uses and the bulk and design of structures shall be arranged to minimize contrasts in scale between abutting uses and exposure to nuisance factors, such as noise and glare, and to maximize privacy for residents and neighbors.
- c. Each development shall contain a reasonable mixture of dwelling unit types, sizes or prices to complement and expand the range of existing housing opportunities available in the city.

(3) *Office uses.*

- a. The inclusion of office use in a residential development shall be permitted only if the benefits of the office use to residents, neighbors, and the city at large outweigh any potential interference or disruption because of noise, traffic, physical activity, or other attributes of the office use.
- b. The nature, placement, and design of office use on the site shall be arranged to minimize traffic and nuisance impacts on residents and neighbors of the development.
- c. Offices may be located within structures used predominantly for multiple-family residential purposes or in separate structures. If a separate structure is provided for office use, it must be architecturally compatible with other structures on the site and with the overall design of the development.

(4) *Golf course uses.*

- a. Principal vehicular access to the facility shall be arranged to minimize adverse impacts on surrounding residential dwellings and pedestrian and bicycle safety.
- b. Buildings and parking areas shall be sufficiently set back and screened to maintain privacy for surrounding residential dwellings.
- c. Structures provided in conjunction with the course must be architecturally compatible with other structures on the site and with the overall design of the development.
- d. Individual golf holes and driving ranges shall be placed and oriented to minimize risks of damage to surrounding residential dwellings.

(5) *Public facilities and services.*

- a. The development shall be located and designed so it can be adequately served by essential public utilities and services.
- b. All new and improved public facilities shall be placed and constructed in conformance with local standards and regulations, and in a manner which minimizes the costs and difficulty of operating and maintaining them.

(6) *Open space and amenities.*

- a. Open space shall be arranged and improved in a manner which maximizes its benefits to the residents of the development.
- b. Open space shall be arranged in a manner which preserves and draws benefit from desirable natural features on the site.
- c. Passive and active recreational amenities shall be provided on the site consistent with the anticipated needs and

interests of prospective residents.

- d. A variety of plant materials shall be preserved and/or placed throughout the site to enhance the appearance of the development and to provide privacy and separation between abutting properties and between functional areas and facilities on the site.

(7) *Traffic and access.*

- a. Traffic facilities affording general access to and circulation within the development may be developed as public streets or private roads; however, access must be perpetually available to residents and emergency vehicles.
- b. Access points to major streets shall be designed and limited in number to provide safe access to the development without causing congestion or safety problems along the major street.
- c. In no case shall developments have primary access through abutting residential areas. Secondary access may be permitted through such areas only if the proposed access would benefit both the development and the abutting residential area.
- d. To ensure adequate accessibility for emergency vehicles, developments may be required to provide secondary means of access, including linkages with abutting properties.
- e. The proposed development may be required to build turning lanes or acceleration lanes into an adjacent street to minimize any traffic impacts from the development.
- f. If a shared access street or road is developed to serve two or more developments, or a single development with two or more owners, appropriate dedication or easement documents must be submitted to ensure perpetual access to each development.

(8) *Parking.*

- a. Parking lots and spaces exposed to public streets or adjacent residential neighborhoods shall be bermed or screened by walls or other solid materials in addition to the landscaping as required in article VIII of this chapter.
- b. Where parking spaces are placed so that headlights may shine into windows of residential units within ten feet of the spaces, solid screens or landscape materials shall be installed to protect the privacy of residents.
- c. Exterior lighting on the site shall be shielded and arranged to project the light downward onto areas intended to be illuminated and not onto surrounding residential dwellings or adjacent properties.

(Ord. No. 949, ch. 55, § 5.41-54, 6-18-2002; Ord. No. 1019, ch. 55, § 5.41-54, 11-19-2002)

Sec. 50-325. - Site plan approval.

No building permit, grading permit, soil removal permit, or other permit for construction activity shall be issued for any use or building under the provisions of a clustered development plan until the planning and zoning official has certified to the building official that the overall site plan for the entire site has been approved in accordance with the procedures and requirements of section 50-36 of this chapter, and that specific plans for such activity have been approved in accordance with the procedures and requirements of section 50-36 of this chapter or article II, division 3 of this chapter, or chapter 40, pertaining to subdivisions and other land divisions, as may be applicable.

(Ord. No. 949, ch. 55, § 5.41-55, 6-18-2002; Ord. No. 1019, ch. 55, § 5.41-55, 11-19-2002; Ord. No. 1061, 2-7-2006)

Secs. 50-326—50-330. - Reserved.

DIVISION 8. - NEO-TRADITIONAL NEIGHBORHOOD REDEVELOPMENT PLAN

## Sec. 50-331. - Purpose and objectives.

- (a) These provisions are intended to permit and regulate, and are limited to the planned redevelopment of existing residential development in the R-2 single-family residential and the R-3 single-family and two-family residential districts using innovative neo-traditional neighborhood designs that represent current housing and land use needs while complementing existing traditional developments.
- (b) It is also the purpose of the district to achieve the following objectives:
  - (1) To have land developed in a planned and orderly manner, at one time or in phases, in accordance with an overall site plan
  - (2) To expand and diversify home ownership opportunities available within the city by providing for a range of different housing types.
  - (3) To provide more affordable housing that would appeal to families by encouraging redevelopment of parcels that are obsolete or in need of reinvestment.
  - (4) To minimize nuisance impacts by regulating the size and placement of buildings and parking facilities and by requiring buffers consisting of setbacks and landscape screens between uses and along streets.
  - (5) To maintain an attractive community appearance and to provide a desirable living environment for residents and pedestrian access for all homes.

(Ord. No. 1156, 1-16-2007)

## Sec. 50-332. - Uses permitted.

The following uses of buildings and premises, individually or in combination, shall be permitted in a neo-traditional neighborhood redevelopment plan.

- (1) Permitted principal uses, subject to site plan approval as provided for in section 50-36 of this chapter:
  - a. Single-family dwellings.
  - b. Two-family dwellings.
  - c. Townhouse dwellings, containing four or fewer attached units.
  - d. Class A multiple-family dwellings, containing four or fewer dwelling units within a building.
  - e. Public parks or playgrounds.
- (2) Permitted accessory uses, when provided in conjunction with the principal uses to serve individual lots or the entire development:
  - a. Parking spaces, parking lots, garages, carports, and driveways.
  - b. Recreational facilities and structures provided for the exclusive use of residents of the development and their guests.
  - c. Storage sheds and maintenance buildings.
  - d. Class A home occupations.

(Ord. No. 1156, 1-16-2007)

## Sec. 50-333. - Required conditions.

A neo-traditional redevelopment plan must comply with the following standards.

- (1) *Minimum site area.* The redevelopment site plan must have a contiguous area of at least two acres exclusive of any existing public street right-of-way that traverses through the site or lies adjacent to it. Eighty percent of this site must

be secured and under control of the applicant at the time of the application submittal. The site shall be developed by a single owner or a group of owners acting jointly in accordance with an approved site plan which encompasses the entire site.

- (2) *Maximum residential density.* The maximum number of principal dwellings permitted on a redevelopment site shall be determined by dividing the total site area, exclusive of any existing public street right-of-way, by 3,500 square feet.
- (3) *Minimum residential lot area.* Where part of the site is to be subdivided into separate building lots or to be designated as limited common space as part of a site condominium, the minimum lot area shall be 2,500 square feet.
- (4) *Maximum use restrictions.* No more than 25 percent of the principal dwellings on the redevelopment plan shall be multiple-family dwelling units.
- (5) *Special use.* Up to 25 percent of the principal single-family dwelling units may provide an accessory apartment above garages, commonly referred to as a Granny Flat, subject to an approved special use permit as provided by article II, division 3 of this chapter. An owner may rent to no more than two unrelated persons in an accessory apartment.
- (6) *Use restriction.* All principal dwelling units must be deed restricted to prohibit the use or occupancy in a way that would require a rental housing license pursuant to article 10 of chapter 6 of the Code of the City of East Lansing.
- (7) *Maximum building height.* The maximum permitted height of buildings shall be determined according to the following schedule:

a.	<i>Principal dwellings.</i>	<i>Maximum Height</i>
	Single-family, two-family, and townhouse dwellings	2½ stories, or 30 feet
	Multiple-family dwellings	2 stories, or 30 feet
b.	<i>Accessory buildings.</i>	1 story, or 15 feet
	With accessory apartment	2 story, or 25 feet

- (8) *Maximum building and ground coverage.* Subdivided building lots or limited common areas within a site condominium which are comparable to a subdivided lot and which are to be developed for a single-family or two-family dwelling unit, the maximum building and ground coverage ratios shall be 60 percent and 70 percent respectively. For subdivided building lots or limited common areas which are to be developed for townhouse dwellings or multiple family dwellings, the maximum building and ground coverage ratios shall be 65 percent and 75 percent, respectively.
- (9) *Building setback requirements.* The minimum building setback requirements are as follows:

a.	Principal dwellings, including attached garages:	
	From public streets right-of-way	10 feet
	From private roads, alleys	10 feet
b.	Detached garages, carports or other accessory structures:	
	From public streets right-of-way	20 feet
	From other exterior redevelopment site boundaries	5 feet
	From any principal building	10 feet

- (10) *Setback requirements for interior lots.* Buildings and parking spaces on subdivided lots or limited common areas within the development shall meet the standards in subsection (8) of this section. Other setbacks for individual lots may be required to achieve the design standards and principles in [section 50-334](#).
- (11) *Minimum distance between buildings.* In no case shall two detached buildings be located closer than ten feet apart.
- (12) *Required parking.* Parking facilities shall be provided, constructed, and screened in accordance with the requirements of article VIII of this chapter; except that the yard paving restrictions in [section 50-816\(3\)](#) and the parking and driveway setbacks in [section 50-816\(4\)](#) shall not apply on individual lots or limited common areas within the development. Parking spaces not on a driveway shall be located no closer than 20 feet from any public street. Unenclosed parking spaces and driveways shall be located no closer than eight feet from other exterior site boundaries.
- (13) *Redevelopment transition.* Existing residential structures and driveways which serve them may be maintained and may continue to be used for residential purposes until redeveloped in later phases. Such structures may be reconstructed to repair damage caused by natural elements or fire notwithstanding restrictions regarding the nonconforming use of buildings set forth in [section 50-853](#). If 100 percent of the redevelopment site is not secured at the time of the application submittal, the applicant must submit a strategy plan to obtain the remaining site as well as a written summary and site plan to develop the site with the secured properties at the time of site plan submittal.

(Ord. No. 1156, 1-16-2007; Ord. No. 1265, 11-1-2011)

Sec. 50-334. - Design standards and principles.

A neo-traditional neighborhood redevelopment plan shall substantially conform to the following design principles and standards.

- (1) *General site layout.*
- a. The placement and concentration of uses and the bulk and design of structures shall be arranged to minimize contrasts in scale between abutting uses and structures; to ensure reasonable privacy for residents and neighbors of the development; to protect residents and neighbors from noise, shadowing, and other nuisance impacts; to maintain adequate visibility for safety along streets and sidewalks; and to provide an attractive appearance of the development from abutting properties and public streets.

- b. The configuration of buildings should reflect traditional urban neighborhood design patterns. All residential buildings include porches at the front of the house and garages set behind the house when alleys are available. When no alleys are available, the garage shall be setback six feet from the front of the house to maintain an emphasis on the front of the house. Buildings shall have gabled roofs, at least 18-inch overhang and windows that have a greater vertical than horizontal dimension.
  - c. The development shall be attractively landscaped around the perimeter of the redevelopment site. A variety of plant materials shall be preserved and/or placed throughout the site to enhance the appearance of the development and to provide privacy and separation between abutting properties and between different functional areas. Trees of a type and size specified in section 48-32 of the City Code shall be planted no more than 40 feet apart within the right-of-way along all public streets abutting or within the development.
- (2) *Public facilities and services.*
- a. The development shall be located and designed so it can be adequately served by essential public utilities and services.
  - b. All new and improved public facilities shall be placed and constructed in conformance with local standards and regulations, and in a manner which minimizes the costs and difficulty of operating and maintaining them.
- (3) *Open space and amenities.*
- a. Open space shall be arranged and improved in a manner which maximizes its benefits to the residents of the development.
  - b. Open space shall be arranged in a manner which preserves and draws benefit from desirable natural features on the site.
  - c. Passive and active recreational amenities shall be accommodated on the site consistent with the anticipated needs and interest of prospective residents. Any redevelopment development plan with more than eight dwelling units shall include a neighborhood park at a rate of 275 square feet per primary dwelling unit with shared play equipment.
  - d. Where land is to be dedicated as open space within subdivisions or condominium developments, appropriate easements or land dedications documents shall accompany the application for approval.
- (4) *Traffic and access.*
- a. Traffic facilities affording general access to and circulation within the development may be developed as public streets or private roads or alleys; however, access must be perpetually available to residents and emergency vehicles.
  - b. Access points to public streets shall be designed to provide safe access to the development without causing congestion or safety problems along the street.
- (5) *Parking.*
- a. Parking and access facilities shall be developed and screened in accordance with in article VIII of this chapter.
  - b. Exterior lighting on the site shall be shielded and arranged to project the light downward onto areas intended to be illuminated and not onto surrounding residential dwellings or adjacent properties.

(Ord. No. 1156, 1-16-2007; Ord. No. 1265, 11-1-2011)

Sec. 50-335. - Site plan approval.

No building permit, grading permit, soil removal permit, or other permit for construction activity shall be issued for any use or building under the provisions of a neo-traditional neighborhood redevelopment plan until the planning and zoning official has certified to the building official that the overall site plan for the entire site has been approved in accordance with the procedures



and requirements of section 50-36 of this chapter, and that specific plans for such activity have been approved in accordance with the procedures and requirements of section 50-36 of this chapter or article II, division 3 of this chapter, or chapter 40, pertaining to subdivisions and other land divisions, as may be applicable.

(Ord. No. 1156, 1-16-2007)

Secs. 50-336—50-360. - Reserved.

## ARTICLE V. - MULTIPLE-FAMILY RESIDENTIAL DISTRICTS

### DIVISION 1. - GENERALLY

Sec. 50-361. - Purpose and scope.

- (a) The purposes of this division are to require the development of dwelling units in multiple-family residential districts that are visitable, usable, and safe for occupancy by persons with disabilities and to accommodate a wide range of individual preferences and functional abilities while not significantly impacting housing costs and affordability.
- (b) This division shall apply to the new construction of all multifamily residential dwellings in all residential development projects in the city's multiple family residential districts constructed under the Michigan Building Code and to townhouse and duplex development projects with greater than ten dwelling units constructed under the Michigan Residential Code, in the aggregate of all phases.

(Ord. No. 1385, 11-9-2016)

Sec. 50-362. - Findings at time of adoption.

- (a) Individuals with mobility difficulties may require special accommodations to their homes to allow for continued independent living. This chapter is reasonably necessary to serve this population as well as those anticipating a disability by enhancing opportunities for the full life cycle use of housing without regard to the physical abilities or disabilities of a home's occupants or guests.
- (b) There has been a significant increase, locally, of persons in need of accommodations in their housing related to Michigan State University. Michigan State University reports 1,592 students (up four percent over last year) with permanent disabilities that received services from Michigan State University's Resource Center for Persons with Disabilities (RCPD) with 111 additional receiving services for temporary conditions. Fifty students reported an open case with Michigan Rehabilitation Services while five reported working with the Bureau of Services for Blind Persons.
- (c) The RCPD staff assessed and registered 411 new students with permanent disabilities via the Academic Orientation Program and ongoing self-identification activities which evidences a trend for the increased need of accommodations for housing. The disability counts by major characteristic (permanent disabilities only) and the relationship to the previous year's count were reported to be as follows:
  - (1) Deaf/hard of hearing—57 (up 14% from last year)
  - (2) Blindness/visual impairment—45 (down 2% from last year)
  - (3) Mobility—142 (up 14%)
  - (4) Brain injury—70 (up 4%)
  - (5) Learning disability—783 (up 2%)
  - (6) Psychiatric—570 (up 16%)

- (7) Chronic health—349 (up 7%)
  - (8) Autism spectrum—57 (up 14%)
  - (9) Other—44 (up 25%)
  - (10) Multiple—426 (up 12%)
- (d) Michigan State University reported 163 employees (up 19 percent over last year) with active permanent disabilities were current with the RCPD; 40 were newly registered this year with a net population increase of 26 given retirements and other transitions which is further evidence of a trend for the increased need in housing accommodations. Disability counts by major characteristic (permanent disabilities only) and the relationship to the previous year's count were reported to be as follows:
- (1) Deaf/hard of hearing—23 (up 44% over last year)
  - (2) Blindness/visual impairment—16 (down 6%)
  - (3) Mobility—67 (up 14%)
  - (4) Brain injury—14 (up 56%)
  - (5) Learning disability—11 (no change)
  - (6) Psychiatric—24 (up 20%)
  - (7) Chronic health—56 (up 22%)
  - (8) Autism spectrum—1 (no change)
  - (9) Other—13 (up 100%)
  - (10) Multiple—31 (up 29%)
- (e) According to the U.S. Census Bureau, 14.9 percent of U.S. residents were 65 and older in 2015, while 3.8 percent were 80 and older. By 2050 these percentages are projected to increase to approximately 22 percent and eight percent respectively. In that same period overall population is projected to increase 24 percent resulting in a near doubling of the 65 and older population. These demographic trends will increase the demand for senior housing with accommodations.

(Ord. No. 1385, 11-9-2016)

#### Sec. 50-363. - Definitions.

The following words, terms and phrases, when used in this division, shall have the meaning ascribed to them in this section where defined herein, except where the context clearly indicates a different meaning:

*Dwelling* means a building that contains one or two dwelling units used, intended or designed to be used, rented, leased, let or hired out to be occupied for living purposes.

*Dwelling unit* means a single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

*Multistory unit* means a dwelling unit or sleeping unit with habitable space located on more than one story.

*Sleeping unit* means a room or space in which people sleep, which can also include permanent provisions for living, eating, and either sanitation or kitchen facilities but not both. Such rooms and spaces that are also part of a dwelling unit are not sleeping units.

*Type A dwelling/sleeping unit* means a residential dwelling unit meeting the criteria for a Type A design and construction requirements as specified in the Michigan Building Code.

*Type B dwelling/sleeping unit* means a residential dwelling unit meeting the criteria for a Type B design and construction requirements as specified in the Michigan Building Code.

(Ord. No. 1385, 11-9-2016)

Sec. 50-364. - Obligation to install universal design features.

- (a) The developer of residential dwelling/sleeping units that are subject to this division shall design and construct, at a minimum, clear width of 32 inches for all door openings and must always meet the minimum Michigan Building Code/Michigan Residential Code.
- (b) The developer of residential dwellings that are subject to this division shall design and construct all hallways connecting residential units to be a minimum clear width of 64 inches.
- (c) Where there are four or more dwelling/sleeping units intended to be occupied as a residence in a single structure, except for Type A dwelling/sleeping units, every dwelling/sleeping unit shall be a Type B dwelling unit.

Exception: Structures without elevator service and unable to be made accessible need not comply.

- (d) Where ten or more dwelling units are to be constructed, in the aggregate, regardless of phasing, a minimum of five percent of the residential units to be constructed shall be Type A dwelling units. This minimum percentage requirement shall be met regardless of the number of residential units constructed in excess of the number of units that are evenly divisible by 20. There must be at least one Type A dwelling unit on each residential floor of a building containing multiple floors of residential units where there are ten or more residential units on that floor.
- (e) Where a Type A dwelling unit is constructed within a building as required by this section, there shall be, at a minimum, an exterior accessible route that is not less than 64 inches wide having a maximum slope of one unit vertical in 12 units horizontal.
- (f) The following shall be installed unless an exemption of this universal design feature is granted under section 50-365:
  - (1) Rocker light switches and controls.
  - (2) Lever operated door hardware.
  - (3) Flooring throughout the residential dwelling unit consistent with ANSI A117.1, Chapter 10.
  - (4) The installation of all receptacle outlets, lighting controls and environmental controls throughout the balance of the residential dwelling unit must comply with ANSI A117.1, Chapter 10 or applicable provisions of the Michigan Electrical Code.
  - (5) Outlets at the bottom and top of any stairs to facilitate the use of a chair lift.

(Ord. No. 1385, 11-9-2016)

Sec. 50-365. - Exemptions.

- (a) A developer may apply to the building official for an exemption from one or more of the universal design requirements required to be constructed under this chapter. The building official shall establish policies and procedures that provide for building official review of requests for exemptions under this section. The policies and procedures shall require the building official to provide a written decision within ten calendar days of the filing of a completed request for the exemption. A copy of the decision shall be delivered to the developer personally or sent to him or her by ordinary mail. Requests for exemptions shall be submitted on a form prescribed by the building official.
- (b) The building official shall approve a request for an exemption of a universal design requirement if the building official finds either one or more of the following:
  - (1) That the developer has demonstrated that compliance with the requirement to meet the universal design standards

under this chapter would create an undue hardship due to site constraints.

- (2) That the developer has demonstrated that compliance with the requirement to meet the universal design standards under this chapter would result in an unreasonable delay in construction or would result in unreasonable costs.
  - (3) An alternate number or location of Type A dwelling units will satisfy the intent of this section.
  - (4) That the developer has demonstrated that compliance with the requirement to meet the universal design requirements under this chapter would constitute a regulatory taking.
- (c) Any person aggrieved by the building official's decision under this section may appeal the decision to the zoning board of appeals. The appeal shall be filed, processed, and heard in the manner set forth in division 2 of article II of chapter 50 of the Code. The board shall consider the standards set forth herein for any appeals of a decision under this section and the opinion and report of the building official. Any appeals regarding other interpretations made by the planning and zoning official or requests for variances shall be decided by the zoning board of appeals under the usual procedures in the manner set forth in division 2 of article II of chapter 50 of the Code.

(Ord. No. 1385, 11-9-2016)

Secs. 50-366—50-380. - Reserved.

#### DIVISION 2. - PLANNED UNIT DEVELOPMENT DISTRICT, RM-8

Sec. 50-381. - Purpose and objectives.

- (a) The RM-8 residential district is a broad and flexible zoning classification which permits a variety of housing at different densities and limited office use. It establishes a base level of development at a relatively low density and other requirements which, at a minimum, will preserve the attractiveness, desirability, and privacy of residential neighborhoods. It encourages the planning and development of larger parcels by permitting different types of housing at different densities within the site and limited amounts of office use to buffer residential uses from major streets. It also provides density bonuses, reductions in lot sizes and setbacks and other flexibility in the base standards, when the objectives below and certain other specified standards are met, to encourage innovative design. The ultimate goal of the district is to increase the amount and variety of housing opportunities in the city while protecting the interests of residents and the overall attractiveness of the city.
- (b) It is also the purpose of the district to achieve the following objectives:
  - (1) To have land developed in a planned and orderly manner by requiring a minimum site size and by providing density bonuses as an incentive to accumulate larger parcels, at one time or in phases, in accordance with an overall site plan.
  - (2) To have a variety of housing opportunities available within the city by encouraging a range of different housing types and innovative designs.
  - (3) To encourage more affordable housing by permitting clustered and innovative site designs and by providing for higher densities and limited office use within the development.
  - (4) To control congestion and safety along public streets and to provide safe and convenient access by limiting access to major streets, by requiring improved facilities for pedestrians, bicycles, and motor vehicles, and by requiring linkages to neighboring developments and public facilities.
  - (5) To protect the privacy of residents and to minimize noise, congestion, and nuisance impacts by regulating the size and placement of buildings and parking facilities and by requiring buffers consisting of setbacks and landscape screens between uses and along streets.

(6) To maintain an attractive community appearance and to provide a desirable living environment for residents by preserving features, particularly stands of mature trees, wetlands and floodplains, and by requiring open space and recreational facilities (Code 1994, ch. 55, § 5.41-2; Ord. No. 998, 6-25-2002)

Sec. 50-382. - Uses permitted.

Uses permitted in the RM-8 district are as follows:

- (1) Permitted principal uses, subject to site plan approval as provided for in section 50-36 of this chapter:
  - a. Single-family dwellings.
  - b. Two-family dwellings.
  - c. Townhouse dwellings.
  - d. Multiple-family dwellings containing four or fewer bedrooms per dwelling unit, except hotels and motels.
- (2) Permitted principal uses, subject to an approved special use permit as provided for by article II, division 3 of this chapter, when developed in conjunction with a residential development as permitted in subsection (1) of this section:
  - a. Offices where the overall site area is ten acres or more in size.
  - b. Extended care/nursing facilities including those licensed for the sale of alcoholic beverages or alcoholic liquor.
  - c. Golf courses or country clubs.
  - d. Restaurants or banquet facilities, including those licensed for the sale of alcoholic beverages or alcoholic liquor, which are provided in conjunction with a golf course, country club, or extended care/nursing facility.
  - e. Household pet daycare as defined in section 50-7 which is provided in conjunction with an owner-occupied residential property.
- (3) Permitted accessory uses, when provided in conjunction with the principal uses and the appropriate approvals above:
  - a. Parking spaces, parking lots, garages, carports, and driveways.
  - b. Recreational facilities and structures provided for the exclusive use of residents of the development and their guests.
  - c. Storage buildings and areas for equipment necessary to maintain the development.
  - d. One sales, rental, or management office for the development, when such office is located in a building intended to be used for one of the principal uses in subsection (1) of this section, or in a clubhouse or similar structure.
  - e. Other facilities or structures provided for the exclusive use and convenience of residents of the development, such as laundries and storage rooms.
  - f. Class A home occupations.
  - g. Facilities and services provided within a principal building primarily for the use, care and convenience of residents, such as medical or dental offices, barber and beauty services, banking facilities and gift shops.
  - h. Facilities and structures which are customarily provided in conjunction with a golf course or country club including, but not limited to, a club house, pro shop, starter shed, snack shop, driving range, practice putting and chipping greens, and storage buildings for carts or maintenance equipment.

(Code 1994, ch. 55, § 5.41-3; Ord. No. 949, 6-18-2002; Ord. No. 998, 6-25-2002; Ord. No. 1061, 2-7-2006; Ord. No. 1285, 1-15-2013; Ord. No. 1347-A, 2-2-2016; Ord. No. 1404, 5-9-2017)

Sec. 50-383. - Required conditions.

The following standards must be complied with by a development within the RM-8 residential district.

- (1) *Minimum site area.* The site must have a contiguous area of at least five acres, exclusive of existing and intended rights-of-way along abutting public streets. The site may consist of two or more contiguous parcels of land which shall be developed by a single owner or a group of owners acting jointly in accordance with an approved site plan which encompasses the entire site.
- (2) *Base residential density.* The base number of residential units permitted on a site shall be determined by dividing the total site area by the minimum site area per unit standards from the following schedule:

Type of Unit	Minimum Site Area
Efficiency or 1 bedroom	4,000 sq. ft. per unit
2 bedroom	5,500 sq. ft. per unit
3 bedroom or larger	7,000 sq. ft. per unit
Extended care, group housing	2,000 sq. ft. per person, based on the maximum permitted residential occupancy

For the purposes of this calculation, total site area shall not include any portion of the site which is used for offices or a golf course or country club, including their related parking areas, accessory uses and required yard areas. Where the type of unit to be built is not known or stipulated at the time of site plan review, as may be the case with subdivided building lots, each unknown unit shall be assumed to be a three-bedroom unit in determining the number of units permitted.

- (3) *Density bonuses for larger sites.* Density bonuses may be given for sites of five acres or more where the proposed development would be consistent with the purpose of this district and substantially contribute to achieving one or more of its objectives as stated in [section 50-381](#). If approved, the bonuses shall be in the form of percentage reductions in the minimum site area required for each unit stated in subsection (2) of this section, as shown in the following schedule:

Number of Acres	Reduction in Minimum Site Area Per Unit
Fewer than 10	10%
10 but fewer than 20	20%
20 but fewer than 30	30%
30 but fewer than 40	40%
40 or more	50%

If bonuses are approved, the total number of units permitted shall be determined by dividing the total site area, as defined in subsection (3) of this section, by the reduced site area per unit standard.

- (4) *Phased development; density of individual elements.* A site within this district may be planned and developed by a single owner or developer, or it may be developed in phases by two or more owners or developers in accordance with an overall site plan for the entire site. Individual elements of the overall site plan may be designed and developed at different densities as long as the total number of dwelling units on the entire site complies with the overall density limit established in subsections (2) and (3) of this section.
- (5) *Maximum office use.* The gross floor area devoted to office use, exclusive of accessory office use as permitted in section 50-382(3)d, shall not exceed a figure equal to ten percent of the gross floor area of all principal buildings on the site.
- (6) *Minimum residential lot area.* Where part or all of the site is subdivided into separate building lots for single-family detached units or for similar units which abut or are attached with party walls, such as duplexes and townhouses, minimum lot areas shall be provided according to the following schedule.

	Minimum Lot Area
For a detached unit	3,400 sq. ft.
For each attached unit	2,000 sq. ft.

- (7) *Maximum building height.* The maximum permitted height of buildings shall be determined according to the following schedule:

a. *Principal residential buildings.*

Site Size	Maximum Height
Fewer than 10 acres	3 stories, or 40 feet
10 but fewer than 20 acres	4 stories, or 50 feet, subject to an approved special use permit as provided by article II, division 3 of this chapter
20 or more acres	6 stories, or 70 feet, subject to an approved special use permit as provided by article II, division 3 of this chapter

b. *Office buildings.*

Site Size	Maximum Height
Fewer than 20 acres	1 story, or 24 feet

20 or more acres	2 stories, or 36 feet
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c. *Accessory buildings.*

Site Size	Maximum Height
Fewer than 10 acres	1 story, or 15 feet
10 or more acres	2 stories, or 25 feet
Golf course clubhouse	2 stories, or 36 feet

(8) *Maximum building and ground coverage.*

- a. The maximum building and ground coverage ratios for the entire site shall be 25 percent and 40 percent, respectively. These ratios may be increased to 30 percent and 45 percent where the site is 20 acres or larger in size or where no buildings are more than 2½ stories in height. For the purpose of this district, spaces occupied by recreational facilities provided for the use of residents and their guests, up to a total of five percent of the site, shall not be counted as coverage. Such facilities may include freestanding recreational structures, such as pools and clubhouses, and separate improved recreational surfaces, such as basketball and shuffleboard courts.
- b. For subdivided building lots within the development, the maximum building and ground coverage ratios shall be 50 percent and 60 percent, respectively. If the amount of building and ground coverage on subdivided lots is not known nor otherwise stipulated at the time of site plan review, the coverage ratios for the entire site shall be calculated by assuming that each lot is developed to the maximum permissible standards.

(9) *General setback requirements.* The basic minimum setback requirements for principal and accessory buildings and parking spaces and parking lots are as follows:

		Buildings	Parking
a.	From major streets	50'	50'
b.	From other public streets	25'	25'
c.	From private roads	20'	0'
d.	From exterior site boundaries where the abutting property is within the R-1, R-2, or R-3 residential districts	2×H+LI	25'
e.	From other exterior site boundaries	25'+HI+LI	25'



	H = Building height.
	HI = Height increment = 50% of the building height over 25 ft.
	LI = Length increment = 10% of the building length over 50 ft.

(10) *Setback reductions.*

a. The basic setback standards specified in subsections (9)a, b, d, and e of this section may be reduced by up to 50 percent but in no case to less than 20 feet, where unique site characteristics, compatible design and scale, or landscaping or design features in excess of the requirements in subsection (15) of this section will achieve the objectives in [section 50-381](#) and accomplish the same purposes for which the setbacks are intended. These purposes are:

1. Ensuring reasonable privacy for residents and neighbors of the development;
2. Protecting residents and neighbors from noise, shadowing, and other nuisance impacts;
3. Maintaining adequate visibility for safety along streets and sidewalks; and
4. Maintaining an attractive appearance of the development from abutting properties and public streets.

Such characteristics or features may include, but would not be limited to: significant slopes which effectively reduce the apparent size of buildings and screen parking areas from view; dense buffers of mature trees and other plant materials along exterior property lines; significant landscape treatments which include earth berms, fences, or walls at least three feet in height in addition to a variety of plant materials; buildings which are designed and located to maximize privacy and minimize noise, shadowing, and other impacts between adjacent properties; and buildings which are designed at a scale which is comparable to and compatible with surrounding uses.

b. The setback requirements for parking facilities located along an exterior property line may be waived, in whole or in part, where the owners of two adjacent properties agree in writing to develop shared access and parking facilities to serve both properties. If site plans for both properties are not submitted simultaneously, each site plan must clearly show the parking and access facilities to be shared, along with required details and specifications. The shared facilities may be constructed in phases, provided that, each phase is readily accessible and is constructed and maintained according to required specifications.

(11) *Setback requirements for interior lots.* Buildings and parking spaces on subdivided lots within the development shall meet the standards in subsection (9) of this section. There shall be no other setback requirements from the lot lines on such lots.

(12) *Minimum distance between buildings.* Two buildings shall be located no closer to one another than a distance equal to the height of the taller one, except that this distance may be reduced by up to 50 percent if the buildings are designed and located to maintain privacy between neighbors and to minimize noise, shadowing, and other nuisance and appearance impacts on residents. In no case shall two detached buildings be located closer than ten feet apart.

(13) *Minimum horizontal distance between building wings.* The angle between two wings of one building shall not be less than 90 degrees. In instances where two wings of the same building face each other, such as in a U-shaped building, the wings must be separated according to the standards in subsection (12) of this section.

(14) *Required parking.*

- a. Parking facilities shall be provided in accordance with article VIII of this chapter, except that the required number of office use which is developed in conjunction with a residential development, as provided in section 50-382(2), may be waived in whole or in part. The waiver may be granted when it is determined that there would be sufficient numbers of parking spaces available for customers and employees of the office use during its hours of operation. Restricted hours of operation may be stated as a condition of the special use permit for the office use to ensure that sufficient parking will be available for the development.
- b. Parking facilities may be allowed within or under any building; otherwise, parking spaces not on a driveway shall be located no closer than ten feet to any building.

(15) *Open space and recreation.*

- a. A minimum of 20 percent of the total site, exclusive of required setbacks, shall be open space held for the use and enjoyment of residents of the development. Private yards on subdivided lots, preserved woodlots and wetlands, playgrounds, and the space occupied by freestanding recreational facilities and buildings may be counted as open space. Where land is to be dedicated as open space within subdivisions or condominium developments, appropriate easements or land dedication documents shall accompany the application for approval.
- b. A variety of playground equipment or other improved recreational areas or facilities shall be provided in accordance with the anticipated interests of the expected occupants of the development.

(16) *Perimeter landscaping.* Trees of a type and size specified in section 48-32 of the City Code shall be planted no more than 60 feet apart within the right-of-way along all public streets abutting or within the development. A variety of trees and shrubbery shall be planted between buildings, parking areas, or other improved facilities and all exterior boundaries of the development. These requirements may be modified or waived where there are existing trees or shrubbery to be retained.

(Code 1994, ch. 55, § 5.41-4; Ord. No. 998, 6-25-2002; Ord. No. 1087, pt. III, 12-21-2004)

Sec. 50-384. - Design standards and principles.

A development in the RM-8 residential district shall substantially conform to the following design principles and standards.

(1) *Residential layout.*

- a. The placement and concentration of structures and uses on the site shall be arranged to minimize congestion on the site and contrasts in the intensity of activities between abutting land uses.
- b. The placement, bulk, and design of structures and uses shall be arranged to minimize contrasts in scale between abutting uses and exposure to nuisance factors, such as noise and glare, and to maximize privacy for residents and neighbors.
- c. Each development shall contain a reasonable mixture of two or more of the principal uses as permitted in section 50-382(1), unless the development is so small that a mixture would be impractical or if the type of dwelling unit proposed would complement and expand the range of existing housing opportunities available in the surrounding neighborhood.
- d. The type and mixture of principal uses present shall be appropriate for the size, character and location of the site, compatible with adjacent uses and consistent with the objectives of the comprehensive plan.

(2) *Office use.*

- a. The inclusion of an office use in a residential development shall be permitted only if the benefits of the office use to residents, neighbors, and the city at large outweigh any potential interference or disruption because of noise, traffic, physical activity, or other attributes of the office use.

- b. The nature, placement, and design of office use on the site shall be arranged to minimize traffic and nuisance impacts and neighbors of the development.
- c. Offices may be located within structures used predominantly for residential purposes or in separate structures. If a separate structure is provided for office use, it must be architecturally consistent with other structures on the site and with the overall residential image of the property.

(3) *Golf courses and country clubs.*

- a. Principal vehicular access to the facility shall be arranged to minimize adverse impacts on surrounding residential dwellings and pedestrian and bicycle safety.
- b. Buildings and parking areas shall be sufficiently set back and screened to maintain privacy for surrounding residential dwellings.
- c. Structures provided in conjunction with the course must be architecturally compatible with other structures on the site and with the overall design of the development.
- d. Individual golf holes and driving ranges shall be placed and oriented to minimize risks of damage to surrounding residential dwellings.

(4) *Public facilities and services.*

- a. The development shall be located and designed so it can be adequately served by essential public utilities and services.
- b. All new and improved public facilities shall be placed and constructed in conformance with local standards and regulations, and in a manner which minimizes the costs and difficulty of operating and maintaining them.

(5) *Open space and amenities.*

- a. Open space shall be arranged and improved in a manner which maximizes its benefits to the residents of the development.
- b. Open space shall be arranged in a manner which preserves and draws benefit from desirable natural features on the site.
- c. Passive and active recreational amenities shall be provided on the site consistent with the anticipated needs and interests of prospective residents.
- d. A variety of plant materials shall be preserved and/or placed throughout the site to enhance the appearance of the development and to provide privacy and separation between abutting properties and between functional areas and facilities on the site.

(6) *Traffic and access.*

- a. Traffic facilities affording general access to and circulation within the development may be developed as public streets or private roads; however, access must be perpetually available to residents and emergency vehicles.
- b. One public street or private road access shall be permitted for each development unless the city decides additional access is needed because of the number of trips generated or because of the design or operating characteristics of the adjacent streets. In no case shall developments have primary access through abutting single- or two-family areas. Secondary access may be permitted through such areas only after the affected residents have been notified and a public hearing has been held, and only if the proposed access would benefit both the development and the abutting single- or two-family area.
- c. To ensure adequate accessibility for emergency vehicles, developments may be required to provide secondary means of access, including linkages with abutting properties.
- d. The proposed development may be required to build turning lanes or acceleration lanes into an adjacent street to minimize any traffic impacts from the development.

- e. If a shared access street or road is developed to serve two or more developments, or a single development with two owners, appropriate dedication or easement documents must be submitted to ensure perpetual access to each dev

(7) *Parking.*

- a. Parking lots and spaces exposed to public streets or adjacent one- and two-family neighborhoods shall be bermed or screened by walls or other solid materials in addition to the landscaping as required in article VIII of this chapter.
- b. Where parking spaces are placed so that headlights may shine into windows of residential units within ten feet of the spaces, solid screens or landscape materials shall be installed to protect the privacy of residents.
- c. Exterior lighting on the site shall be shielded and arranged to project the light downward onto areas intended to be illuminated and not onto surrounding residential dwellings or adjacent properties.

(Code 1994, ch. 55, § 5.41-5; Ord. No. 998, 6-25-2002)

Sec. 50-385. - Site plan approval.

No building permit, grading permit, soil removal permit, or other permit for construction activity shall be issued for any use or building in the RM-8 planned unit development district until the planning and zoning official has certified to the building official that an overall site plan for the entire site has been approved and specific plans for such activity have been approved in accordance with the procedures and requirements of either section 50-36 of this chapter or chapter 40, pertaining to subdivisions and other land divisions, of the City Code.

(Code 1994, ch. 55, § 5.41-6; Ord. No. 998, 6-25-2002; Ord. No. 1061, 2-7-2006)

Secs. 50-386—50-400. - Reserved.

DIVISION 3. - LOW DENSITY MULTIPLE-FAMILY RESIDENTIAL DISTRICT, RM-14

Sec. 50-401. - Purpose.

This is a residential district designed to provide for a moderate population density. The principal uses of land may range from single-family to moderate density multiple-family apartments or a mixture of single- and multiple-family units on a planned basis. The provisions of this district are intended to provide for the development of projects in areas where such projects could be integrated with or located near basically single-family areas, and where a desirable buffering effect can be achieved between single-family areas and higher compatible uses. It is intended that this district accommodate a compatible development of residential use at a slightly higher density than single-family, but at no lower standards of quality. Attractiveness, order, and efficiency are encouraged by providing for adequate light, air, and usable open space for dwellings and related facilities and through consideration of the proper functional relationship to each use permitted in this district.

(Code 1994, ch. 55, § 5.41-11)

Sec. 50-402. - Uses permitted.

Uses permitted in the RM-14 district are as follows:

- (1) Permitted principal uses.
  - a. Single-family dwellings.
  - b. Two-family dwellings.

- c. Multiple-family dwellings containing four or fewer bedrooms per dwelling unit.
- (2) Permitted accessory uses.
  - a. Class A home occupation.
  - b. Garages.
  - c. Sheds or other similar noncommercial outdoor storage buildings.
  - d. Other accessory uses and buildings when located on the same lot as a principal use, provided that, no such use or buildings shall be used or occupied for any business, occupation, profession, trade, or dwelling purposes.
  - e. The keeping of not more than two roomers by a family or owner residing in a single-family dwelling.
  - f. The keeping of not more than one roomer by a family or owner residing in each unit of a two-family dwelling. The maximum occupancy shall not exceed three unrelated persons per unit nor six unrelated persons per dwelling structure.
- (3) Permitted principal uses, subject to an approved special use permit, as provided for by article II, division 3 of this chapter.
  - a. Class B, multiple-family dwellings.

(Code 1994, ch. 55, § 5.41-12; Ord. No. 1347-A, 2-2-2016)

Sec. 50-403. - Required conditions.

The following requirements must be complied with in the RM-14 residential district.

- (1) Single-family and two-family dwellings shall be located so as to comply with the requirements in section 50-301 for the R-3 single-family and two-family residential district.
- (2) Multiple dwellings shall comply with the following requirements.
  - a. Minimum lot area for multiple dwellings or portions thereof:
    - 1. Occupied by families:

0—1 bedroom dwelling unit	2,500 sq. ft.
2 bedroom dwelling unit	3,500 sq. ft.
3+ bedroom dwelling unit	4,000 sq. ft.

- 2. Occupied by unrelated individuals: 1,000 square feet per person of lot area based on the maximum number of individuals who can lawfully occupy the building.
- 3. Maximum number of individuals that may lawfully occupy a building:
  - i. Each class A multiple dwelling shall have a minimum dwelling unit floor area of 200 square feet per person. The maximum number of unrelated persons to occupy the dwelling shall never be assumed to be fewer than the result obtained by dividing the dwelling unit floor area in square feet by 200 square feet.
  - ii. Each class B multiple dwelling shall have a minimum bedroom or dormitory floor area of 60 square feet

per person.

- iii. The maximum number of persons to occupy the dwelling shall never be assumed to be less than the result obtained by dividing the bedroom and/or dormitory floor area in square feet by 60 square feet.
- iv. A lot on which there is a multiple dwelling shall contain an area of not less than 10,000 square feet.

- b. Minimum lot width: 100 feet.
- c. Maximum building height:
  - 1. Principal building: 40 feet or three stories.
  - 2. Accessory building: One story or 15 feet.
- d. Maximum building coverage ratio: 35 percent.
- e. Maximum ground coverage ratio: 45 percent.
- f. Required parking: Parking shall be provided in accordance with article VIII of this chapter.

g. Building setback requirements shall be calculated according to the following schedule:

1. *Principal buildings.*

Setback From	Base	Height Increment*	Length Increment*	Total Setback
Front setback	25'	+ 0	+ 0	= 25'
Rear lot line	25'	+ (a)	+ (b)	= (c)
Interior side lot line	10% lot width	+ (a)	+ (b)	= (c)
Corner side lot line	25'	+ (a)	+ (b)	= (c)

(a) Height increment: 50 percent of height greater than 25 feet.

(b) Length increment: Five percent of length greater than 50 feet.

\*Height and length increments can be averaged along side or rear lot lines; however, at no point shall the setback be less than the base requirement.

2. *Accessory buildings.* No unattached garage shall be located in a front yard. No other accessory building shall be located in a front yard or a side yard.

	Setback From		
	Rear L.L.	Side L.L.	Principal Building
Accessory Use			
Private garage in rear yard	5'	5'	10'
Private garage in side yard		8'	10'
Other in rear yard	5'	5'	10'

- 
3. *Minimum distance between principal buildings.* The sides of a building containing main window exposures or main entrances shall be located no closer to another building than a distance equal to the height of the taller building of the two. The remaining sides of a building other than defined above shall be located no closer to another building than a distance equal to 60 percent of the height of the taller building of the two.
4. *Minimum horizontal distance between building wings in same building.* The minimum horizontal distance between building wings in the same building shall not be less than the length of the projection of such wings, or not less than the height of the taller of the said two wings, whichever is greater.
- h. *Open space.* A minimum of 20 percent of the total acreage of the site shall be open space for the use of the residents of the site.

(Code 1994, ch. 55, § 5.41-13; Ord. No. 1087, pt. IV, 12-21-2004)

Sec. 50-404. - Site plan approval.

- (a) *Multiple dwellings of five or more dwelling units.* No building permit, grading permit, soil removal permit, or other permit for construction activity shall be issued for a multiple dwelling containing five or more dwelling units until the planning and zoning official has certified to the building official that plans for such activity have been approved in accordance with the procedures and requirements of section 50-36 of this chapter.
- (b) *Single-family dwelling, two-family dwelling, and multiple dwellings of four or less dwelling units.* No building permit, grading permit, soil removal permit, or other permit for construction activity for the above mentioned uses shall be issued until the building official certifies that such activity satisfies the requirements of the RM-14 district and the building permit requirements of section 50-35.

(Ord. No. 1061, 2-7-2006)

Secs. 50-405—50-420. - Reserved.

DIVISION 4. - MEDIUM DENSITY MULTIPLE-FAMILY RESIDENTIAL DISTRICT, RM-22

Sec. 50-421. - Purpose.

The purpose of this district is to provide for residential development at a medium population density. The provisions of this district are intended to recognize that a certain amount of flexibility in multiple-family living is desirable and the district is designed to complement the requirements of the low and high density multiple-family districts. The provisions of this district are intended to provide for sites in logical locations after consideration of such factors as the following: the capacity and character of adjoining streets; the nature of surrounding uses; the nearness to large concentrations of employment such as the university; or where a substantial amount of primarily vacant land exists or where smaller individual parcels of land can be feasibly assembled to form a single, larger parcel suitable for multiple-family apartments. It is intended that this district accommodate a compatible development of residential use at a higher density than single-family, but no lower standards of quality. Attractiveness, order, and efficiency are encouraged by providing for adequate light, air, and usable open space for dwellings and related facilities and through consideration of the proper functional relationship to each permitted use in this district.

(Code 1994, ch. 55, § 5.41-21)

Sec. 50-422. - Uses permitted.

Uses permitted in the RM-22 district are as follows:

- (1) Permitted principal uses subject to site plan approval as provided for in section 50-36 of this chapter:
  - a. Multiple dwellings containing four or fewer bedrooms per dwelling unit, except hotels and motels.
- (2) Principal uses permitted subject to an approved special use permit as provided for by article II, division 3 of this chapter.
  - a. Office space, provided that, the total square footage of building space devoted to such usage shall not exceed a figure equal to 20 percent of the total first floor area of all buildings on the site. Provided further that:
    - 1. Such offices would be permitted only if the benefits of the office use to the residential occupants and the surrounding residents outweigh the potential interference or disruption because of noise, traffic, physical activity, or other attributes of the use.
    - 2. Buildings to be utilized for offices shall be architecturally consistent with the other buildings on the site.
    - 3. Signs, identifying the office location, shall be limited to one sign for each office not exceeding four square feet and placed flat against the wall of the office which is being identified.
  - b. Class B, Multiple-family dwellings, providing dining, social, or recreational facilities for persons residing off-site such as sororities or fraternities.
- (3) Permitted accessory uses.
  - a. Garages and carports for automobile storage.
  - b. Class A home occupations.

(Code 1994, ch. 55, § 5.41-22; Ord. No. 1347-A, 2-2-2016)

Sec. 50-423. - Required conditions.

The following requirements must be complied within the RM-22 residential district.

- (1) Minimum lot area.
  - a. Occupied by families.

0—1 bedroom dwelling unit	1,600 sq. ft.
2 bedroom dwelling unit	2,000 sq. ft.
3+ bedroom dwelling unit	3,000 sq. ft.

- b. Occupied by unrelated individuals. There shall be a minimum of 1,000 square feet of lot area per person based on the maximum number of individuals who could lawfully occupy the building.
  - c. A lot on which there is a multiple dwelling shall contain an area of not less than 1.5 acres.
- (2) Minimum lot width. None.
- (3) Minimum floor area, multiple dwellings.
  - a. Class A: 300 square feet of dwelling unit floor area per person.
  - b. Class B: 60 square feet of bedroom or dormitory floor area per person.
- (4) Maximum building height:



- a. Principal building:
    - Residential: Four stories or 50 feet.
    - Office: Two stories or 36 feet.
  - b. Accessory building: Two stories or 25 feet.
  - c. Principal residential buildings on parcels eight acres or more in size may be up to six stories or 70 feet high, subject to an approved special use permit as provided by article II, division 3 of this chapter.
- (5) Maximum building coverage ratio: 30 percent.
- (6) Maximum ground coverage ratio: 60 percent, minus five percent for each story above four stories.
- (7) Required parking. Parking shall be provided in accordance with article VIII of this chapter.
- (8) Building setback requirements.
- a. Twenty-five feet from the exterior property line, plus an additional five feet for every story above one story.
  - b. If the property abuts property zoned RM-14, RM-22, RM-32, RM-54, any B Business District, or the OIP District, a setback of ten feet from the exterior property line, plus an additional five feet for each story above one story.
  - c. Parking areas, garages, and carports from exterior property line: Ten feet.
  - d. Buildings and parking areas from street: 25 feet; for building, plus five feet for each story above four stories.
- (9) Minimum distance between principal buildings.
- a. Main entrances or window exposures shall be no closer than the distance equal to height of tallest building.
  - b. Other walls shall be no closer than 60 percent of the height of tallest building.
- (10) Minimum horizontal distance between building wings. The minimum horizontal distance between wings in the same building, measured perpendicular to either wing, shall not be less than the length of the longer wing or less than the height of the taller wing, whichever is greater.
- (11) Open space. A minimum of 20 percent of the total acreage of the site shall be open space for the use of the residents of the site.

(Code 1994, ch. 55, § 5.41-23; Ord. No. 1087, pt. V, 12-21-2004)

Sec. 50-424. - Site plan approval.

No building permit, grading permit, soil removal permit, or other permit for construction activity shall be issued for any use or building in the RM-22 residential district until the planning and zoning official has certified to the building official that plans for such activity have been approved in accordance with the procedures and requirements of section 50-36 of this chapter.

(Code 1994, ch. 55, § 5.41-25; Ord. No. 1061, 2-7-2006)

Secs. 50-425—50-440. - Reserved.

DIVISION 5. - CITY CENTER MULTIPLE-FAMILY RESIDENTIAL DISTRICT, RM-32

Sec. 50-441. - Purpose.

This residential district is intended to provide and encourage the development of housing peculiar to the needs of persons who desire to live within walking distance to shopping, dining, and entertaining facilities situated in the City Center. This district also provides for the limited commercial use of existing residential structures in a manner that maintains the visual character and

architectural scale of existing development within the district, and will minimize the visual and functional conflicts between the district's residential uses and nonresidential uses which abut it.

(Code 1994, ch. 55, § 5.41-31)

Sec. 50-442. - Uses permitted.

Uses permitted in the RM-32 district are as follows:

- (1) Permitted principal uses subject to approval as provided for by section 50-35, pertaining to building permits.
  - a. Single-family dwellings.
  - b. Two-family dwellings.
  - c. Multiple dwellings containing four or fewer dwelling units with four or fewer bedrooms per dwelling unit, except hotels and motels.
- (2) Permitted principal uses subject to site plan approval as provided for by section 50-36 of this chapter.
  - a. Multiple-family dwellings, except hotels and motels, containing five or more dwelling units and containing four or fewer bedrooms per dwelling unit.
  - b. Extended care/nursing facility.
- (3) Permitted principal uses subject to an approved special use permit as provided for by article II, division 3 of this chapter.
  - a. Art galleries, libraries, museums, not operated for profit.
  - b. Institutional headquarters for nonprofit organizations.
  - c. Recreational buildings and community centers not operated for profit.
  - d. Professional clinics, professional, and quasi-professional offices, including, but not limited to, the following: lawyers, architects, engineers, real estate and insurance brokers, physicians, and dentists.
  - e. Buildings owned and occupied by public utilities.
  - f. Class B, multiple-family dwellings.
- (4) Permitted accessory uses.
  - a. Class A home occupations.
  - b. Garages:
    - 1F: Four spaces maximum.
    - 2F: Four spaces maximum.
  - c. Public garages. Public garages shall be permitted when for storage purposes only, with no repair facilities and when said garage is located not less than 40 feet from the front lot line, 15 feet from the side lot line, 20 feet from the rear lot line, 30 feet from any other street line on which such lot borders, and 20 feet from any residential building to the same lot as the garage, provided that, no public garage shall have an entrance or exit for motor vehicles within 300 feet of an entrance or exit of a public or parochial school, public playground, public library, church, hospital, or other public or semipublic institution.
  - d. Other. Other such accessory uses and buildings when located on the same lot as a permissible use, provided that, such accessory use of building shall not be used or occupied for any business, occupation, profession, trade, or dwelling purposes.
  - e. The keeping of not more than two roomers by a family or owner residing in a single-family dwelling.
  - f. The keeping of not more than one roomer by a family or owner residing in each unit of a two-family dwelling. The

maximum occupancy shall not exceed three unrelated persons per unit nor six unrelated persons per dwelling structure.

(Code 1994, ch. 55, § 5.41-32; Ord. No. 1061, 2-7-2006; Ord. No. 1347-A, 2-2-2016; Ord. No. 1430, 7-17-2018)

Sec. 50-443. - Required conditions.

The following requirements must be complied within the RM-32 residential district.

- (1) Single-family and two-family dwellings shall be located so as to comply with the requirements in section 50-301 for the R-3 single-family and two-family residential district.
- (2) All nonresidential uses shall comply with the requirements in section 50-552.
- (3) All nonresidential uses in commercial adaptive reuse blocks, as permitted in section 50-442(4), shall be located so as to comply with the following standards. The purpose of these standards is to maintain the residential appearance of the area and the integrity of the residential structures which undergo conversion, and to minimize any adverse impacts on surrounding properties.
  - a. Minimum lot area for multiple dwellings, within mixed use, maximum building height, maximum building coverage, and maximum ground coverage shall be the same as the requirements in subsection (4) of this section.
  - b. Required parking. Parking shall be provided in accordance with article VIII of this chapter, except for the following additional requirements:
    1. No more than 50 percent of the required parking shall be provided on-site; however, on the request of the applicant, the planning commission may waive this restriction, in whole or in part, upon consideration of the needs of the applicant, the impact of traffic on the neighborhood, the hours of operation of the business, and the availability of public parking spaces if the property is located within a 350-foot radius of the municipal parking system.
    2. Access to any on-site parking facility shall be by the alley to the rear of the property. Any existing curb cut onto the street shall be removed to minimize, and if possible, eliminate conflicts with pedestrians and other vehicular traffic.
  - c. Signs. Signs located on the premises identifying the business shall be limited to one wall sign not to exceed six square feet; and one freestanding sign which shall not exceed six square feet in size, and shall not exceed six feet in height. Signs shall be of a design and material that will be compatible with the residential character of the area. Signs shall be illuminated by indirect illumination only.
  - d. Lighting. Artificial exterior lighting which is provided for parking and access areas, and for occupant, customer, and employee safety, shall be so arranged as to reflect the light away from any adjoining residential property.
- (4) Multiple dwellings shall comply with the following standards:
  - a. Minimum lot area for multiple dwellings or portions thereof:
    1. Occupied by families:

0—1 bedroom dwelling unit	800 sq. ft.
2 bedroom dwelling unit	1,350 sq. ft.
3 bedroom dwelling unit	2,000 sq. ft.

2. Occupied by unrelated individuals: 450 square feet of lot area per person based on the maximum number of people living facilities are provided.
3. Maximum number of individuals that may occupy a building:
  - i. Each class A multiple dwelling shall have a minimum dwelling unit floor area of 200 square feet per person. The maximum number of unrelated persons to occupy the dwelling shall never be assumed to be less than the result obtained by dividing the dwelling unit floor area in square feet by 200 square feet except as hereinafter restricted.
  - ii. The total lot area required based on the occupancy shall be provided, except that the number of unrelated persons allowed to occupy the premises shall be further restricted to that number obtained by dividing the remainder of the lot area in square feet (total of lot minus the lot area required for families occupying the building) by 450 square feet per person.
  - iii. Each class B multiple dwelling shall have a minimum floor area of 150 square feet per person. The maximum number of persons to occupy the dwelling shall never be assumed to be less than the result obtained by dividing the dwelling unit floor area in square feet by 150 square feet.
  - iv. A lot on which there is a multiple dwelling shall contain an area of not less than 10,000 square feet.
- b. Minimum lot width: 75 feet.
- c. Maximum building height:
  1. Principal building: Three stories or 40 feet.
  2. Accessory building: Two stories or 25 feet.
  3. Principal residential buildings on parcels three acres or more in size may be up to six stories or 70 feet high, subject to an approved special use permit as provided by article II, division 3 of this chapter.
- d. Maximum building coverage ratio: 30 percent.
- e. Maximum ground coverage ratio: 60 percent.
- f. Required parking. Parking shall be provided in accordance with article VIII of this chapter.

g. Building setback requirements shall be calculated according to the following schedule:

1. *Principal buildings.*

Setback From	Base	Length Increment*	Height Increment*	Total Setback
Front setback	20'	+0	+(b)	=(c)
Rear lot line	20'	+(a)	+(b)	=(c)
Interior side lot line	8'	+(a)	+(b)	=(c)
(2 sides = 20' min.)				
Corner side lot line	20'	+(a)	+(b)	=(c)
(a) Length increment: Five percent of length greater than 50 feet.				

(b) Height increment: Five feet per story above three stories.

\* Length increments can be averaged along side or rear lot lines; however, at no point shall the setback be less than the base requirements.

In addition to the standards above, structures with flat or mansard roofs which are in excess of 20 feet in height, or structures with hipped, gabled, or other pitched roofs which are in excess of 20 feet at the eave line or in excess of 25 feet in total height shall be no closer to parcels zoned within the R-1 or R-2 single-family districts than a distance equal to the height of the structure plus appropriate building length and depth increments. For the purposes of this provision, the building height shall be calculated according to the definition of "building height" in section 50-5, except that the vertical distance shall be measured from the lowest point of elevation of the finished ground surface between the building and the common lot line instead of the elevation of the street curb paralleling the site. Also for the purposes of this provision, the building length increment shall be a distance equal to ten percent of the building length (facing the common lot line) in excess of 40 feet, and the building depth increment shall be a distance equal to ten percent of the building depth (extending away from the common lot line) in excess of 50 feet.

2. *Accessory buildings.*

- i. *Private garages.* No unattached garage shall be located in a front yard. When located in a rear yard it shall be located not less than five feet from the rear lot line and side lot line. When located in a side yard it shall be less than eight feet from the side lot line.
- ii. *Other.* All other accessory buildings shall be located in a rear yard only, shall not be less than five feet from the rear or side lot line, and not nearer than ten feet to a principal building.
- h. Minimum distance between principal buildings. The sides of a building containing main window exposures or main entrances shall be located no closer to another building than a distance equal to the height of the taller building of the two. The remaining sides of a building other than defined above shall be located no closer to another building than a distance equal to 60 percent of the height of the taller building of the two.
- i. Minimum horizontal distance between building wings. The minimum horizontal distance between wings in the same building, measured perpendicular to either wing, shall not be less than the length of the longer wing or less than the height of the taller wing, whichever is greater.

(Code 1994, ch. 55, § 5.41-33; Ord. No. 1087, pt. VI, 12-21-2004)

Sec. 50-444. - Site plan approval.

- (a) *Multiple dwellings of five or more dwelling units.* No building permit, grading permit, soil removal permit, or other permit for construction activity shall be issued for a multiple dwelling containing five or more dwelling units until the planning and zoning official has certified to the building official that plans for such activity have been approved in accordance with the procedures and requirements of section 50-36 of this chapter.
- (b) *Single-family dwelling, two-family dwelling, and multiple dwellings of four or less dwelling units.* No building permit, grading permit, soil removal permit, or other permit for construction activity for the above mentioned uses shall be issued until the building official certifies that such activity satisfies the requirements of the RM-32 district and the

building permit requirements of section 50-35.

(Ord. No. 1061, 2-7-2006)

Secs. 50-445—50-460. - Reserved.

DIVISION 6. - UNIVERSITY ORIENTED MULTIPLE-FAMILY RESIDENTIAL DISTRICT, RM-54

Sec. 50-461. - Purpose.

This residential district is intended to promote and encourage the establishment and maintenance of a suitable environment for housing and commercial activity in the same building located in close proximity to Michigan State University. By virtue of this location, such mixing of uses would cater to the special needs of the university community and further encourage pedestrian activity around the University. This limited commercial use in residential structures is intended to maintain the visual character and architectural scale of existing development within the district, and minimize the visual and functional conflicts between the district's residential uses and nonresidential uses which abut it.

(Code 1994, ch. 55, § 5.41-41; Ord. No. 1220, 10-6-2009)

Sec. 50-462. - Uses permitted.

Uses permitted in the RM-54 district subject to site plan approval as provided for in section 50-36 of this chapter are as follows:

- (1) Permitted principal uses for properties not fronting on a major street.
  - a. Multiple-family dwellings containing four or fewer bedrooms per unit.
  - b. Townhouses.
- (2) Permitted principle uses for properties fronting on a major street.
  - a. Multiple-family dwellings containing four or fewer bedrooms per dwelling unit with first floor retail and/or office use.
- (3) Permitted accessory uses.
  - a. Garages shall be permitted for storage purposes only, with no repair facilities.
  - b. Such other accessory buildings and accessory uses as are customarily incidental to the permitted principal uses.
  - c. Class A home occupations.
- (4) Permitted principal uses, subject to an approved special use permit, as provided for by article II, division 3 of this chapter.
  - a. Class B, Multiple-family dwellings.
  - b. Drive-in banks or financial institutions.
  - c. Drive-in restaurants.

(Code 1994, ch. 55, § 5.41-42; Ord. No. 1220, 10-6-2009; Ord. No. 1347-A, 2-2-2016)

Sec. 50-463. - Required conditions.

The following requirements must be complied with in the RM-54 residential district.

- (1) Minimum lot area for multiple dwellings or portions thereof:

Rooms	600 sq. ft.
Efficiency dwelling unit	600 sq. ft.
1 bedroom dwelling unit	700 sq. ft.
2 bedroom dwelling unit	800 sq. ft.
3 or more bedroom dwelling unit	1,000 sq. ft.

- (2) Minimum lot width: None.
- (3) Minimum lot area: None.
- (4) Maximum building height:
  - a. Principal building: Four stories or 50 feet.
  - b. Accessory building: Two stories or 25 feet.
  - c. Principal residential buildings located on a major street may be up to eight stories or 90 feet high, subject to an approved special use permit as provided by article II, division 3 of this chapter.
- (5) Maximum building coverage ratio: 40 percent.
- (6) Maximum ground coverage ratio: 80 percent.
- (7) Maximum floor area ratio: 2.0 times site area.
- (8) Required parking. Parking shall be provided in accordance with article VIII of this chapter.
- (9) Building setback requirements.
  - a. *Principal building.* Minimum setback from:
    - 1. Front property line: One foot for each two feet of building height.
    - 2. Rear property line: One foot for each two feet of building height.
    - 3. Side property line: One foot for each three feet of building height.
  - b. *Accessory building.* No accessory building shall be located in a front yard. If located in a rear yard it shall be a minimum five feet from the rear or side property lines. If located in a side yard it shall be set back a distance equal to the required side yard for a principal building.
- (10) Minimum horizontal distance between buildings.
  - a. Walls containing main window exposures or main entrances shall be located no closer to another building than a distance equal to the height of the taller building of the two.
  - b. Other walls containing secondary windows (sides of buildings) shall be located no closer to another building than a distance equal to 60 percent of the height of the taller building of the two.
- (11) Minimum horizontal distance between building wings. The distance shall not be less than the projection of such wings, or equal to the height of the taller of the two wings, whichever is greater.

(Code 1994, ch. 55, § 5.41-43; Ord. No. 1087, pt. VII, 12-21-2004; Ord. No. 1276, 5-15-2012)

No building permit, grading permit, soil removal permit, or other permit for construction activity shall be issued for any use or building in the RM-54 residential district until the planning and zoning official has certified to the building official that plans for such activity have been approved in accordance with the procedures and requirements of section 50-36 of this chapter.

(Code 1994, ch. 55, § 5.41-45; Ord. No. 1061, 2-7-2006)

Secs. 50-465—50-480. - Reserved.

#### DIVISION 7. - RESERVED

*Footnotes:*

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**Editor's note**— Ord. No. 1061, adopted Feb. 7, 2006, deleted §§ 50-481—50-485, which pertained to multiple-family site plan approval and was derived from Code 1994, ch. 55, §§ 5.42-1—5.42-5.

Secs. 50-481—50-530. - Reserved.

#### ARTICLE VI. - BUSINESS, OFFICE AND INDUSTRIAL DISTRICTS

*Footnotes:*

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**Editor's note**— Ord. No. 1054, adopted Oct. 21, 2003, ch. 50, art. VI, divs. 2, 3, §§ 5.65, 5.66, 5.71—5.73, repealed § 50-551, 5-552, and 50-571—50-573, in its entirety and enacted new provisions to read as herein set out. Prior to amendment, divs. 2 and 3 pertained to similar subject matter and derived from Code 1994, ch. 55, §§ 5.65—5.67, 5.71—5.73; Ord. No. 953, adopted Oct. 5, 1999; Ord. No. 954, adopted Feb. 1, 2000; Ord. No. 979, adopted Feb. 6, 2001; Ord. No. 970, pt. II, pt. III adopted April 3, 2001.

**Cross reference**— *Businesses*, ch. 8.

#### DIVISION 1. - GENERALLY

Sec. 50-531. - Land use restrictions prohibited.

Due to the blighting effects of land use restrictions in business, office and industrial districts, no property owner shall, after the effective date of this ordinance, by deed or otherwise, restrict a subsequent use of the property by a new owner to prohibit, impair or restrict the new owner from using the property in accordance with any permitted uses authorized in this article. Any such restriction imposed after the effective date of this provision is hereby declared to be null and void as a violation of public policy. This provision does not apply to conservation easements, property owned by churches or other religious institutions or organizations recognized as tax exempt by the Internal Revenue Service.

(Ord. No. 1386, 3-7-2017)

Sec. 50-532. - Universal design requirements.

- (a) The purposes of this section are to require the development of dwelling units in business, office, and industrial districts that are visitable, usable, and safe for occupancy by persons with disabilities and to accommodate a wide range of individual preferences and functional abilities while not significantly impacting housing costs and affordability.
- (b) The requirements of sections 50-362 through 50-365 shall apply to the new construction of all multifamily residential dwellings in all residential and mixed-use development projects in the city's business, office, and industrial districts



constructed under the Michigan Building Code and to townhouse and duplex development projects with greater than ten dwelling units constructed under the Michigan Residential Code, in the aggregate of all phases.

(Ord. No. 1460, 8-13-2019)

Secs. 50-533—50-550. - Reserved.

## DIVISION 2. - GENERAL OFFICE BUSINESS DISTRICT, B-1

### *Footnotes:*

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**Cross reference—** *Businesses, ch. 8.*

Sec. 50-551. - Purpose.

The B-1 general office business district is intended to accommodate the development of office buildings and office complexes for the provision of business and professional services as needed within the community. The B-1 district permits office development at a scale ranging from small single purpose buildings to large scale multiple tenant structures and major corporate headquarters. The B-1 district also permits certain other uses which are comparable to and compatible with an office environment in design and function, including personal service businesses. However, the B-1 district is intended to prohibit commercial establishments of a general retail nature which require constant visits by the general public. The B-1 district also permits certain other uses which may be necessary in support of office use or mixed use structures with residential dwellings which may be compatible with such an environment, subject to additional regulation to ensure such uses do not cause undesirable or excessive amounts of traffic, congestion or other adverse impacts.

(Ord. No. 1037, § 5.65, 6-17-2003; Ord. No. 1054, § 5.65, 10-21-2003)

Sec. 50-552. - Permitted uses.

The following uses of buildings and premises shall be permitted in the B-1 business district:

- (1) Principal uses permitted subject to an approved site plan as set forth in section 50-36 of this chapter.
  - a. General office, professional office building, or professional clinic.
  - b. Church, club, or lodge.
  - c. Public assembly building such as a theater or auditorium.
  - d. Museum or art gallery.
  - e. Funeral home.
  - f. Publicly owned and occupied building.
  - g. Building owned and occupied by a public utility.
  - h. Dental, medical, or clinical laboratory.
  - i. Hospital, except veterinary.
  - j. Financial institutions.
  - k. Extended care/nursing facilities.
  - l. Parking lots developed and operated as an accessory use to serve one or more business, office, or multiple-family residential use(s) located no more than 200 feet from the lot.
  - m. Automatic teller machines which are the principal use of the lot, or those enclosed within an existing principal

building.

- n. Colleges, universities, business or trade schools or similar education or training facilities.
  - o. Personal service businesses when located in an office building, provided that such businesses shall not occupy more than 25 percent of the gross floor area of the office building. Such businesses may include: barber shop or hair stylist; beauty salon or spa; shoe and leather goods repair; tailor or seamstress; photographic or art studio; pick-up station for a dry cleaner or laundry; or exercise or fitness center.
- (2) Principal uses permitted subject to an approved special use permit as provided for by article II, division 3 of this chapter.
- a. Drive-through facilities provided in conjunction with a financial institution or a pick-up station for a dry cleaner or laundry.
  - b. Automatic teller machines externally attached to a principal building.
  - c. Class B, multiple-family dwellings.
  - d. Multiple-family dwelling units provided within a building which also contains one or more of the principal uses permitted in subsection (1) of this section.
  - e. Medical marijuana safety compliance facilities and medical marijuana secure transporter facilities.
- (3) Accessory uses permitted:
- a. Cafeterias provided principally for employees.
  - b. Recreational or exercise facilities provided principally for employees or patients.
  - c. Board rooms and similar assembly facilities.
  - d. Mail or parcel drop-off centers and facilities.
  - e. Other uses or facilities subordinate to and customarily incidental to the permitted principal use.

(Ord. No. 1037, § 5.66, 6-17-2003; Ord. No. 1054, § 5.66, 10-21-2003; Ord. No. 1061, 2-7-2006; Ord. No. 1347-A, 2-2-2016; Ord. No. 1395, 12-5-2017)

Sec. 50-553. - Building height, area and yard requirements.

In the B-1 district the following requirements shall apply:

- (1) Minimum front yard depth shall be 20 feet.
- (2) Minimum rear yard depth shall be 20 feet.
- (3) Minimum side yard width shall be five feet, except that the minimum width on a corner lot shall be 20 feet measured from the side street lot line.
- (4) Minimum front, side and rear yard requirements for any building in excess of two stories or 36 feet in height shall be increased by a distance equal to 20 percent of such excess height.
- (5) Maximum building heights shall be two stories or 36 feet; except buildings may be up to four stories or 64 feet in height, subject to an approved special use permit as provided by article II, division 3 of this chapter; and except, on parcels three acres or more in size, buildings may be up to six stories or 84 feet in height, subject to an approved special use permit as provided by article II, division 3 of this chapter.
- (6) Minimum lot area for residential uses shall be the same as those in the RM-32, multiple-family residential district

(Ord. No. 1037, § 5.67, 6-17-2003)

Sec. 50-554. - Parking.

Parking lots and on-site parking facilities shall be provided and developed in accordance with article VIII. Parking may be permitted within the front yard of properties in B-1 districts under the following conditions:

- (1) Parking areas shall not be closer than 20 feet to the front property line
- (2) Any front yard parking area, regardless of its size, shall meet all the responsibilities of this Code contained in article VIII including those relating to landscaping.

(Ord. No. 1037, § 5.68, 6-17-2003)

Secs. 50-555—50-570. - Reserved.

### DIVISION 3. - RETAIL SALES BUSINESS DISTRICT, B-2

*Footnotes:*

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**Cross reference—** *Businesses, ch. 8.*

Sec. 50-571. - Purpose.

The purpose of the B-2 retail sales business district is to provide for the development of a variety of retail stores, personal service shops, restaurants, offices, mixed use structures containing residential dwellings and other businesses necessary to provide for the wide range of shopping and service needs of the community. The B-2 district permits business development at a scale ranging from small single purpose buildings to large scale multiple tenant structures and shopping centers. While it is intended to be inclusive in the types of uses permitted to accommodate a wide range of businesses, it requires careful review and regulation of certain uses which may be expected to generate higher levels of traffic, congestion and other adverse impacts to minimize conflicts between land uses and promote safe and convenient shopping environments.

(Ord. No. 1054, § 5.71, 10-21-2003)

Sec. 50-572. - Permitted uses.

The following uses of buildings and premises shall be permitted in the B-2 business district.

- (1) Principal uses permitted subject to an approved site plan as set forth in section 50-36 of this chapter.
  - a. Store or shop for the conducting of any retail business, except establishments licensed for the sale at retail of alcoholic liquor, as defined by section 105(2) of the Michigan Liquor Control Code of 1998, MCL 436.1105(2), including specially designated merchants and specially designated distributors as described at MCL 436.1537.
  - b. Personal service shop, such as barbershop, beauty shop, etc.
  - c. Bank, theater, office, and similar service, except drive-ins.
  - d. Restaurant, except a restaurant licensed for the sale of alcoholic beverages or alcoholic liquor as defined by section 105(1) of the Michigan Liquor Control Code of 1998, MCL 436.1105(2).
  - e. General office or professional office building.
  - f. Public assembly building, similar to a theater or an auditorium.
  - g. Structure occupied and used by a public utility.
  - h. Publicly owned building.
  - i. Shop for custom work, i.e., shop for making articles or products to be sold at retail on the premises, provided

- that, the conduct of such business is not objectionable as being odorous, unsightly, or noisy.
- j. Bakery employing not more than five persons, exclusive of retail sales personnel.
  - k. Combined retail-wholesale business when conducted entirely within a building, i.e., sale and storage in bulk of clothing, drugs, dry goods, food, furniture, hardware, machinery, metals, paints and paint supplies, pipe, rubber, and shop supplies.
  - l. Dental, medical, or clinical laboratory.
  - m. Shopping center, containing uses permitted in this district.
  - n. Auto service center (as part of an approved regional shopping center only).
  - o. Hotels and motels.
  - p. Parking lots developed and operated as an accessory use to serve one or more business, office or multiple-family residential use(s) located no more than 200 feet from the lot.
  - q. Automatic teller machines which are the principal use of the lot, or those enclosed within an existing principal building.
  - r. Colleges, universities, business or trade schools or similar education or training facilities.
- (2) Principal uses permitted subject to an approved special use permit as provided for by article II, division 3 of this chapter.
- a. Uses with drive-in facilities, including banks, savings, and loan associations, and other financial institutions.
  - b. Drive-in restaurant. No permit shall be issued to build, occupy, or construct a drive-in restaurant on any site where 80 percent of the buildings within a radius of 400 feet of any part of the proposed site are used exclusively for one- or two-family dwelling purposes, until there is on file in the office of the planning and zoning official the written consent of 60 percent of the property owners according to total frontage on any public street with a radius of 400 feet of any part of the premises where said drive-in restaurant is to be occupied or constructed, and not separated therefrom by more than one street or one alley, and not until the location and plans shall have been submitted to and approved in writing by the city. All customer parking areas shall be provided with artificial lighting. Such lighting shall be provided at an average maintained level of one foot candle and shall be so arranged as to reflect the light down and away from adjoining streets and residential property. The lighting installation shall be approved by the building official.
  - c. Any recreational use, including a bowling alley, billiard, or pool parlor.
  - d. Motor vehicle sales room or sales lot. In the case of a new motor vehicle sales room and/or sales lot, the premises may also be used for motor repair, bump, and paint services as an accessory use. Such accessory use shall be permitted only on application for and granting of a special use permit permitting such accessory use in accordance with the provisions of article II, division 3 of this chapter. In the event that a special use permit is sought for such accessory use on a parcel on which the principal use is existing at the time of application, the planning commission may, as a precondition to the issuance of the special use permit, stipulate specific provisions for the entire parcel and existing use in accordance with section 50-93(4).
  - e. Auto service center.
    - 1. Before a permit is used to build, occupy or construct an auto service center on any site where 80 percent of the buildings within a radius of 400 feet of any part of the proposed site are used exclusively for one- and two-family dwelling purposes, there shall be on file in the office of the planning and zoning official the written consent of 60 percent of the property owners according to total frontage on any public street within a radius of 400 feet of any part of the premises whereon this auto service center is to be occupied or constructed and not separated therefrom by more than one street or one alley, and the location and plans shall have been submitted to and approved by the city; and

2. All pumps and lubricating devices, situated outside of a building, are located at least ten feet from any street line.
  3. All wrecked or dismantled vehicles are kept within a building; and
  4. No vehicles shall be parked on the site for the purpose of selling or renting such vehicles, unless they are properly screened with landscaping or are enclosed within a building.
- f. Car washing establishments.
  - g. Automatic teller machines externally attached to a principal building.
  - h. Restaurants licensed for the sale of alcoholic beverages or alcoholic liquor as defined:
    1. By section 105(1) of the Michigan Liquor Control Code of 1998, MCL 436.1105(2).
  - i. Multiple-family dwellings, providing dining, social, or recreational facilities for persons residing off-site such as sororities or fraternities.
  - j. Establishments licensed for the sale at retail of alcoholic liquor, as defined by section 105(2) of the Michigan Liquor Control Code of 1998, MCL 436.1105(2), including specially designated merchants and specially designated distributors as described at MCL 436.1537.
  - k. Multiple-family dwelling units containing four or fewer bedrooms per dwelling unit provided within a building which also contains one or more of the principal uses permitted in subsection (1) of this section.
    - l. Small animal veterinary hospitals or clinics, excluding outdoor kennels for the general boarding of animals.
  - m. Medical marihuana safety compliance facilities and medical marihuana secure transporter facilities.

(Ord. No. 1054, § 5.72, 10-21-2003; Ord. No. 1061, 2-7-2006; Ord. No. 1313, 3-4-2014; Ord. No. 1347-A, 2-2-2016; Ord. No. 1395, 12-5-2017)

Sec. 50-573. - Building height, area, and yard requirements.

In the B-2 district the following requirements shall apply:

- (1) Minimum front yard depth: None.
- (2) Minimum rear yard depth: None.
- (3) Minimum side yard width: None.
- (4) Building area requirements: None.
- (5) Maximum building height shall be two stories or 36 feet except as follows:
  - (a) Buildings may be up to four stories or 64 feet in height, subject to an approved special use permit as provided by article II of this chapter; and
  - (b) On parcels two acres or more in size, buildings may be up to six stories or 84 feet in height, subject to an approved special use permit as provided by article II of this chapter; and
  - (c) On parcels less than two acres in size located within the Downtown District boundaries, established pursuant to the Downtown Development Authority Act, buildings may be up to six stories or 84 feet in height, subject to an approved special use permit as provided by article II of this chapter.

(Ord. No. 1054, § 5.73, 10-21-2003; Ord. No. 1322, 4-15-2014)

Sec. 50-574. - Parking.

Parking lots and on-site parking facilities shall be developed in accordance with article VIII: off-street parking facilities. No vehicle shall be parked or stored on any vacant premises in this district unless such premises are paved as required in article VIII.

(Ord. No. 1054, § 5.74, 10-21-2003)

Secs. 50-575—50-590. - Reserved.

DIVISION 4. - CITY CENTER COMMERCIAL DISTRICT, B-3

*Footnotes:*

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**Cross reference—** *Businesses, ch. 8.*

Sec. 50-591. - Purpose.

- (a) The purpose of this district is to provide for a wide range of commercial and high density residential land uses designed to serve the residents and shoppers of the East Lansing City Center. Because of its proximity to the Michigan State University campus and nearby residential neighborhoods, a major characteristic of the City Center is its intense core of pedestrian activity. This activity helps to create a unique social environment where people can gather and enjoy the festive atmosphere of a university downtown, attractive landscaping and greenery, and the diversity of retail shops.
- (b) The provisions of this district are intended to encourage the planned development of pedestrian amenities and public and private open space, and closely regulate the need for direct automobile access to each establishment. Also important in the future development of the City Center is the concept of mixed-use development promoted by this district and the East Lansing Comprehensive Plan. Mixed-use development for purposes of this district is defined as the combination of commercial and residential land uses within the same building. Since the City Center contains only limited geographic area for expansion, intensifying development through a mixture of uses within the same building is of major importance to the city's efforts to expand the tax base and broaden the housing and shopping opportunities available in the City Center.

(Code 1994, ch. 55, § 5.75; Ord. No. 1186, 6-17-2008)

Sec. 50-592. - Permitted uses.

The following uses of buildings and premises, individually or in combination, shall be permitted in the B-3 district.

- (1) Principal uses permitted subject to an approved site plan as set forth in section 50-36 of this chapter.
  - a. Any retail business except those uses which tend to detract from or interfere with a high intensity of pedestrian shopping activity including automobile sales facilities, auto service centers, drive-in restaurants and similar uses which rely on regular direct vehicular access to serve a significant portion of their customers; and except establishments licensed for the sale at retail of alcoholic liquor, as defined by section 105(2) of the Michigan Liquor Control Code of 1998, MCL 436.1105(2), including specially designated merchants and specially designated distributors as described at MCL 436.1537.
  - b. Any personal service establishment such as barber and beauty shops, dry cleaners and laundries, shoe repair shops, photographers, and service establishments of a like nature.
  - c. Any office use or establishment, including but not limited to, general and professional offices, medical and dental offices, banks and financial institutions, automatic teller machines, real estate offices, travel agencies, and offices of political, professional, or civic organizations or associations.
  - d. Restaurants, except restaurants licensed for the sale of alcoholic beverages or alcoholic liquor as defined by section 105(1) of the Michigan Liquor Control Code of 1998, MCL 436.1105(2), cafes, and similar establishments, including such establishments that may offer outdoor dining areas and walk-up service windows.
  - e. Hotels.

- f. Theaters, public assembly halls, concert halls, meeting rooms, clubs, lodges, churches or similar places of assembly.
  - g. Public and semipublic uses including government and public utility offices, museums, and art galleries.
  - h. Colleges, universities, business or trade schools or similar education or training facilities.
  - i. Radio and television studios and broadcasting facilities, excluding transmission, and receiving towers.
- (2) Principal uses permitted subject to an approved special use permit as provided for by article II, division 3, of this chapter.
- a. Parking lots and structures available to the general public.
  - b. Recreational uses and facilities which do not serve alcoholic beverages, including but not limited to, video game arcades, billiard or pool parlors, spas, health clubs, and indoor or outdoor court facilities.
  - c. Restaurants licensed for the sale of alcoholic beverages or alcoholic liquor as defined by section 105(1) of the Michigan Liquor Control Code of 1998, MCL 436.1105(2).
  - d. Class B, Multiple-family dwellings
  - e. Establishments licensed for the sale at retail of alcoholic liquor, as defined by section 105(2) of the Michigan Liquor Control Code of 1998, MCL 436.1105(2), including specially designated merchants and specially designated distributors as described at MCL 436.1537.
  - f. Multiple-family dwelling units with three or fewer bedrooms per dwelling unit provided within a building which also contains one or more of the principal uses permitted in subsection (1) of this section; except, that an application for a special use permit may be approved for multiple-family dwelling units as the sole principal use of a building where it has been deemed by city council that:
    - 1. Provides unique housing opportunities which are not otherwise available in the City Center; or
    - 2. Provides a transition from mixed use development to a lower density residential use where a unique characteristic is present on the edge of the district.
  - g. Uses with drive-in facilities, such as banks and financial institutions, automobile service businesses, including carwashes, and uses which rely on short-term on-site parking to serve their customers which exist at the time of adoption of the ordinance from which this division is derived or at the time the property is zoned into this district, may continue to operate in accordance with the provisions of article IX of this chapter; except, that such uses may be reconstructed or modified when such uses are designed and operated to promote public safety by minimizing conflicts with pedestrian flow and congestion on public streets and alleys, and to reduce the visual impact of parking areas and driveways.
- (3) Permitted accessory uses. In addition to uses customarily incidental to the main use of the building or lot, the following uses shall be permitted as accessory uses:
- a. Class A home occupations.
  - b. Video games, pool tables, and other similar amusement games, provided that, the total number of games or machines contained within the building shall not exceed one game for every 400 square feet of gross floor area.
  - c. Automatic teller machines which are enclosed within or attached to the principal building.
  - d. In conjunction with a major commercial establishment or attractor which promotes a high intensity pedestrian environment, offers a variety of goods or services, and has a minimum of 25,000 square feet of floor area, such as a large retail establishment or department store, a major office headquarters, or a hotel, limited drive-in or parking facilities may be provided to allow customers to drop off goods to be serviced, to pick up previously ordered goods, to drop off or pick up passengers, to be used in conjunction with a valet parking system or to be used for short-term delivery vehicle parking, provided that such drive-in or parking facilities are designed and

operated to promote public safety by minimizing conflicts with pedestrian flow and congestion on public streets and alleys, and to reduce the visual impact of parking areas and driveways, and subject to an approved special use permit as provided by article II, division 3, of this chapter.

- e. Recreational uses and facilities such as swimming pools, indoor or outdoor court facilities, and weight or training rooms for the use of the patrons or tenants of a hotel or apartment use, provided that, such uses do not exceed 20 percent of the gross floor area.
- f. Automobile appearance reconditioning, performed by hand or with handheld equipment, including washing, vacuuming, polishing, paint touch-up and decaling, when provided within an enclosed parking structure and occupying no more than five percent of the total floor area contained within the parking structure, and subject to an approved special use permit as provided in article II, division 3 of this chapter.

(Code 1994, ch. 55, § 5.76; Ord. No. 967, 5-16-2000; Ord. No. 1054, § 5.76, 10-21-2003; Ord. No. 1061, 2-7-2006; Ord. No. 1186, 6-17-2008; Ord. No. 1313, 3-4-2014; Ord. No. 1347-A, 2-2-2016)

Sec. 50-593. - Development standards.

- (a) No use conducted on any premises within this district shall be permitted to occupy or use space within the public right-of-way, or operate a business which would restrict the use of a public street, sidewalk, or alley unless the proper authorization is first granted by the city council or its agent.
- (b) Minimum front yard depth: None.
- (c) Minimum rear yard depth: None, except if the rear yard abuts any residential district, in which case the minimum setback shall be ten feet.
- (d) Minimum side yard width: None, except if the side yard abuts any residential district, in which case the minimum setback shall be ten feet.
- (e) Minimum floor area requirement. The minimum floor area of any proposed building, exclusive of basement areas used for mechanical or storage purposes, shall be determined by a ratio of 1.25 times the area of the site. Any building existing at the time of adoption of the ordinance from which this division is derived shall be allowed to expand without regard to this standard. Small, separately held lots of less than 10,000 square feet that abut a residential district may also be exempted from this requirement if the planning commission determines that the development potential of the lot is limited because of its size, configuration or location and that the proposed design and use of the lot would provide a desirable buffer between adjacent uses.
- (f) The minimum building height shall be four stories. The maximum number of stories permitted is eight and the maximum building height is 112 feet. The city council may, upon an affirmative vote of three-fourths of all members of the city council, permit an increase in stories or a maximum building height of up to 140 feet for a building deemed by the city council to be of significant public benefit subject to an approved special use permit as provided in article II, division 3 of this chapter. Further, additional stories may be added to existing one- and two-story buildings that total less than four stories or 64 feet in height if the existing building remains substantially the same and no additional structural changes are needed to the existing building to support the additional stories.
- (g) Maximum building and ground coverage. The percentage of total site area allowed to be covered shall be determined according to the following schedule:

Base Ratio	Base Allotment	Maximum Permitted



Building coverage	80% + (*)	= 100%
Ground coverage	85% + (*)	= 100%

\*Bonus allotments of building and ground coverage may be granted, provided that, the proposed use, its site or its relationship to adjacent properties incorporates certain architectural or site design features which allow for public or private open space, free movement of pedestrian traffic, abundant light and air, interior community space and other related elements. Qualifying features may include, but are not limited to, atriums, arcades, enclosed walkways, rooftop gardens, landscaped areas, plazas, and outdoor dining areas.

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- (1) For buildings and sites where the principal use is any commercial use identified in section 50-592, bonus coverage shall be allotted on the basis of one and one-half square feet of added building and ground coverage for every one square foot of site area occupied by qualifying features.
- (2) For buildings and sites where the principal use is a major commercial establishment or attractor which promotes a high intensity pedestrian environment, offers a variety of goods or services, and has a minimum of 25,000 square feet of floor area, such as a large retail establishment or department store, a major office headquarters, or a hotel, bonus coverage shall be allocated on the basis of three square feet of added building and ground coverage for every one square foot of site area occupied by qualifying features.
- (3) For buildings and sites where the principal use is a combination of any commercial use identified in section 50-592 and housing, bonus coverage shall be allocated on the basis of five square feet of added building and ground coverage for every one square foot of site area occupied by qualifying features.
- (h) Any portion of a site not occupied by a building or covered by paving necessary for adequate ingress and egress, off-street loading or parking, or qualifying bonus features shall be landscaped with a combination of living deciduous and evergreen trees and shrubs in an attractive manner.
- (i) Loading requirements. Off-street loading areas shall be provided as required by article VIII of this chapter.
- (j) On-premises parking. Consistent with the purposes of this district and the city's policies to optimize use of its consolidated parking facilities in the City Center commercial district, on-premises parking facilities intended as accessory uses to serve one or more uses on the same lot shall be prohibited, except where:
- (1) The applicant has demonstrated that the parking is necessary for the residents or customers of the proposed use and the municipal parking facility cannot accommodate the use; or
  - (2) The applicant has demonstrated that the parking is necessary for increased accessibility for handicapped persons.
- If it is demonstrated that on-premises parking is necessary, the planning commission may stipulate conditions on the arrangement and operation of such parking to ensure that it is used for the purposes for which it is intended and approved or to ensure that it does not cause disruption of pedestrian or vehicular circulation.
- (k) Off-premises parking. To ensure accessible parking for all uses in the district, the standards of section 50-814(d) must be met.
- (l) Applications for a building and/or occupancy permit to construct or expand a building or to convert or extend the use of a building which would result in an increased parking demand, as determined from the standards in section 50-812, shall first be submitted to the planning and zoning official for review.
- (1) To determine the number of parking spaces available, the planning and zoning official shall yearly prepare a report

on the utilization of parking spaces within the district which specifies the number of spaces available by location, price, and tenure rates, and time of day. The report shall be presented to and approved by city council. The planning and zoning official shall also keep a record of all new, expanded, and converted uses which generate increased parking demands. The planning and zoning official shall not approve an application when the total amount of additional parking demands approved under subsection (l)(2) and subsection (l)(3) of this section within a one-year period would exceed a figure equal to 75 percent of the total number of parking spaces determined to be available in the annual report.

- (2) If the application would result in an increase of ten or fewer spaces for a use within a two-year period, the planning and zoning official shall approve it, if there are adequate and appropriate parking spaces available to serve the use, as defined by the following standards:
  - a. The price and tenure rates for available parking spaces must be consistent with the expected parking habits of customers, employees, and tenants of the proposed use.
  - b. The parking spaces must be available at all times consistent with anticipated peak parking demands of the proposed use.
  - c. The parking spaces must meet the standards of section 50-814(d).
- (3) If the application would result in an increase of more than ten spaces within a two-year period or would exceed the limit of 75 percent of available spaces described above, the applicant shall submit a parking plan to the planning commission for review at a public hearing. The parking plan shall indicate where customers, employees, and tenants of the proposed use will be expected to park; the estimated number of employees and tenants; the anticipated time(s) of peak customer loads; the location and arrangement of all existing or proposed on-site parking spaces as may be permitted under subsection (j) of this section; evidence of any arrangement(s) made by the applicant to use other off-premises parking spaces; and evidence of any proposed action(s) by the applicant to control or limit the parking demand generated by the proposed use. The planning commission shall approve the parking plan if it determines that the proposed use would not adversely affect surrounding properties and public facilities and that one or more of the following conditions exist:
  - a. Because of the particular characteristics of the proposed use, it would not be expected to generate a significant increase in parking demand.
  - b. Existing or proposed on-site spaces or other private off-street parking facilities, as may be permitted under subsection (j) of this section, would meet the parking needs of the proposed use.
  - c. The parking demand would be adequately accommodated within the municipal parking system due to the availability of spaces appropriate to serve the proposed use, as defined in the standards in subsection (l)(2) of this section.
  - d. The parking demand would be adequately accommodated within the municipal parking system by directing customers, employees, and tenants to available spaces through validation policies, leasing arrangements, promotional programs, providing bus tokens, or other actions of the applicant.

The commission may, at its discretion, condition approval of a parking plan to ensure the parking needs of the proposed use are adequately met without adversely impacting other property or causing congestion on public streets or within the municipal parking system, including mandatory validation policies, mandatory parking space leasing arrangements, and/or other mandated actions.

(Code 1994, ch. 55, § 5.77; Ord. No. 970, pt. IV, 4-3-2001; Ord. No. 1186, 6-17-2008; Ord. No. 1289C, 5-21-2013; Ord. No. 1348-C, 2-2-2016; Ord. No. 1438, 11-20-2018; Ord. No. 1443, 2-12-2019; Ord. No. 1492, 12-15-2020)

## DIVISION 5. - RESTRICTED OFFICE BUSINESS DISTRICT, B-4

*Footnotes:*

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**Cross reference**— *Businesses, ch. 8.*

## Sec. 50-611. - Purpose.

- (a) The B-4 restricted office business district provides for the development of office buildings and office complexes at a scale and intensity less than that permitted in the B-1 general office business district.
- (b) The B-4 district is intended to permit development which is compatible with adjacent uses, particularly low density residential neighborhoods, by requiring buffers between properties and restricting lot coverage. It is also intended to control congestion and safety along public streets by limiting access points and requiring minimum lot frontage standards.

(Code 1994, ch. 55, § 5.78)

## Sec. 50-612. - Permitted uses.

The following uses of buildings and premises shall be permitted in the B-4 district.

- (1) Principal uses permitted, subject to an approved site plan as provided for in section 50-36 of this chapter where no building on the site exceeds two stories in height and where the total gross square footage of all principal buildings on the site does not exceed 25,000 square feet:
  - a. General and professional offices;
  - b. Dental or medical offices, clinics, or laboratories;
  - c. Financial institutions;
  - d. Parking lots developed and operated as an accessory use to serve one or more business, office, or multiple-family uses located within 200 feet from the lot;
  - e. ATMs which are the principal use of the lot, or those enclosed within an existing principal building; and
  - f. Colleges, universities, business or trade schools or similar education or training facilities.
- (2) Principal uses permitted, subject to an approved special use permit as provided for in article II, division 3 of this chapter.
  - a. Automatic teller machines, externally attached to a principal building, except those which are drive-in accessible, unless provided in conjunction with a bank for financial institution as provided below.
  - b. Drive-in banks or financial institutions, including drive-in accessible automatic teller machines.
  - c. Any use(s) permitted in subsection (1) of this section where a building is more than two stories in height or where the total gross square footage of all principal buildings on the site exceeds 25,000 square feet.
  - d. Dispensaries and primary caregiver operations.
  - f. Medical marihuana safety compliance facilities, marihuana safety compliance facilities, medical marihuana secure transporter facilities and marihuana secure transporter facilities.
- (3) Accessory uses permitted:
  - a. Cafeterias provided principally for employees;
  - b. Recreational or exercise facilities provided principally for employees or patients;

- c. Board rooms and similar assembly facilities; and
- d. Other uses or facilities subordinate to and customarily incidental to the permitted principal use.

(Code 1994, ch. 55, § 5.79; Ord. No. 980, 4-3-2001; Ord. No. 1054, § 5.79, 10-21-2003; Ord. No. 1061, 2-7-2006; Ord. No. 1202, 11-18-2008; Ord. No. 1245C, 3-15-2011; Ord. No. 1395, 12-5-2017; Ord. No. 1419, 3-20-2018; Ord. No. 1469, 10-29-2019)

Sec. 50-613. - Required conditions.

The following requirements shall be complied with in the B-4 district.

- (1) Two or more buildings may be constructed on a lot.
- (2) Minimum lot frontage:
  - a. On major streets: 200 feet.
  - b. On other public streets: 150 feet.
- (3) Minimum building setbacks:
  - a. Minimum building setbacks are as follows:

1. From major streets	50'
2. From other public streets	25'
3. From exterior lot lines where the abutting property is within the R-1, R-2, or R-3 residential districts	2 × H+LI
4. From other exterior lot lines	20'
5. From driveways, private roads and parking spaces	10'
H = Building height	
LI = Length increment = 10% of the building height over 50 feet.	

b. The setback standard specified in subsections (3)a.1, 2, and 3 of this section above may be reduced by up to 50 percent, but in no case to less than 20 feet, where unique site characteristics, landscaping, or design features will achieve the same purpose for which the setbacks are intended. These purposes are:

- 1. Ensuring reasonable privacy for employees and neighbors of the development;
- 2. Protecting employees and neighbors from noise, shadowing, and other nuisance impacts;
- 3. Maintaining adequate visibility for safety along streets and sidewalks; and
- 4. Maintaining an attractive appearance of the development from abutting properties and public streets.

Such characteristics or features may include, but would not be limited to, significant slopes which effectively reduce the apparent size of buildings and screen parking areas from view; dense buffers of mature trees and other plant materials along exterior property lines; significant landscape treatments which include earth berms, fences, or walls at least three feet in height in addition to a variety of plant materials; and buildings which are designed and located to maximize privacy and minimize noise, shadowing, and other impacts between adjacent properties.

- (4) Maximum building height shall be two stories or 36 feet; except buildings may be up to three stories or 50 feet in height on an approved special use permit as provided by article II, division 3, of this chapter; and except, on parcels eight acres or more in size or those that are not contiguous to any property that is zoned for and expected to be used for residential purposes in accordance with the Comprehensive Plan, buildings may be up to five stories or 70 feet in height, subject to an approved special use permit as provided by article II, division 3 of this chapter.
- (5) Maximum lot coverage:
  - a. Maximum building coverage: 25 percent.
  - b. Maximum ground coverage: 65 percent.
- (6) Minimum distance between buildings and building wings: A distance equal to 60 percent of the height of the taller building or building wing, or ten feet, whichever is greater.
- (7) Parking and access facilities:
  - a. All parking and access facilities shall be designed and constructed according to article VIII of this chapter and all other relevant city codes, policies, and specifications.
  - b. Except as provided below, the number of parking spaces required shall be determined according to section 50-812.
  - c. One access point to a public street shall be permitted unless the city determines that additional access points are necessary because of the number of trips generated or because of the operating characteristics of the adjacent streets.
  - d. Shared parking and access facilities to serve two or more adjacent properties are permitted, if adequate provision is made to ensure such shared facilities will be perpetually available to each property.
  - e. Shared access facilities may be required if the city determines it is necessary to preserve the carrying capacity and reduce congestion and safety hazards on adjacent streets.
  - f. Parking and access facilities which are not shared shall be set back according to the following schedule:
    1. From major streets: 50 feet.
    2. From other public streets: 25 feet.
    3. From other exterior lot lines: 15 feet.Access facilities permitted in subsection (7)c of this section may penetrate through the required setback areas.
  - g. Adequate provision for pedestrian and bicycle access to and within the site shall be provided.
- (8) Perimeter landscaping. Trees of a type and size specified in section 48-32 of the City Code shall be planted no more than 60 feet apart within the right-of-way along all public streets abutting or within the site. A variety of trees and shrubbery shall be planted between buildings, parking areas or other improved facilities and all exterior boundaries of the site. These requirements may be modified or waived where there are existing trees or shrubbery to be retained.
- (9) Combined development plans. Two or more adjacent parcels, one of which is contiguous to existing B-4 zoned and developed properties, may be developed jointly by separate owners acting under the terms of a common integrated site plan. Such a site plan and associated agreements shall be negotiated between the private parties prior to submission of the rezoning application to the city, and shall meet the following standards:
  - a. The common site plan, when viewed as a whole, shall meet all of the standards of the B-4 district.
  - b. The common site plan shall provide shared access to jointly serve the adjacent parcels.
  - c. The setbacks along the common lot line(s) of the adjacent parcels shall not apply.
  - d. Total parking requirements shall be based upon the combined need of all buildings to be placed on the adjacent

parcel. Such spaces may be distributed on each parcel or clustered in a convenient location to serve the individual uses.

- (10) Phased development. Under the terms of a combined development plan, as specified above, phased development of the adjacent parcels may be permitted according to the following standards:
- a. The initial development phase and the composite plan following each subsequent phase shall meet the standards of the B-4 district with the exception of the required street frontage and the setback along common lot lines between adjacent parcels. The initial development phase must be contiguous to properties already zoned and developed according to the B-4 standards.
  - b. A site plan shall be submitted for each phase indicating the design, arrangement, and use of all structures and facilities present or to be built on the combined site. Each subsequent phase shall be considered as a modification of the overall site plan. The overall site plan should indicate how remaining and/or underdeveloped portions of the site could reasonably be redeveloped in subsequent phases. The site plan shall contain a schedule for the initial and each subsequent phase.
  - c. Evidence shall be submitted showing a legally binding arrangement in recordable form for shared access to jointly serve the adjacent parcels.
  - d. Existing residential structures, and the driveways and parking facilities which serve them, may be maintained and may continue to be used for residential purposes until they are converted or redeveloped in later phases, regardless of their compliance to the standards of the B-4 district. Such structures shall not be expanded or converted in use in the future unless their design, placement, and use conform to the standards of the B-4 district. Such structures may be reconstructed to repair damage caused by natural elements or fire notwithstanding restrictions regarding the nonconforming use of buildings set forth in section 50-853.

(Code 1994, ch. 55, § 5.80; Ord. No. 970, pt. V, 4-3-2001; Ord. No. 1055, § 5.80, 11-5-2003; Ord. No. 1099, 5-17-2005)

Secs. 50-614—50-630. - Reserved.

#### DIVISION 6. - COMMUNITY RETAIL SALES BUSINESS DISTRICT, B-5

*Footnotes:*

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**Cross reference—** *Businesses, ch. 8.*

Sec. 50-631. - Purpose.

The purpose of this district is to provide for the development of selected retail establishments and other businesses which have a community-wide trade area or greater, and fulfill the comparison, convenience, and sales/service needs of a broader population base. The provisions of this district are intended to promote planned and coordinated development in a manner which encourages open space and aesthetic design, the preservation and enhancement of landscaping, and a high degree of visibility and accessibility to the consumer. It is the goal of this district to minimize the impacts of commercial development by requiring minimum lot frontage, encouraging shared parking and access facilities, and ensuring adequate setbacks.

(Code 1994, ch. 55, § 5.80-1)

Sec. 50-632. - Permitted uses.

The following uses of buildings and premises shall be permitted in the B-5 district.

- (1) Principal uses permitted subject to an approved site plan as set forth in section 50-36 of this chapter:
  - a. Retail business establishments with a community-wide trade area or greater, such as department stores, furniture stores, appliance stores, apparel shops, and businesses of a like nature, excluding drive-in uses and excluding those uses which require extensive storage of bulk materials or merchandise in a separate building or upon the premises; and excluding establishments licensed for the sale at retail of alcoholic liquor, as defined by section 105(2) of the Michigan Liquor Control Code of 1998, MCL 436.1105, including specially designated merchants and specially designated distributors as described at MCL 436.1537.
  - b. General and professional offices, medical and dental offices and laboratories, and banks and financial institutions, excluding drive-in uses.
  - c. Restaurants, except restaurants licensed for the sale of alcoholic beverages or alcoholic liquor as defined by section 105(2) of the Michigan Liquor Control Code of 1988, MCL 436.1105, cafes, and similar establishments, including such establishments having outdoor dining areas, but excluding drive-in uses.
  - d. Shopping centers containing uses permitted in this district and also permitting personal service establishments and retail stores which sell groceries, baked goods, or other food products and beverages.
  - e. Public assembly buildings including theaters, auditoriums, and banquet facilities.
  - f. Hotels and motels.
  - g. Colleges, universities, business or trade schools or similar education or training facilities.
- (2) Principal uses permitted subject to an approved special use permit as provided for in article II, division 3 of this chapter.
  - a. Drive-in banks or financial institutions.
  - b. Drive-in restaurants.
  - c. Recreation facilities similar to bowling alleys, health or exercise centers, and racquet or court facilities.
  - d. Restaurants licensed for the sale of alcoholic beverages or alcoholic liquor as defined by section 105(2) of the Michigan Liquor Control Code of 1988, MCL 436.1105.
  - e. Establishments licensed for the sale at retail of alcoholic liquor, as defined by section 105(1) of the Michigan Liquor Control Code of 1998, MCL 436.1105, including specially designated merchants and specially designated distributors as described at MCL 436.1537.
  - f. Medical marihuana safety compliance facilities, marihuana safety compliance facilities, medical marihuana secure transporter facilities and marihuana secure transporter facilities.
- (3) Accessory uses permitted.
  - a. Any use customarily incidental and subordinate to the main use of the building or lot.
  - b. ATMs enclosed within a principal building.

(Code 1994, ch. 55, § 5.80-2; Ord. No. 953, 10-5-1999; Ord. No. 954, 2-1-2000; Ord. No. 1054, § 5.80-2, 10-21-2003; Ord. No. 1061, 2-7-2006; Ord. No. 1313, 3-4-2014; Ord. No. 1395, 12-5-2017; Ord. No. 1469, 10-29-2019)

Sec. 50-633. - Development standards.

The following requirements shall be complied with in the B-5 district.

- (1) Two or more buildings may be constructed on a site where common parking and access facilities are provided.
- (2) Minimum site frontage: 150 feet. This standard shall not apply to those parcels which at the time of adoption of the ordinance from which this division is derived have shared access agreements with adjoining properties approved by the city, and which, in aggregate, would total 150 feet of frontage, provided they meet all other development

standards of this district.

(3) Minimum building setbacks:

- a. From public streets: 50 feet.
- b. From private roads: 25 feet.
- c. From all other property lines: 15 feet.
- d. From driveways and parking spaces: Five feet.

If a public sidewalk exists or is constructed along the public street or private road, but not within the street right-of-way easement, the above setbacks shall be measured between the building and the nearest edge of the public sidewalk.

(4) Maximum building height shall be four stories or 64 feet; except, on parcels four acres or more in size, buildings may be up to six stories or 84 feet in height, subject to an approved special use permit as provided by article II, division 3 of this chapter.

(5) Maximum site coverage:

- a. Maximum building coverage: 40 percent.
- b. Maximum ground coverage excluding required stormwater retention facilities: 80 percent.

(6) Minimum distance between buildings: 20 feet.

(7) Parking and access facilities:

- a. All parking and access facilities shall be designed and constructed according to article VIII of this chapter and all other relevant city codes, policies, and specifications.
- b. The number of parking spaces required shall be determined according to section 50-812. The maximum number of parking spaces allowed on-site shall not exceed the parking requirement specified in section 50-812 by more than 50 percent, unless the applicant demonstrates that additional parking is needed because of the characteristics of the proposed use.
- c. One access point to a public street shall be permitted unless the applicant demonstrates that additional access points are necessary because of the number of trips generated or the operating characteristics of the adjacent streets.
- d. Shared parking and access facilities to serve two or more adjacent properties shall be permitted, provided that, adequate easements are filed with the site plan and maintained so as to assure continued availability and use of such facilities, unless modified by city council.
- e. Shared access facilities may be required, if the city council determines it is necessary to preserve the carrying capacity, to reduce congestion and safety hazards on adjacent streets.
- f. Minimum parking and driveway setbacks:
  1. From Lake Lansing Road: 50 feet.
  2. From other public streets: 25 feet.
  3. From all other property lines: Ten feet.

If a public sidewalk is constructed along the public street but not within the street right-of-way or road easement, the above setbacks shall be measured between the parking or driveway and the nearest edge of the sidewalk.

Shared parking and driveway facilities permitted in subsection (7)d of this section shall not be required to be set back from property lines which border such facilities for common use.

- g. Safe and convenient facilities for pedestrian and bicycle access to and within the site shall be provided, including the provision of public sidewalks within public rights-of-way.



- (8) Preservation of landscape. To the extent practical, the natural landscape and topography of the site shall be preserved proposed development.
- (9) Perimeter landscaping. Trees of a type and size specified in section 48-32 of the City Code shall be planted no more than 60 feet apart within the right-of-way along all public streets abutting or within the site. Any required yard area specified in this section shall be attractively landscaped with a combination of deciduous and evergreen trees and shrubs and landscape berms in a manner which enhances the overall appearance of the development.

(Code 1994, ch. 55, § 5.80-3; Ord. No. 970, pt. VI, 4-3-2001; Ord. No. 954, 2-1-2000)

Secs. 50-634—50-650. - Reserved.

#### DIVISION 7. - MANUFACTURING DISTRICT, M-1

*Footnotes:*

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**Cross reference—** *Businesses, ch. 8.*

Sec. 50-651. - Uses permitted.

Uses permitted in the M-1 district are as follows:

- (1) Principal uses permitted subject to an approved site plan as set forth in section 50-36 of this chapter:
- a. Wholesale business, i.e., storage in bulk of, or warehouse for such material as building material, contractors equipment, clothing, cotton, drugs, dry goods, feed, food, furniture, hardware, ice, machinery, metals, paints and paint supplies, pipe, rubber, shop supplies, tobacco, wood, or similar products.
  - b. Painting, varnishing, or vulcanizing shop.
  - c. Cold storage plant.
  - d. Bottling works, including milk bottling or distribution station.
  - e. Manufacture of food products.
  - f. Public garage, motor vehicle repair shop, automobile paint and bump shop, or car washing establishment.
  - g. Tin shop or plumbing supply shop.
  - h. Light manufacturing and wholesale business, provided that, the conduct of such business is not objectionable as being unsightly, odorous, or noisy.
  - i. Coal or building materials storage yard.
  - j. Kennel.
  - k. Veterinary hospital or clinic.
  - l. Contractor's storage yard.
  - m. Research laboratory.
  - n. Radio and television towers.
- (2) Principal uses permitted subject to an approved special use permit as provided for in article II, division 3 of this chapter.
- a. Medical marihuana grower facilities, marihuana growers, medical marihuana processor facilities, marihuana processors, medical marihuana secure transporter facilities and marihuana secure transporter facilities.

(Code 1994, ch. 55, § 5.81; Ord. No. 1061, 2-7-2006; Ord. No. 1395, 12-5-2017; Ord. No. 1469, 10-29-2019)

## Sec. 50-652. - Required conditions.

The following requirements must be complied with in the M-1 district:

- (1) Minimum lot area: 20,000 square feet.
- (2) Minimum lot width: 200 feet.
- (3) Maximum building height shall be two stories or 36 feet; except buildings may be up to four stories or 64 feet in height, subject to an approved special use permit as provided by article II, division 3 of this chapter; and except radio and TV towers: no limit.
- (4) Building setback requirements. Setback from:
  - a. Front lot line: 30 feet.
  - b. Side lot line: 20 feet.
  - c. Rear lot line: 20 feet.

(Code 1994, ch. 55, § 5.82; Ord. No. 970, pt. VII, 4-3-2001)

## Secs. 50-653—50-670. - Reserved.

## DIVISION 8. - OFFICE INDUSTRIAL PARK DISTRICT, OIP

*Footnotes:*

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**Cross reference**— *Businesses, ch. 8.*

## Sec. 50-671. - Purpose.

The purpose of this district is to permit a specialized range of uses which will strengthen the local economy by expanding job opportunities and diversifying the city's tax base in a manner which is consistent with the overall character of the city and compatible with surrounding uses and facilities. The district is intended to accommodate larger office buildings and complexes, scientific and applied research facilities, and uses dedicated to the development and application of innovative technology, production techniques and products, as well as commercial recreational facilities. The nature, scale, and function of such uses will be limited and regulated to ensure that they pose no significant or unusual risk to the public health, safety, and welfare, generate a minimum of noise, heat, glare, odor, dust, vibration, heavy truck traffic or other nuisances; emit no harmful radiation or pollution of the air, water, or ground; and pose a minimum of traffic, fire, or other safety hazards. The location of such uses will be limited to areas which are highly visible and accessible from major transportation facilities. The design and development of land and facilities in this district will be regulated to create a low density, well planned, park-like environment with architecturally attractive buildings and structures, large, well landscaped yard areas and vistas, and screened parking, access, and storage facilities. To achieve these objectives, the district requires the integrated planning of large tracts of land while permitting phased development to minimize disruptions and instability for existing residents.

(Ord. No. 1033, § 5.85, 5-20-2003)

## Sec. 50-672. - Uses permitted.

The following uses of buildings and premises, individually or in combination, shall be permitted in this district.

- (1) Principal uses permitted subject to an approved site plan as set forth in section 50-36 of this chapter:

- a. Corporate headquarters, administrative offices, or business or professional offices.
  - b. Scientific or medical laboratories, engineering, testing or design facilities, or other theoretical or applied research facilities.
- (2) Principal uses permitted subject to an approved special use permit as provided for in article II, division 3 of this chapter.
- a. Facilities for the assembly, treatment, or packaging of finished or semi-finished parts or components from prefabricated parts or previously prepared materials. Manufacturing, processing, and assembling from basic raw materials shall be prohibited, except as provided below.
  - b. The manufacture, production, packaging and distribution of products created, designed or substantially improved in on-site research and development laboratories, or products made using innovative processes or techniques that are created, designed or substantially improved in on-site research and development laboratories, provided the scale and character of such manufacturing operations are consistent with the purpose of this district.
  - c. The retail sale of products or services produced or assembled on the property, together with related accessories or similar supporting goods or services, provided such use occupies no more than ten percent of the total floor area of all principal buildings on the lot.
  - d. Commercial recreation facilities designed and equipped for the conduct of amateur sports, exercise and other recreation activities in primarily enclosed buildings, which are operated as a business and open to the public for such activities through a membership or use fee, such as: tennis, racquet or handball courts; ice and roller skating rinks; basketball or volleyball courts; exercise or fitness centers; golf driving or firearm shooting ranges; gymnasiums; swimming pools; and similar facilities. This shall not include entertainment facilities such as theaters, video or pinball arcades or billiard or pool parlors.
  - e. Medical marihuana grower facilities, medical marihuana processor facilities, medical marihuana safety compliance facilities, and medical marihuana secure transporter facilities.
  - f. Kennels, including small animal veterinary hospitals.
- (3) Permitted accessory uses:
- a. Cafeterias, lunchrooms, meeting rooms, training facilities, day care facilities, recreation facilities, and similar uses provided primarily for the benefit of employees. Such facilities shall be provided in the principal building, or in a separate building within a development site to serve the employees of two or more buildings within the development site.
  - b. Accessory structures for the storage of motor vehicles, equipment, products, or materials.
  - c. Accessory structures for the collection and temporary storage of waste materials.
  - d. Accessory structures for security personnel.
  - e. In conjunction with commercial recreation facilities: the sale and rental of sporting goods, clothing and accessories; refreshment stands, snack bars and similar facilities; and public restrooms and lockers.
  - f. Parking and loading facilities as provided in accordance with the provisions in article XVI of this chapter.

(Code 1994, ch. 55, § 5.86; Ord. No. 1033, § 5.86, 5-20-2003; Ord. No. 1061, 2-7-2006; Ord. No. 1395, 12-5-2017; Ord. No. 1437a, 10-16-2018)

Sec. 50-673. - Required conditions.

The following requirements must be complied with in this district:

- (1) *[Performance standards.]* All uses and operations in this district shall be designed, operated, and restricted as

necessary to comply with the following performance standards. It shall be the responsibility of any applicant to provide sufficient evidence that a proposed use will meet these standards. Applicants may also be required to submit evidence on a recurring basis showing that the proposed use continues to operate in a manner that meets these standards. Uses in this district shall not:

- a. Allow the emission of noxious or odorous matter in such quantities as to be humanly perceptible at any point along lot lines, or the escape of or emission of any gas into the atmosphere in such quantities as to be toxic to plants or animals, corrosive, or explosive.
- b. Discharge smoke into the atmosphere from any single source of emission whatsoever, any air contaminator for a period or periods aggregating more than four minutes in any half-hour period which is as dark or darker in shade as that designated as No. 1 on the Ringelmann Chart, as published by the United States Bureau of Mines, and which is hereby made a part of this chapter. A Ringelmann Chart shall be on file in the office of the director of building and zoning. In addition, the discharge of steam of opacity equal to No. 1 on a Ringelmann Chart shall not be allowed.
- c. Discharge dust or other particulate matter into the air, except smoke as permitted in subparagraph (1)b. above, from any process, stored material or material being processed, so that said dust will cross the property line as either airborne material or wind-blown material on the ground surface.
- d. Produce intense glare or heat which may be humanly perceptible outside of the building.
- e. Produce vibrations which are humanly perceptible at the property line.
- f. Produce electromagnetic radiation disruptive of communications or injurious to public health as listed in applicable F.C.C. regulations.
- g. Discharge any liquid or solid waste onto or into the ground or into sewers or septic facilities that are detrimental to the public health or welfare. All waste products shall be properly disposed of off-site by licensed disposal services.
- h. Produce constant or regularly recurring sounds which exceed the following decibel levels at the lot line adjacent to the following types of zoning districts:

Decibels (dB(A))	Adjacent Uses
70	OIP district
65	Commercial/office districts
55	Other districts

- i. Emit radioactivity or biologically active pathogens injurious to plant or animal life.
- j. Generate traffic of tractor-trailers or other similar large trucks to import materials and export products which exceeds five percent of the total expected traffic generation of the use.
- k. Violate any applicable federal, state, or local regulations or licensing requirements. In reviewing each application to develop a use in this district, it shall be the responsibility of the city to inform the applicant of federal and state regulations and licensing requirements which may apply to each application, and to notify the appropriate agencies of each application. It shall be the responsibility of the applicant to seek, obtain, and maintain all required federal and state approvals and permits, and to operate in compliance with all relevant local, state, and

federal standards and regulations. It shall be the responsibility of the appropriate state or federal agency to determine compliance, issue required approvals or permits, and enforce state and federal regulations. It shall also be the city's responsibility to report any suspected violations to the appropriate federal and state agencies.

(2) *All activities of the use shall be conducted within completely enclosed buildings.* Storage may be permitted outside in areas completely enclosed by buildings or solid, uniformly finished screen walls. Such screen walls shall be architecturally compatible with other structures on the property. No stored materials shall be higher than the surrounding buildings or screen walls.

(3) *Minimum site area.*

- a. Each development site within this district must be at least eight acres in size with at least 300 feet of frontage on a public street. Each development site may be developed as a separate use or in accordance with an overall park development plan or subdivision plan encompassing two or more development sites. One or more principal buildings may be placed on a development site.
- b. Each development site in this district may be further subdivided into individual building lots which are at least two acres in size with at least 200 feet of frontage on a public street or private roadway.
  1. Such lots shall be subdivided in accordance with chapter 40, subdivision regulations of the City Code.
  2. The design standards in chapter 40 may be modified, or additional standards may be required as necessary to accommodate appropriate uses and ensure their compliance with the purpose and standards of this district.

(4) *Minimum setbacks.*

- a. Exterior development site boundaries.
  1. Buildings, screen walls, and opaque fences shall be set back an average distance equal to the projected building width from all existing and proposed major streets and other existing public streets, and a distance equal to 25 percent of the projected building width from other exterior development site boundaries. No building screen wall or fence shall be located closer than 75 feet from any public street or closer than 50 feet from any exterior development site boundary. Projected building width shall be a distance equal to the continuous length of all buildings, screen walls, and opaque fences projected perpendicular to the adjacent property line.
  2. Portions of buildings in excess of 20 feet in height shall be set back an additional distance equal to the height of the structure in excess of 20 feet.
  3. Parking spaces, loading spaces, and driveways shall be set back at least 75 feet from all existing and proposed major streets and other existing public streets, and at least 50 feet from all exterior development site boundaries, as appropriate, except for the segment of the driveway which must penetrate through the required setback area to provide access to a public street or private roadway.
- b. Individual subdivided lots.
  1. Buildings, screen walls, fences, parking spaces, loading spaces, and driveways located around the perimeter of a development site shall meet the setback requirements above from exterior development site boundaries.
  2. Buildings, screen walls, and opaque fences shall be set back a distance equal to the projected building width from all public streets. No building, screen wall, or fence shall be located closer than 50 feet from a public street right-of-way or closer than 25 feet from a private drive or any other property line.
  3. Portions of buildings in excess of 36 feet in height shall be set back an additional distance equal to the height of the structure in excess of 36 feet.
  4. Parking spaces, loading spaces, and driveways shall be set back at least 75 feet from an existing and

proposed major street right-of-way, at least 50 feet from any other public street right-of-way, and at least 25 feet from a private drive or any other property line except for the segment of a driveway which must penetrate through the required setback area to provide access to a public street or private roadway.

- c. Shared parking and access facilities, as permitted in paragraph (10) below, shall be exempt from the setback standards above.

(5) *Maximum height.*

- a. No building shall exceed four stories or 64 feet in height; except, on parcels eight acres or more in size, buildings may be up to six stories or 84 feet in height, subject to an approved special use permit as provided by article II, division 3 of this chapter.
- b. No screen wall shall exceed 20 feet in height.
- c. No fence shall be higher than four feet in a front yard or an exposed side yard on a corner lot, or eight feet in a side or rear yard.

(6) *Maximum floor area.* Total gross floor area for all buildings shall not exceed a figure equal to 40 percent of any individual development site or subdivided lot.

(7) *Maximum ground coverage.* Total ground coverage shall not exceed a figure equal to 50 percent of any individual development site or subdivided lot.

(8) *Parking requirements.* On-site parking and access facilities shall be provided in accordance with the standards specified in article VIII, off-street parking requirements of this chapter, except that the following minimum ratios shall apply for uses in this district.

- a. Office uses and retail activities. One parking space for each 300 square feet of net floor area in all principal buildings.
- b. Laboratories, design, and research facilities. One parking space for each 500 square feet of gross floor area in all principal buildings, or one space for each employee per work shift, whichever provides the greatest number of parking spaces.
- c. Assembly and manufacturing uses. One parking space for each 500 square feet of gross floor area in all principal buildings, or one space for each employee per work shift, whichever provides the greatest number of parking spaces.
- d. An appropriate number of oversized parking spaces for vehicles larger than typical passenger cars and trucks shall be provided in addition to the requirements above.

(9) *Loading space requirements.* An appropriate number of on-site loading spaces shall be provided for all uses in this district according to the following standards:

- a. Loading spaces shall be at least ten feet wide, 25 feet long and 15 feet high, exclusive of access drives.
- b. Loading spaces shall be constructed in accordance with the paving and design standards that apply to parking spaces under the provisions of article VIII of this chapter.
- c. Loading spaces shall be placed and designed to minimize their visibility from properties outside this district.

(10) *Access requirements.*

- a. Access within a development site may be provided via either a public street or private roadway, constructed of materials adequate to permit its year-round usage by heavy trucks.
- b. One access point to an external public street shall be permitted for each development site, unless additional access points are necessary because of the size of the parcel, the expected number of trips generated, or the operating characteristics of the public street or adjacent uses.
- c. Public streets or private roadways may be built along exterior lot lines to serve two or more adjacent properties if

each property is within, or planned to be within, this district and if adequate provision is made to ensure that such shared facilities will be perpetually available to each property.

- d. Public streets and associated rights-of-way shall meet the standards for local streets in chapter 40 of this Code.
  - e. Public streets may be required where the facility will provide access through the development site to other public streets.
  - f. Private roadways shall meet the standards for local streets in chapter 40 of this Code, except that no public right-of-way is required.
  - g. Sidewalks shall be provided along all adjacent public streets and to each lot and principal building within a development site. Such sidewalks shall be constructed according to local standards and shall not be placed closer than seven and one-half feet from the back of a curb along a public street or private road.
  - h. One driveway access shall be permitted for each subdivided lot within a development site, unless additional driveways are necessary because of operating characteristics of the proposed use or adjacent facilities. Subdivided lots shall be arranged to provide access only from streets or roadways internal to the development site where practicable.
  - i. Shared driveways, parking, and access facilities serving two or more adjacent lots are encouraged and permitted where adequate provision is made to ensure such shared facilities will be perpetually available to each lot.
- (11) *Building and site improvements.* It is intended that property within this district be developed in an attractive manner, to create a park-like atmosphere which is visually compatible with adjacent uses. To this end, buildings, other site improvements, and yard areas shall be developed in compliance with the following requirements:
- a. All building walls and screen walls which face the exterior of the development site, public streets, or private roadways, shall be architecturally finished with attractive, durable materials such as textured concrete, masonry, stone, brick, finishing wood, stucco, or glass to project an appearance comparable to a quality office building.
  - b. The placement, shape, and architecture of buildings and screen walls shall be designed to minimize the apparent bulk of the development.
  - c. The design and siting of buildings and other improvements shall complement the natural terrain and significant vegetation.
  - d. The design of buildings, screen walls, and fences on each development site or subdivided lot shall be complementary and compatible to create a unified development image.
  - e. The development of each development site or subdivided lot within a development site shall be designed to create a compatible, unified image.
  - f. All yard areas shall be improved with a variety of trees, shrubbery, and ground cover to create attractive natural buffers between adjacent uses and properties.
  - g. The placement of sculpture, fountains, and similar improvements in the yard area is encouraged, and is exempted from the setback requirements in subsection (4) above.
  - h. All parking and loading facilities shall be screened in accordance with the provisions in article IX of this chapter.
  - i. On-site stormwater retention facilities shall be improved to create an attractive appearance.

(Code 1994, ch. 55, § 5.87; Ord. No. 970, pt. VIII, 4-3-2001; Ord. No. 1033, § 5.87, 5-20-2003; Ord. No. 1313, 3-4-2014)

#### Sec. 50-674. - Issuance of permits.

No permit shall be issued to establish, construct, reconstruct, expand, or structurally alter any use or building permitted in this district until all of the following provisions are met:

- (1) The necessary site plan and/or special use permit shall first be approved.

- (2) Evidence shall be submitted that all state and federal agencies which may regulate the proposed use have been notified of the nature, extent, and location of the proposed use and have issued appropriate approvals.
- (3) Where two or more development sites are to be developed together in accordance with an overall plan, or where one development site is to be subdivided into individual lots, evidence shall be submitted, signed by the owners of all property involved or their legal representatives, showing that the remaining portions of the property shall be developed in accordance with the purpose and specific provisions of this district. Such evidence shall include, at a minimum, the following information:
- a. An overall development plan showing the size and layout of individual development sites and subdivided lots, existing and proposed public streets and private roadways, existing and proposed utility systems, and other site features such as landscape buffers and stormwater retention areas.
  - b. Covenants, deed restrictions, or other legally binding agreement showing that individual development sites and subdivided lots will be improved and developed in accordance with the building and site improvement requirements of this district.
  - c. An anticipated strategy and schedule for the development of the development site and the construction of required improvements.
- (4) In addition, for subdivided lots, the required final plat shall first be approved and recorded.

(Code 1994, ch. 55, § 5.88; Ord. No. 1033, § 5.88, 5-20-2003; Ord. No. 1061, 2-7-2006)

Secs. 50-675—50-710. - Reserved.

## ARTICLE VII. - OTHER DISTRICTS

### DIVISION 1. - GENERALLY

Secs. 50-711—50-730. - Reserved.

### DIVISION 2. - COMMUNITY FACILITIES DISTRICT, C

Sec. 50-731. - Purpose.

The purpose of the C district is to establish areas and provide for uses that permit public, semipublic and private activities to be conducted in a manner consistent with the needs of the residents of East Lansing.

(Code 1994, ch. 55, § 5.51; Ord. No. 1349, 9-1-2015)

Sec. 50-732. - Permitted uses.

In the C district no buildings or premises shall be used, and no building shall be hereafter erected or altered unless otherwise specifically provided for in this chapter, except for the following uses.

- (1) Principal uses permitted subject to an approved site plan as set forth in section 50-36 of this chapter.
  - a. Public schools.
  - b. Private or parochial schools.
  - c. Publicly owned parks and recreation areas.



- d. Municipal or private cemeteries.
- e. City owned buildings that are publicly occupied or that are partially or fully privately leased for business or residential uses that meet specific needs of the community and residents of East Lansing.
- f. Buildings owned and occupied by a municipal utility or solar energy structure owned municipally or privately.
- g. Public hospitals.

(Code 1994, ch. 55, § 5.52; Ord. No. 1061, 2-7-2006; Ord. No. 1349, 9-1-2015)

Sec. 50-733. - Lot and building requirements.

The principal building, accessory buildings, and other uses shall be located so as to comply with the following requirements:

- (1) Minimum front yard depth shall be 20 feet.
- (2) Minimum rear yard depth shall be 20 feet.
- (3) Minimum side yard width shall be five feet, except that the sum of the width of both side yards shall not be less than 15 feet. Minimum side yard width on a corner lot shall be 20 feet measured from the side street lot line.
- (4) Minimum front, side and rear yard requirements of any building in excess of two and one-half stories or 35 feet in height shall be increased by a distance equal to 20 percent of such excess height.
- (5) The minimum front yard, rear yard and exposed side yard requirements above may be reduced by up to 50 percent where the property abuts or lies directly opposite a public street or alley from other property zoned within either the B-2 or B-3 business districts. Also, in such cases buildings may be built at the lot line along an interior side lot line; otherwise, a minimum side yard setback of five feet shall be maintained.
- (6) Maximum building height shall be three stories.
- (7) Two or more buildings may be constructed upon a lot.
- (8) All parking and access facilities shall be designed and constructed according to article VIII of this chapter and all other relevant city codes, policies and specifications unless waived by city council for good cause shown.

(Code 1994, ch. 55, § 5.53; Ord. No. 1349, 9-1-2015)

Secs. 50-734—50-750. - Reserved.

DIVISION 3. - PARKING DISTRICT, P

Sec. 50-751. - Permitted uses.

Permitted uses in the P district are as follows:

- (1) Parking and storage of motor vehicles.

(Code 1994, ch. 55, § 5.91)

Sec. 50-752. - Paving.

No premises in this district shall be used for the parking or storage of motor vehicles until all parking and driveway area has been paved with concrete or bituminous material, in accordance with plans approved by the building official. Such concrete pavement shall be of a minimum thickness of six inches, and any bituminous paving shall be of a minimum thickness of two inches and shall be placed upon a base of cinders or gravel of a minimum thickness of four inches.

(Code 1994, ch. 55, § 5.92)

Sec. 50-753. - Lights.

Premises open to the public between the hours of 6:00 p.m. and 7:00 a.m. shall be provided with artificial lighting. Such lighting shall be provided at an average maintained level of one footcandle and shall be so arranged as to reflect the light down and away from adjoining streets or property. The lighting installation shall be approved by the building official.

(Code 1994, ch. 55, § 5.93)

Sec. 50-754. - Height limitation.

The maximum building height for buildings used for the parking or storage of automobiles shall be six stories and shall not exceed 70 feet, except that no such building in this district which abuts the R-1, R-2, or R-3 residential districts shall exceed 25 feet in height.

(Code 1994, ch. 55, § 5.94)

Sec. 50-755. - Landscaping.

Any premises in this district used for the parking or storage of motor vehicles shall be landscaped in accordance with the requirements of article IX of this chapter.

(Code 1994, ch. 55, § 5.95; Ord. No. 1313, 3-4-2014)

Secs. 50-756—50-770. - Reserved.

DIVISION 4. - UNIVERSITY DISTRICT

Sec. 50-771. - Permitted uses.

That part of the premises of the Michigan State University which lies within the City of East Lansing and which constitutes its campus or adjoins said campus and is used in direct connection with the operation and maintenance of the university, as such, is hereby classified in this district, and such premises and the buildings thereon may be used for any purpose necessary or convenient for the operation and maintenance of the university. At such time as any of said premises are conveyed to any other person, firm, corporation, or association, or such premises cease to be used in direct connection with the operation or maintenance of the university, such premises shall until zoned otherwise by the city council, only be used for the purposes specified and subject to the restrictions imposed by article IV, division 3 of this chapter upon premises situated in the R-1 residential district.

(Code 1994, ch. 55, § 5.96)

DIVISION 5. - RESIDENTIAL RENTAL RESTRICTION OVERLAY DISTRICTS

Sec. 50-772. - Residential rental restriction overlay districts R-O-1, R-O-2 and R-O-3.

Residential rental restriction overlay districts R-O-1, R-O-2 and R-O-3 are hereby established.

(Ord. No. 1035C, 4-7-2004)

## Sec. 50-773. - Purpose and objectives.

The residential rental restriction overlay districts R-O-1, R-O-2 and R-O-3 are zoning classifications which permit owners of property within R-1, R-2 and RM-8 residential zoning districts to petition city council to establish an overlay district, and district use regulations in their residential neighborhood, which would prohibit or restrict the rental uses of one-family dwellings within the neighborhood. These districts establish three levels of restrictions which operate to preserve the attractiveness, desirability, and privacy of residential neighborhoods by precluding all or certain types of rental properties and thereby preclude the deleterious effects rental properties can have on a neighborhood with regard to property deterioration, increased density, congestion, noise and traffic levels and reduction of property values. The goal of the overlay district is to allow owners of property within residential neighborhoods to control the types of rental properties, if any, that are permitted in one-family dwellings within their neighborhood. It is also the purpose of the districts to achieve the following objectives:

- (1) To protect the privacy of residents and to minimize noise, congestion, and nuisance impacts by regulating the types of rental properties;
- (2) To maintain an attractive community appearance and to provide a desirable living environment for residents by preserving the owner occupied character of the neighborhood;
- (3) To prevent excessive traffic and parking problems in the neighborhoods.

(Ord. No. 1035C, 4-7-2004)

## Sec. 50-774. - Uses permitted.

Uses permitted in the R-O-1, R-O-2, and R-O-3 residential rental restriction overlay district are as follows:

- (1) In the R-O-1 residential rental restriction overlay district, permitted uses are all uses in the underlying zoning district except the use or occupancy of a one-family dwelling unit so as to require a rental housing license pursuant to section 6-175 (Article 10) of the Code of the City of East Lansing.
- (2) In the R-O-2 residential rental restriction overlay district, permitted uses are all uses in the underlying zoning district except the use or occupancy of a one-family dwelling unit so as to require a rental housing license pursuant to section 6-175 (Article 10) of the Code of the City of East Lansing unless the use or occupancy is in accordance with a Class I rental license and the owner of the property owned it on the date the overlay district ordinance was approved by city council.
- (3) In the R-O-3 residential rental restriction overlay district, permitted uses are all uses in the underlying zoning district except the use or occupancy of a one-family dwelling unit so as to require a rental housing license pursuant to section 6-175 (Article 10) of the Code of the City of East Lansing unless the use or occupancy is in accordance with a Class I rental license.

(Ord. No. 1035C, 4-7-2004)

## Sec. 50-775. - Procedures.

The following procedures must be complied with in order to establish a residential overlay district:

- (1) A petition requesting an overlay district must be submitted to the city clerk on forms provided by the city clerk. The petition requirements are as follows:
  - a. At least two days prior to circulating a petition, the circulator(s) of the petition must distribute a rental restriction overlay district information sheet, approved and created by the city, to each property owner of record within the area to be petitioned, a copy of which shall be available in the city clerk's office for review.
  - b. The petition must identify the specific overlay district that is sought by specifying either an R-O-1, R-O-2 or R-O-3

- overlay district.
- c. Each petition must be circulated by a person who owns property within the proposed district and be signed by the circulator.
  - d. The petition must contain the signature and address of two-thirds of the parcel owners within the proposed boundary of the overlay district, exclusive of public property. Jointly owned parcels will be considered owned by a single person for purpose of petitioning and any co-owner may sign a petition for such parcel. Only one owner of each parcel will count towards the two-thirds requirement. If a person owns more than one parcel of property within the proposed district, they may sign the petition for each parcel they own.
  - e. Each person signing the petition must also enter, on the petition, adjacent to their signature, the date that the person signed the petition.
  - f. The petition must accurately advise the signer of what restrictions would be imposed on the property if the overlay district is established. The circulator(s) of the petitions shall verify on the petition that the required information sheet was distributed to each property of record at least two days prior to circulation of the petition and those signing the petition must acknowledge that they received the required information sheet at least two days prior to signing the petition by marking the appropriate box next to their signature.
  - g. The proposed boundaries of the overlay district must be described in the petition and the boundaries must, if practicable, consist of streets, alleys, platted subdivision boundaries or existing zoning district lines which totally enclose the proposed district.
  - h. There must be at least 50 separate lots or parcels within the proposed district as described in the petition or the proposed district must constitute a discrete neighborhood geographic area.
  - i. The proposed boundaries of the overlay district must be entirely within R-1, R-2, or RM-8 zoning districts and the parcels within the proposed district must be contiguous.
  - j. The proposed boundaries may not overlap a boundary of existing overlay districts or the boundary of an overlay district that is already the subject of an introduced ordinance pursuant to this section.
  - k. When submitted, no signature dated earlier than six months prior to the time the petition is filed with the city clerk shall be counted in determining the validity of the petition.
- (2) Upon presentation to the city clerk for review, the clerk shall verify the signatures on the petitions. If insufficient signatures are presented, the clerk shall return the petitions to the person filing the petitions and identify the valid and invalid signatures. If sufficient valid signatures are presented, the clerk shall refer the petitions to the zoning department which shall then, within 30 days, determine whether the petitions are in conformity with the remaining conditions of this section.
- a. If the petition is determined to be in conformity with the requirements of this section, the zoning administrator shall draft an appropriate ordinance and forward it to city council for introduction in accordance with the petition procedures set forth in section 50-31. All procedures set forth in section 50-31 for zoning changes by petition shall thereafter be followed.
  - b. If the petition is not in conformity with the requirements of this section, the zoning administrator shall reject the petition and return it to the clerk with a written explanation as to why the petition does not meet the requirements of this section. The clerk shall then forward the petitions, and the explanation, to the person who filed the petitions.
  - c. If the petition is rejected for failure to comply with the boundary requirements, it may be resubmitted with the proper boundary lines if it is accompanied by certification that a copy of the petition and written notice was mailed to each property affected by the change, notifying them that their property was either added to or

deleted from the petition and if by the correction of the boundary line the petition still meets all other requirements of the code.

- d. If the petition is rejected for an insufficient number of valid signatures, it may be resubmitted with the additional signatures necessary to have it comply as long as the other signatures remain valid.
  - e. If an ordinance is forwarded to city council pursuant to this section, after consideration of the petition and the recommendations of the zoning administrator, if any, the city council may make additions or changes in the boundaries of the proposed overlay district to prevent spot zoning, to include or exclude areas that logically should have been included or excluded in the petition, to make the boundaries of the proposed overlay district abut boundary lines of other zoning districts and overlay districts, and to adopt an alternate ordinance in conformity with the suggested changes whether or not the two-thirds majority requirement of property owners would still be met with the proposed changes.
  - f. If the city council, in adopting an ordinance for an overlay district, applies the ordinance to fewer parcels of property than the petition sought, the owners of at least two-thirds of the parcels remaining in the overlay district must have signed the original petition.
- (3) Subsequent to the introduction of an ordinance proposing to establish an overlay district, the circulator(s) of the petition for the overlay district or a majority of those persons who signed the petition for an overlay district may file a written request with the city council to table consideration or further proceedings toward the adoption of the ordinance for 60 days in order to allow the submission of an alternate petition for a different type of restriction for the same proposed overlay district. If such a petition is submitted during the 60-day period, city council may introduce an alternate ordinance in conformity with the subsequent petition and the ordinances shall, to the extent possible, be processed simultaneously. The planning commission shall include in its recommendations which ordinance it concludes, after public hearing, has the majority of the support of the property owners in the proposed district.
- (4) No earlier than one year after the adoption of an ordinance establishing an overlay district, a petition for a change of the type of overlay district may be submitted by following the procedures for establishing an initial overlay district.

(Ord. No. 1035C, 4-7-2004; Ord. No. 1091, 11-16-2004; Ord. No. 1251, 2-15-2011)

Sec. 50-776. - Effect of overlay district ordinance.

- (a) Upon introduction of an ordinance to create an overlay district and at all times while the ordinance is pending final decision, there shall be a moratorium on the issuance of initial rental unit licenses to the extent that no initial rental housing license shall be issued within the proposed overlay district to the owner of a one family dwelling unit that would be precluded if the overlay district was adopted, regardless of whether the license was applied for prior to or subsequent to the ordinance's introduction. If more than one ordinance is pending seeking alternate types of overlay districts pursuant to subsection 50-775(3), no initial license shall be issued within the proposed district that would be precluded if the most restrictive ordinance was adopted, regardless of whether the license was applied for prior to or subsequent to the ordinance's introduction.
- (b) Upon passage of an ordinance by city council establishing an overlay district, no initial rental unit license shall be issued to an owner of property in the overlay district inconsistent with the restrictions of the overlay district and it shall be unlawful to use or allow any property to be used except in conformity with the requirements of the underlying zoning district and overlay district. Any property in the overlay district that has an existing rental housing license, or has had a rental housing license within one year of adoption of the overlay district, shall be allowed to continue its use and occupancy in accordance with the law existing prior to the date of the adoption of the overlay district. No existing rental housing use or occupancy in an overlay district shall be considered to be a nonconforming use as the result of adoption

of an overlay district unless the rental license expires for more than one year. If an owner surrenders an existing license or allows, either intentionally or unintentionally, a license to remain expired for more than one year, any subsequent use of the property shall be subject to the restrictions imposed by the overlay district.

- (c) Except as set forth in subsection 50-775(3), if an ordinance introduced pursuant to this section is denied, a subsequent ordinance for an overlay district that includes the same parcels may not be introduced for one year following introduction of the previous ordinance.
- (d) Any ordinance which is not adopted within six months of its introduction shall be deemed denied unless the ordinance was tabled or otherwise delayed for 60 days pursuant to subsection 50-775(3), in which case it shall be deemed denied if not adopted within eight months of its introduction.

(Ord. No. 1035C, 4-7-2004; Ord. No. 1091, 11-16-2004)

Sec. 50-777. - Amendments to zoning use district map.

[This section is derived from ordinances that amended the zoning use district map by rezoning specific properties into a residential rental restriction overlay district.]

- (1) *Ordinance No. 1082.* The zoning use district map is amended to rezone the Brookfield Subdivision, Lots 2 through 98, inclusive, into the R-O-3 Residential Rental Restriction Overlay District. The Brookfield Subdivision lies north of East Grand River and east of Hagadorn Road. The zoning includes the following properties:

Street Address	Tax Parcel Number
1521 E. Grand River Avenue	33-20-02-17-301-011
1617 E. Grand River Avenue	33-20-02-17-302-016
1627 E. Grand River Avenue	33-20-02-17-302-017
1637 E. Grand River Avenue	33-20-02-17-302-032
1647 E. Grand River Avenue	33-20-02-17-302-033
1717 E. Grand River Avenue	33-20-02-17-303-019
1729 E. Grand River Avenue	33-20-02-17-303-020
Vacant E. Grand River Avenue	33-20-02-17-303-021
114 N. Hagadorn Road	33-20-02-17-301-009
120 N. Hagadorn Road	33-20-02-17-301-008
126 N. Hagadorn Road	33-20-02-17-301-007

196 N. Hagadorn Road	33-20-02-17-301-005
Vacant N. Hagadorn Road	33-20-02-17-301-006
202 N. Hagadorn Road	33-20-02-17-301-004
216 N. Hagadorn Road	33-20-02-17-301-003
224 N. Hagadorn Road	33-20-02-17-301-027
234 N. Hagadorn Road	33-20-02-17-301-026
240 N. Hagadorn Road	33-20-02-17-301-001
264 N. Hagadorn Road	33-20-02-17-300-003
100 Maplewood Drive	33-20-02-17-303-018
103 Maplewood Drive	33-20-02-17-302-034
120 Maplewood Drive	33-20-02-17-303-017
131 Maplewood Drive	33-20-02-17-302-031
136 Maplewood Drive	33-20-02-17-303-016
144 Maplewood Drive	33-20-02-17-303-015
147 Maplewood Drive	33-20-02-17-302-030
152 Maplewood Drive	33-20-02-17-303-014
155 Maplewood Drive	33-20-02-17-302-029
164 Maplewood Drive	33-20-02-17-303-013
167 Maplewood Drive	33-20-02-17-302-028
174 Maplewood Drive	33-20-02-17-303-012
175 Maplewood Drive	33-20-02-17-302-027
184 Maplewood Drive	33-20-02-17-303-011

185 Maplewood Drive	33-20-02-17-302-026
192 Maplewood Drive	33-20-02-17-303-010
204 Maplewood Drive	33-20-02-17-303-009
205 Maplewood Drive	33-20-02-17-302-025
216 Maplewood Drive	33-20-02-17-303-008
228 Maplewood Drive	33-20-02-17-303-007
235 Maplewood Drive	33-20-02-17-302-024
236 Maplewood Drive	33-20-02-17-303-006
237 Maplewood Drive	33-20-02-17-302-023
241 Maplewood Drive	33-20-02-17-302-022
244 Maplewood Drive	33-20-02-17-303-005
245 Maplewood Drive	33-20-02-17-302-021
252 Maplewood Drive	33-20-02-17-303-004
253 Maplewood Drive	33-20-02-17-302-020
261 Maplewood Drive	33-20-02-17-302-019
Vacant Maplewood Drive	33-20-02-17-303-024
277 Maplewood Drive	33-20-02-17-302-018
282 Maplewood Drive	33-20-02-17-303-024
103 Oakland Drive	33-20-02-17-301-012
108 Oakland Drive	33-20-02-17-302-015
120 Oakland Drive	33-20-02-17-302-014
131 Oakland Drive	33-20-02-17-301-025
136 Oakland Drive	33-20-02-17-302-013



144 Oakland Drive	33-20-02-17-302-012
147 Oakland Drive	33-20-02-17-301-024
155 Oakland Drive	33-20-02-17-301-023
158 Oakland Drive	33-20-02-17-302-011
164 Oakland Drive	33-20-02-17-302-010
165 Oakland Drive	33-20-02-17-301-022
204 Oakland Drive	33-20-02-17-302-009
205 Oakland Drive	33-20-02-17-301-021
216 Oakland Drive	33-20-02-17-302-008
217 Oakland Drive	33-20-02-17-301-020
219 Oakland Drive	33-20-02-17-301-019
224 Oakland Drive	33-20-02-17-302-007
236 Oakland Drive	33-20-02-17-302-006
237 Oakland Drive	33-20-02-17-301-023
244 Oakland Drive	33-20-02-17-302-005
245 Oakland Drive	33-20-02-17-301-017
252 Oakland Drive	33-20-02-17-302-004
253 Oakland Drive	33-20-02-17-301-016
261 Oakland Drive	33-20-02-17-301-015
262 Oakland Drive	33-20-02-17-302-003
274 Oakland Drive	33-20-02-17-302-002
277 Oakland Drive	33-20-02-17-301-029
284 Oakland Drive	33-20-02-17-302-001

1511 Roseland Avenue	33-20-02-17-300-001
1523 Roseland Avenue	33-20-02-17-300-002
1524 Roseland Avenue	33-20-02-17-301-028
1535 Roseland Avenue	33-20-02-17-300-004
1547 Roseland Avenue	33-20-02-17-300-005
1561 Roseland Avenue	33-20-02-17-300-006
1603 Roseland Avenue	33-20-02-17-300-007
1615 Roseland Avenue	33-20-02-17-300-008
1625 Roseland Avenue	33-20-02-17-300-009
1635 Roseland Avenue	33-20-02-17-300-010
1645 Roseland Avenue	33-20-02-17-300-011
1653 Roseland Avenue	33-20-02-17-300-012
1707 Roseland Avenue	33-20-02-17-300-013
1715 Roseland Avenue	33-20-02-17-300-014
1724 Roseland Avenue	33-20-02-17-303-002
1727 Roseland Avenue	33-20-02-17-300-015
1736 Roseland Avenue	33-20-02-17-303-003
1739 Roseland Avenue	33-20-02-17-300-016

(2) *Ordinance No. 1248.* The zoning use district map is amended to rezone the southeastern portion of the Glencairn Neighborhood to expand the current R-O-1 Residential Rental Restriction Overlay District to include properties between Sunset Lane and Forest Street along the eastern border and properties between Marshall Street and the alley south of Marshall Street along the southern border. The area to be zoned R-O-1 Residential Rental Restriction Overlay District is bounded by the public alley east of Rosewood Avenue, W. Grand River Avenue, Harrison Avenue,

Glenhaven Avenue, Southlawn Avenue, Forest Street, the southern property lines of 601 Forest Street and 604 Sunset Lane, Sunset Lane, the alley south of Marshall Street, Hillcrest Avenue, and the southern property line of 525 Hillcrest Ave. The zoning includes the following properties:

Street Address	Tax Parcel Number
414 Ardson Road	33-20-01-13-207-011
417 Ardson Road	33-20-01-13-204-013
420 Ardson Road	33-20-01-13-207-001
425 Ardson Road	33-20-01-13-204-012
426 Ardson Road	33-20-01-13-207-002
501 Ardson Road	33-20-01-13-204-011
505 Ardson Road	33-20-01-13-212-004
513 Ardson Road	33-20-01-13-204-009
518 Ardson Road	33-20-01-13-206-001
521 Ardson Road	33-20-01-13-204-008
527 Ardson Road	33-20-01-13-204-007
532 Ardson Road	33-20-01-13-206-002
533 Ardson Road	33-20-01-13-204-006
535 Ardson Road	33-20-01-13-204-005
603 Ardson Road	33-20-01-13-204-004
610 Ardson Road	33-20-01-13-205-009
611 Ardson Road	33-20-01-13-204-003
620 Ardson Road	33-20-01-13-205-001
627 Ardson Road	33-20-01-13-204-002

620 Baldwin Court	33-20-01-13-213-024
Baldwin Court Vacant	33-20-01-13-213-005
621 Baldwin Court	33-20-01-13-212-013
627 Baldwin Court	33-20-01-13-212-006
632 Baldwin Court	33-20-01-13-213-004
633 Baldwin Court	33-20-01-13-212-005
638 Baldwin Court	33-20-01-13-213-003
639 Baldwin Court	33-20-01-13-212-004
404 Clifton Boulevard	33-20-01-13-208-011
415 Clifton Boulevard	33-20-01-13-207-008
416 Clifton Boulevard	33-20-01-13-208-012
423 Clifton Boulevard	33-20-01-13-207-007
424 Clifton Boulevard	33-20-01-13-208-013
431 Clifton Boulevard	33-20-01-13-207-006
434 Clifton Boulevard	33-20-01-13-208-014
443 Clifton Boulevard	33-20-01-13-207-005
446 Clifton Boulevard	33-20-01-13-208-001
513 Dorothy Lane	33-20-01-13-222-013
516 Dorothy Lane	33-20-01-13-221-005
523 Dorothy Lane	33-20-01-13-222-010
525 Dorothy Lane	33-20-01-13-222-003
531 Dorothy Lane	33-20-01-13-222-002
535 Dorothy Lane	33-20-01-13-222-001

601 Forest Street	33-20-01-13-220-003
615 Forest Street	33-20-01-13-220-002
Forest Street Vacant	33-20-01-13-220-001
631 Forest Street	33-20-01-13-214-004
711 Forest Street	33-20-01-12-432-003
723 Forest Street	33-20-01-12-432-002
540 Glenhaven Avenue	33-20-01-13-204-017
602 Glenhaven Avenue	33-20-01-13-204-018
610 Glenhaven Avenue	33-20-01-13-204-019
620 Glenhaven Avenue	33-20-01-13-204-020
716 Glenhaven Avenue	33-20-01-13-201-001
722 Glenhaven Avenue	33-20-01-12-430-002
736 Glenhaven Avenue	33-20-01-12-430-001
420 Grand River Avenue	33-20-01-13-209-014
532 Grand River Avenue	33-20-01-13-208-010
700 Grand River Avenue	33-20-01-13-207-009
708 Grand River Avenue	33-20-01-13-207-010
430 N. Harrison Avenue	33-20-01-13-204-015
502 N. Harrison Avenue	33-20-01-13-204-015
520 N. Harrison Avenue	33-20-01-13-204-016
512 Hillcrest Avenue	33-20-01-13-222-012
518 Hillcrest Avenue	33-20-01-13-222-011
525 Hillcrest Avenue	33-20-01-13-210-006

526 Hillcrest Avenue	33-20-01-13-222-007
529 Hillcrest Avenue	33-20-01-13-210-005
532 Hillcrest Avenue	33-20-01-13-222-008
535 Hillcrest Avenue	33-20-01-13-210-004
617 Hillcrest Avenue	33-20-01-13-211-004
622 Hillcrest Avenue	33-20-01-13-212-012
630 Hillcrest Avenue	33-20-01-13-212-009
635 Hillcrest Avenue	33-20-01-13-211-003
636 Hillcrest Avenue	33-20-01-13-212-010
644 Hillcrest Avenue	33-20-01-13-212-011
651 Hillcrest Avenue	33-20-01-13-211-001
652 Hillcrest Avenue	33-20-01-13-212-001
317 Marshall Street	33-20-01-13-221-007
318 Marshall Street	33-20-01-13-213-016
323 Marshall Street	33-20-01-13-221-004
326 Marshall Street	33-20-01-13-213-017
334 Marshall Street	33-20-01-13-213-018
335 Marshall Street	33-20-01-13-221-006
338 Marshall Street	33-20-01-13-213-019
346 Marshall Street	33-20-01-13-213-020
352 Marshall Street	33-20-01-13-213-021
357 Marshall Street	33-20-01-13-222-009
360 Marshall Street	33-20-01-13-213-022

366 Marshall Street	33-20-01-13-213-023
407 Marshall Street	33-20-01-13-210-003
410 Marshall Street	33-20-01-13-211-007
411 Marshall Street	33-20-01-13-210-002
412 Marshall Street	33-20-01-13-211-006
419 Marshall Street	33-20-01-13-210-001
420 Marshall Street	33-20-01-13-211-005
423 Marshall Street	33-20-01-13-209-001
500 Marshall Street	33-20-01-13-206-009
506 Marshall Street	33-20-01-13-206-010
511 Marshall Street	33-20-01-13-208-002
526 Marshall Street	33-20-01-13-206-011
530 Marshall Street	33-20-01-13-206-012
606 Marshall Street	33-20-01-13-206-013
616 Marshall Street	33-20-01-13-206-014
621 Marshall Street	33-20-01-13-207-004
628 Marshall Street	33-20-01-13-206-015
629 Marshall Street	33-20-01-13-207-003
409 Rosewood Avenue	33-20-01-13-208-006
412 Rosewood Avenue	33-20-01-13-209-013
418 Rosewood Avenue	33-20-01-13-209-012
419 Rosewood Avenue	33-20-01-13-208-008
424 Rosewood Avenue	33-20-01-13-209-011

429 Rosewood Avenue	33-20-01-13-208-007
430 Rosewood Avenue	33-20-01-13-209-010
437 Rosewood Avenue	33-20-01-13-208-006
438 Rosewood Avenue	33-20-01-13-209-009
442 Rosewood Avenue	33-20-01-13-209-008
445 Rosewood Avenue	33-20-01-13-208-005
453 Rosewood Avenue	33-20-01-13-208-004
454 Rosewood Avenue	33-20-01-13-209-007
458 Rosewood Avenue	33-20-01-13-209-006
463 Rosewood Avenue	33-20-01-13-208-003
464 Rosewood Avenue	33-20-01-13-209-005
500 Rosewood Avenue	33-20-01-13-209-004
508 Rosewood Avenue	33-20-01-13-209-003
524 Rosewood Avenue	33-20-01-13-209-002
600 Rosewood Avenue	33-20-01-13-202-007
615 Rosewood Avenue	33-20-01-13-205-006
620 Rosewood Avenue	33-20-01-13-202-004
621 Rosewood Avenue	33-20-01-13-205-005
626 Rosewood Avenue	33-20-01-13-202-003
640 Rosewood Avenue	33-20-01-13-202-002
648 Rosewood Avenue	33-20-01-13-202-001
724 Rosewood Avenue	33-20-01-12-431-020
736 Rosewood Avenue	33-20-01-12-431-001



319 Southlawn Avenue	33-20-01-12-431-008
331 Southlawn Avenue	33-20-01-12-431-007
341 Southlawn Avenue	33-20-01-12-431-006
351 Southlawn Avenue	33-20-01-12-431-005
361 Southlawn Avenue	33-20-01-12-431-004
401 Southlawn Avenue	33-20-01-12-431-003
403 Southlawn Avenue	33-20-01-12-431-002
515 Southlawn Avenue	33-20-01-12-430-010
523 Southlawn Avenue	33-20-01-12-430-006
529 Southlawn Avenue	33-20-01-12-430-005
553 Southlawn Avenue	33-20-01-12-430-004
615 Southlawn Avenue	33-20-01-12-430-003
523 Sunset Lane	33-20-01-13-221-003
529 Sunset Lane	33-20-01-13-221-002
539 Sunset Lane	33-20-01-13-221-001
603 Sunset Lane	33-20-01-13-213-015
604 Sunset Lane	33-20-01-13-220-016
609 Sunset Lane	33-20-01-13-213-014
614 Sunset Lane	33-20-01-13-220-017
615 Sunset Lane	33-20-01-13-213-013
621 Sunset Lane	33-20-01-13-213-012
627 Sunset Lane	33-20-01-13-213-011
630 Sunset Lane	33-20-01-13-214-006

635 Sunset Lane	33-20-01-13-213-010
638 Sunset Lane	33-20-01-13-214-005
644 Sunset Lane	33-20-01-13-214-003
647 Sunset Lane	33-20-01-13-213-009
648 Sunset Lane	33-20-01-13-214-002
655 Sunset Lane	33-20-01-13-213-008
656 Sunset Lane	33-20-01-13-214-001
704 Sunset Lane	33-20-01-12-432-004
710 Sunset Lane	33-20-01-12-432-005
711 Sunset Lane	33-20-01-12-431-011
722 Sunset Lane	33-20-01-12-432-006
729 Sunset Lane	33-20-01-12-431-021
300 Wildwood Drive	33-20-01-12-431-012
324 Wildwood Drive	33-20-01-12-431-013
325 Wildwood Drive	33-20-01-13-213-007
334 Wildwood Drive	33-20-01-12-431-014
335 Wildwood Drive	33-20-01-13-213-001
340 Wildwood Drive	33-20-01-12-431-015
343 Wildwood Drive	33-20-01-13-212-003
350 Wildwood Drive	33-20-01-12-431-016
353 Wildwood Drive	33-20-01-13-212-002
362 Wildwood Drive	33-20-01-12-431-017
400 Wildwood Drive	33-20-01-12-431-018

412 Wildwood Drive	33-20-01-12-431-019
417 Wildwood Drive	33-20-01-13-211-002
500 Wildwood Drive	33-20-01-12-430-009
511 Wildwood Drive	33-20-01-13-205-004
512 Wildwood Drive	33-20-01-13-201-007
517 Wildwood Drive	33-20-01-13-205-003
520 Wildwood Drive	33-20-01-13-201-006
521 Wildwood Drive	33-20-01-13-205-002
530 Wildwood Drive	33-20-01-13-201-005
540 Wildwood Drive	33-20-01-13-201-004
602 Wildwood Drive	33-20-01-13-201-003
616 Wildwood Drive	33-20-01-13-201-002
625 Wildwood Drive	33-20-01-13-204-001
501 Woodland Drive	33-20-01-13-206-008
513 Woodland Drive	33-20-01-13-206-007
524 Woodland Drive	33-20-01-13-205-008
Woodland Drive (Vac)	33-20-01-13-205-007
525 Woodland Drive	33-20-01-13-206-006
529 Woodland Drive	33-20-01-13-206-005
539 Woodland Drive	33-20-01-13-206-004
554 Woodland Drive	33-20-01-13-206-003

(3) *Ordinance No. 1092.* The zoning use district map is hereby amended to rezone a portion of the West Brookfield

Subdivision, Lots 4 through 19 and 23 through 68, inclusive, and 5 adjacent parcels into the R-O-1 Residential Rental Restriction Overlay District. The area to be rezoned lies north of Old Canton Lane, west of North Hagadorn Road, south of Albert Avenue and the Subdivision line west of Kenberry Drive. The rezoning includes the following properties:

Street Address	Tax Parcel Number
120 Kenberry Drive	33-20-02-18-417-008
129 Kenberry Drive	33-20-02-18-416-004
133 Kenberry Drive	33-20-02-18-416-003
134 Kenberry Drive	33-20-02-18-417-007
145 Kenberry Drive	33-20-02-18-416-002
146 Kenberry Drive	33-20-02-18-417-006
160 Kenberry Drive	33-20-02-18-417-005
167 Kenberry Drive	33-20-02-18-416-001
174 Kenberry Drive	33-20-02-18-417-004
208 Kenberry Drive	33-20-02-18-417-003
213 Kenberry Drive	33-20-02-18-412-006
226 Kenberry Drive	33-20-02-18-417-002
227 Kenberry Drive	33-20-02-18-412-005
230 Kenberry Drive	33-20-02-18-417-001
234 Kenberry Drive	33-20-02-18-417-018
239 Kenberry Drive	33-20-02-18-412-004
248 Kenberry Drive	33-20-02-18-244-006
253 Kenberry Drive	33-20-02-18-243-003
265 Kenberry Drive	33-20-02-18-243-002

272 Kenberry Drive	33-20-02-18-244-007
281 Kenberry Drive	33-20-02-18-243-001
290 Kenberry Drive	33-20-02-18-244-008
111 Lexington Avenue	33-20-02-18-417-017
118 Lexington Avenue	33-20-02-18-418-008
130 Lexington Avenue	33-20-02-18-418-007
131 Lexington Avenue	33-20-02-18-417-016
138 Lexington Avenue	33-20-02-18-418-006
139 Lexington Avenue	33-20-02-18-417-015
144 Lexington Avenue	33-20-02-18-418-005
147 Lexington Avenue	33-20-02-18-417-014
154 Lexington Avenue	33-20-02-18-418-004
155 Lexington Avenue	33-20-02-18-417-013
166 Lexington Avenue	33-20-02-18-418-003
169 Lexington Avenue	33-20-02-18-417-012
211 Lexington Avenue	33-20-02-18-417-011
220 Lexington Avenue	33-20-02-18-418-002
223 Lexington Avenue	33-20-02-18-417-010
228 Lexington Avenue	33-20-02-18-418-001
231 Lexington Avenue	33-20-02-18-417-009
232 Lexington Avenue	33-20-02-18-418-019
239 Lexington Avenue	33-20-02-18-417-019
244 Lexington Avenue	33-20-02-18-245-005

251 Lexington Avenue	33-20-02-18-244-003
252 Lexington Avenue	33-20-02-18-245-006
263 Lexington Avenue	33-20-02-18-244-002
264 Lexington Avenue	33-20-02-18-245-007
271 Lexington Avenue	33-20-02-18-244-001
1419 Old Canton Lane	33-20-02-18-418-017
201 N. Hagadorn Road	33-20-02-18-418-018
221 N. Hagadorn Road	33-20-02-18-418-016
227 N. Hagadorn Road	33-20-02-18-418-015
233 N. Hagadorn Road	33-20-02-18-418-014
239 N. Hagadorn Road	33-20-02-18-418-013
245 N. Hagadorn Road	33-20-02-18-418-012
251 N. Hagadorn Road	33-20-02-18-418-011
257 N. Hagadorn Road	33-20-02-18-418-010
263 N. Hagadorn Road	33-20-02-18-418-009
269 N. Hagadorn Road	33-20-02-18-418-020
277 N. Hagadorn Road	33-20-02-18-245-008
283 N. Hagadorn Road	33-20-02-18-245-002
1432 Albert Avenue	33-20-02-18-245-001

- (4) *Ordinance No. 1094.* The zoning use district map is hereby amended to rezone the Lantern Hill and Lantern Hill No. 1 Subdivisions, Lots 1 through 55, inclusive, the Bedford Hills Subdivision, Lots 1 through 60, inclusive, and the Barberry Subdivision, Lots 1 through 11, inclusive, and the lots at 1101 and 1107 Burcham Road into the R-O-3 Residential Rental Restriction Overlay District. The area to be rezoned is bounded by: Burcham Road; the western lot line of 1101 Burcham Road and the western boundary of the Lantern Hill Subdivision, west of Lantern Hill Drive;

Patriarche Park; the northern boundaries of the Lantern Hill No. 1 and the Bedford Subdivisions, north of Cedarhill Drive; N. Hagadorn Road; the East Lansing Water Tower and the Marble Elementary School; and Virginia Avenue. The rezoning includes the following properties:

Street Address	Tax Parcel Number
923 Bedford Road	33-20-02-07-408-010
933 Bedford Road	33-20-02-07-408-009
940 Bedford Road	33-20-02-07-409-011
941 Bedford Road	33-20-02-07-408-008
948 Bedford Road	33-20-02-07-409-012
949 Bedford Road	33-20-02-07-408-007
956 Bedford Road	33-20-02-07-409-013
957 Bedford Road	33-20-02-07-408-006
964 Bedford Road	33-20-02-07-409-014
965 Bedford Road	33-20-02-07-408-005
1003 Bedford Road	33-20-02-07-408-004
1004 Bedford Road	33-20-02-07-409-015
1011 Bedford Road	33-20-02-07-408-003
1014 Bedford Road	33-20-02-07-409-016
1019 Bedford Road	33-20-02-07-408-002
1026 Bedford Road	33-20-02-07-409-017
1101 Burcham Drive	33-20-02-07-403-013
1107 Burcham Drive	33-20-02-07-403-012
1317 >Burcham Drive	33-20-02-07-407-019

Vacant Burcham Drive	33-20-02-07-411-012
1329 Burcham Drive	33-20-02-07-411-011
1209 Cedarhill Drive	33-20-02-07-406-022
1221 Cedarhill Drive	33-20-02-07-406-021
1233 Cedarhill Drive	33-20-02-07-406-020
1244 Cedarhill Drive	33-20-02-07-407-002
1245 Cedarhill Drive	33-20-02-07-406-019
1255 Cedarhill Drive	33-20-02-07-406-018
1263 Cedarhill Drive	33-20-02-07-406-017
1268 Cedarhill Drive	33-20-02-07-408-001
1307 Cedarhill Drive	33-20-02-07-406-016
1315 Cedarhill Drive	33-20-02-07-406-015
1320 Cedarhill Drive	33-20-02-07-409-018
1323 Cedarhill Drive	33-20-02-07-406-013
1331 Cedarhill Drive	33-20-02-07-406-012
1339 Cedarhill Drive	33-20-02-07-406-011
1340 Cedarhill Drive	33-20-02-07-409-001
1405 Cedarhill Drive	33-20-02-07-406-010
1413 Cedarhill Drive	33-20-02-07-406-009
1421 Cedarhill Drive	33-20-02-07-406-008
1424 Cedarhill Drive	33-20-02-07-410-001
1429 Cedarhill Drive	33-20-02-07-406-007
930 Delridge Road	33-20-02-07-410-009



938 Delridge Road	33-20-02-07-410-010
941 Delridge Road	33-20-02-07-409-008
946 Delridge Road	33-20-02-07-410-011
949 Delridge Road	33-20-02-07-409-007
954 Delridge Road	33-20-02-07-410-012
957 Delridge Road	33-20-02-07-409-006
962 Delridge Road	33-20-02-07-410-013
965 Delridge Road	33-20-02-07-409-005
1003 Delridge Road	33-20-02-07-409-004
1004 Delridge Road	33-20-02-07-410-014
1011 Delridge Road	33-20-02-07-409-003
1012 Delridge Road	33-20-02-07-410-015
1017 Delridge Road	33-20-02-07-409-002
1020 Delridge Road	33-20-02-07-410-016
1028 Delridge Road	33-20-02-07-410-017
903 N. Hagadorn Road	33-20-02-07-410-007
915 N. Hagadorn Road	33-20-02-07-410-006
927 N. Hagadorn Road	33-20-02-07-410-005
939 N. Hagadorn Road	33-20-02-07-410-004
1005 N. Hagadorn Road	33-20-02-07-410-003
1017 N. Hagadorn Road	33-20-02-07-410-002
707 Knoll Road	33-20-02-07-404-006
708 Knoll Road	33-20-02-07-407-018

717 Knoll Road	33-20-02-07-404-005
720 Knoll Road	33-20-02-07-407-017
729 Knoll Road	33-20-02-07-404-004
732 Knoll Road	33-20-02-07-407-016
805 Knoll Road	33-20-02-07-404-003
810 Knoll Road	33-20-02-07-407-015
815 Knoll Road	33-20-02-07-404-002
820 Knoll Road	33-20-02-07-407-014
832 Knoll Road	33-20-02-07-407-013
706 Lantern Hill Drive	33-20-02-07-404-007
709 Lantern Hill Drive	33-20-02-07-403-011
716 Lantern Hill Drive	33-20-02-07-404-008
728 Lantern Hill Drive	33-20-02-07-404-009
805 Lantern Hill Drive	33-20-02-07-403-010
812 Lantern Hill Drive	33-20-02-07-404-012
817 Lantern Hill Drive	33-20-02-07-403-009
829 Lantern Hill Drive	33-20-02-07-403-008
830 Lantern Hill Drive	33-20-02-07-404-011
842 Lantern Hill Drive	33-20-02-07-404-010
843 Lantern Hill Drive	33-20-02-07-403-003
852 Lantern Hill Drive	33-20-02-07-404-001
855 Lantern Hill Drive	33-20-02-07-403-002
906 Lantern Hill Drive	33-20-02-07-407-012

915 Lantern Hill Drive	33-20-02-07-403-014
918 Lantern Hill Drive	33-20-02-07-407-011
928 Lantern Hill Drive	33-20-02-07-407-010
933 Lantern Hill Drive	33-20-02-07-405-010
940 Lantern Hill Drive	33-20-02-07-407-009
943 Lantern Hill Drive	33-20-02-07-405-008
952 Lantern Hill Drive	33-20-02-07-407-008
955 Lantern Hill Drive	33-20-02-07-405-007
963 Lantern Hill Drive	33-20-02-07-405-006
964 Lantern Hill Drive	33-20-02-07-407-007
975 Lantern Hill Drive	33-20-02-07-405-005
976 Lantern Hill Drive	33-20-02-07-407-006
987 Lantern Hill Drive	33-20-02-07-405-004
988 Lantern Hill Drive	33-20-02-07-407-005
1005 Lantern Hill Drive	33-20-02-07-405-003
1006 Lantern Hill Drive	33-20-02-07-407-004
1017 Lantern Hill Drive	33-20-02-07-405-002
1018 Lantern Hill Drive	33-20-02-07-407-003
1030 Lantern Hill Drive	33-20-02-07-407-001
1039 Lantern Hill Drive	33-20-02-07-406-023
1053 Lantern Hill Drive	33-20-02-07-405-001
1308 Marble Road	33-20-02-07-408-011
1330 Marble Road	33-20-02-07-408-016

1331 Marble Road	33-20-02-07-409-010
1334 Marble Road	33-20-02-07-408-017
1337 Marble Road	33-20-02-07-409-009
1342 Marble Road	33-20-02-07-408-018
1350 Marble Road	33-20-02-07-408-019
729 Virginia Avenue	33-20-02-07-411-013
805 Virginia Avenue	33-20-02-07-411-014
815 Virginia Avenue	33-20-02-07-411-015
825 Virginia Avenue	33-20-02-07-411-016
839 Virginia Avenue	33-20-02-07-411-017
865 Virginia Avenue	33-20-02-07-411-018
905 Virginia Avenue	33-20-02-07-411-019
915 Virginia Avenue	33-20-02-07-411-020
925 Virginia Avenue	33-20-02-07-411-021
916 Wick Court	33-20-02-07-403-004
919 Wick Court	33-20-02-07-403-007
931 Wick Court	33-20-02-07-403-006
934 Wick Court	33-20-02-07-403-005

(5) *Ordinance No. 1095.* The zoning use district map is hereby amended to rezone a portion of the Whitehills Estates, Whitehills Estates No. 2, Whitehills Estates No. 3 and Whitehills Estates No. 4 Subdivisions, Lots 1 through 45, Lots 47 through 58, the southern portion of Lot 59, Lots 61 through 69, Lots 73 through 79, Lots 86 through 88, and Lots 90 and 91, into the R-O-2 Residential Rental Restriction Overlay District. The area to be rezoned lies south of E. Saginaw Street, west of Alton Road, east of Abbott Road Avenue and north of the East Lansing High School and St. Thomas Aquinas Church properties. The rezoning includes the following properties:

Street Address	Tax Parcel Number
1123 Alton Road	33-20-02-07-308-008
1137 Alton Road	33-20-02-07-308-009
1141 Alton Road	33-20-02-07-308-010
1145 Alton Road	33-20-02-07-308-011
1111 Hitching Post Road	33-20-02-07-307-003
1114 Hitching Post Road	33-20-02-07-308-004
1125 Hitching Post Road	33-20-02-07-307-002
1130 Hitching Post Road	33-20-02-07-308-003
1136 Hitching Post Road	33-20-02-07-308-002
1139 Hitching Post Road	33-20-02-07-307-001
1140 Hitching Post Road	33-20-02-07-308-001
1100 Old Hickory Lane	33-20-02-07-307-010
1103 Old Hickory Lane	33-20-02-07-306-005
1113 Old Hickory Lane	33-20-02-07-306-004
1121 Old Hickory Lane	33-20-02-07-306-003
1122 Old Hickory Lane	33-20-02-07-307-011
1125 Old Hickory Lane	33-20-02-07-306-002
1130 Old Hickory Lane	33-20-02-07-307-012
1131 Old Hickory Lane	33-20-02-07-306-001
1134 Old Hickory Lane	33-20-02-07-307-013
1138 Old Hickory Lane	33-20-02-07-307-014

1101 Portage Path	33-20-02-07-305-004
1102 Portage Path	33-20-02-07-306-006
1117 Portage Path	33-20-02-07-305-013
1120 Portage Path	33-20-02-07-306-007
1125 Portage Path	33-20-02-07-305-012
1128 Portage Path	33-20-02-07-306-008
630 E. Saginaw Street	33-20-02-07-307-015
636 E. Saginaw Street	33-20-02-07-307-016
642 E. Saginaw Street	33-20-02-07-307-017
1117 White Pond Road	33-20-02-07-304-007
1125 White Pond Road	33-20-02-07-304-006
1132 White Pond Road	33-20-02-07-305-014
1140 White Pond Road	33-20-02-07-305-011
240 Whitehills Drive	33-20-02-07-309-004
243 Whitehills Drive	33-20-02-07-304-025
244 Whitehills Drive	33-20-02-07-309-005
320 Whitehills Drive	33-20-02-07-310-010
331 Whitehills Drive	33-20-02-07-304-010
333 Whitehills Drive	33-20-02-07-304-009
340 Whitehills Drive	33-20-02-07-310-002
345 Whitehills Drive	33-20-02-07-304-008
350 Whitehills Drive	33-20-02-07-310-003
408 Whitehills Drive	33-20-02-07-310-004

420 Whitehills Drive	33-20-02-07-310-005
421 Whitehills Drive	33-20-02-07-305-006
429 Whitehills Drive	33-20-02-07-305-005
432 Whitehills Drive	33-20-02-07-310-006
440 Whitehills Drive	33-20-02-07-310-007
520 Whitehills Drive	33-20-02-07-310-008
550 Whitehills Drive	33-20-02-07-310-009
600 Whitehills Drive	33-20-02-07-311-001
608 Whitehills Drive	33-20-02-07-311-002
611 Whitehills Drive	33-20-02-07-307-009
614 Whitehills Drive	33-20-02-07-311-003
619 Whitehills Drive	33-20-02-07-307-008
620 Whitehills Drive	33-20-02-07-311-004
626 Whitehills Drive	33-20-02-07-311-005
627 Whitehills Drive	33-20-02-07-307-007
632 Whitehills Drive	33-20-02-07-311-006
633 Whitehills Drive	33-20-02-07-307-006
637 Whitehills Drive	33-20-02-07-307-005
640 Whitehills Drive	33-20-02-07-311-007
697 Whitehills Drive	33-20-02-07-307-004
702 Whitehills Drive	33-20-02-07-312-001
707 Whitehills Drive	33-20-02-07-308-006
714 Whitehills Drive	33-20-02-07-312-002

717 Whitehills Drive	33-20-02-07-308-005
720 Whitehills Drive	33-20-02-07-312-003
725 Whitehills Drive	33-20-02-07-308-007
726 Whitehills Drive	33-20-02-07-312-004

- (6) *Ordinance No. 1096.* The zoning use district map is hereby amended to rezone the Harrison Meadows North Subdivisions, Lots 1 through 23 inclusive, and six adjacent lots on N. Harrison Avenue into the R-O-1 Residential Rental Restriction Overlay District. The area to be rezoned lies east of N. Harrison Avenue, north of Gainsborough Drive and south of the Tamarisk Subdivision and includes all the residential properties along Cricket Lane. The rezoning includes the following properties:

Street Address	Tax Parcel Number
1755 Cricket Lane	33-20-01-12-200-018
1756 Cricket Lane	33-20-01-12-200-040
1761 Cricket Lane	33-20-01-12-200-019
1762 Cricket Lane	33-20-01-12-200-039
1774 Cricket Lane	33-20-01-12-200-038
1775 Cricket Lane	33-20-01-12-200-020
1785 Cricket Lane	33-20-01-12-200-046
1803 Cricket Lane	33-20-01-12-200-047
1804 Cricket Lane	33-20-01-12-200-037
1811 Cricket Lane	33-20-01-12-200-048
1812 Cricket Lane	33-20-01-12-200-036
1823 Cricket Lane	33-20-01-12-200-049
1826 Cricket Lane	33-20-01-12-200-035



1837 Cricket Lane	33-20-01-12-200-025
1838 Cricket Lane	33-20-01-12-200-034
1845 Cricket Lane	33-20-01-12-200-026
1846 Cricket Lane	33-20-01-12-200-033
1853 Cricket Lane	33-20-01-12-200-027
1854 Cricket Lane	33-20-01-12-200-032
1866 Cricket Lane	33-20-01-12-200-031
1867 Cricket Lane	33-20-01-12-200-028
1875 Cricket Lane	33-20-01-12-200-029
1878 Cricket Lane	33-20-01-12-200-030
1800 N. Harrison Avenue	33-20-01-12-200-005
1822 N. Harrison Avenue	33-20-01-12-200-004
1828 N. Harrison Avenue	33-20-01-12-200-010
1836 N. Harrison Avenue	33-20-01-12-200-009
1842 N. Harrison Avenue	33-20-01-12-200-003
1854 N. Harrison Avenue	33-20-01-12-200-002

(7) *Ordinance No. 1097.* The zoning use district map is hereby amended to rezone a portion of the central part of the Bailey Neighborhood into the R-O-1 Residential Rental Restriction Overlay District. The area to be rezoned generally lies west of Gunson Street, north of Ann Street, east of Charles and Division Streets and south of Burcham Drive. The area also includes properties north of Burcham Drive along Dunbar Court, Camelot Drive, Alton Road and King Court. The rezoning includes the following properties:

Street Address	Tax Parcel Number
731 Alton Road	33-20-02-07-319-011

736 Alton Road	33-20-02-07-402-026
744 Alton Road	33-20-02-07-402-027
747 Alton Road	33-20-02-07-319-010
755 Alton Road	33-20-02-07-319-009
765 Alton Road	33-20-02-07-319-007
773 Alton Road	33-20-02-07-319-008
774 Alton Road	33-20-02-07-402-002
713 Ann Street	33-20-02-18-147-006
719 Ann Street	33-20-02-18-147-005
813 Ann Street	33-20-02-18-148-008
821 Ann Street	33-20-02-18-148-007
829 Ann Street	33-20-02-18-148-006
835 Ann Street	33-20-02-18-148-005
341 Bailey Street	33-20-02-18-143-008
351 Bailey Street	33-20-02-18-143-007
357 Bailey Street	33-20-02-18-143-006
361 Bailey Street	33-20-02-18-143-005
405 Bailey Street	33-20-02-18-132-013
411 Bailey Street	33-20-02-18-132-012
414 Bailey Street	33-20-02-18-133-011
417 Bailey Street	33-20-02-18-132-011
420 Bailey Street	33-20-02-18-133-012
423 Bailey Street	33-20-02-18-132-010

426 Bailey Street	33-20-02-18-133-013
429 Bailey Street	33-20-02-18-132-009
432 Bailey Street	33-20-02-18-133-014
435 Bailey Street	33-20-02-18-132-008
438 Bailey Street	33-20-02-18-133-001
439 Bailey Street	33-20-02-18-132-007
511 Bailey Street	33-20-02-18-119-011
516 Bailey Street	33-20-02-18-120-010
517 Bailey Street	33-20-02-18-119-010
522 Bailey Street	33-20-02-18-120-011
523 Bailey Street	33-20-02-18-119-009
528 Bailey Street	33-20-02-18-120-012
534 Bailey Street	33-20-02-18-120-001
535 Bailey Street	33-20-02-18-119-008
541 Bailey Street	33-20-02-18-119-007
547 Bailey Street	33-20-02-18-119-006
610 Bailey Street	33-20-02-18-108-010
615 Bailey Street	33-20-02-18-107-007
620 Bailey Street	33-20-02-18-108-011
630 Bailey Street	33-20-02-18-108-012
635 Bailey Street	33-20-02-18-106-007
640 Bailey Street	33-20-02-18-108-001
641 Bailey Street	33-20-02-18-106-006

405 Beech Street	33-20-02-18-105-010
503 Beech Street	33-20-02-18-107-014
509 Beech Street	33-20-02-18-107-013
512 Beech Street	33-20-02-18-119-004
513 Beech Street	33-20-02-18-107-012
519 Beech Street	33-20-02-18-107-011
527 Beech Street	33-20-02-18-107-010
528 Beech Street	33-20-02-18-119-005
533 Beech Street	33-20-02-18-107-009
551 Beech Street	33-20-02-18-107-008
609 Beech Street	33-20-02-18-108-009
621 Beech Street	33-20-02-18-108-008
622 Beech Street	33-20-02-18-120-002
626 Beech Street	33-20-02-18-120-003
645 Beech Street	33-20-02-18-121-015
646 Beech Street	33-20-02-18-123-001
651 Beech Street	33-20-02-18-121-014
656 Beech Street	33-20-02-18-123-002
661 Beech Street	33-20-02-18-121-013
696 Beech Street	33-20-02-18-123-003
704 Beech Street	33-20-02-18-123-004
705 Beech Street	33-20-02-18-121-012
710 Beech Street	33-20-02-18-123-005

711 Beech Street	33-20-02-18-121-011
717 Beech Street	33-20-02-18-121-010
746 Beech Street	33-20-02-18-134-002
747 Beech Street	33-20-02-18-122-005
749 Beech Street	33-20-02-18-122-006
752 Beech Street	33-20-02-18-134-003
817 Beech Street	33-20-02-18-212-009
820 Beech Street	33-20-02-18-135-002
830 Beech Street	33-20-02-18-135-003
927 Beech Street	33-20-02-18-213-009
928 Beech Street	33-20-02-18-222-002
1006 Beech Street	33-20-02-18-223-001
1007 Beech Street	33-20-02-18-214-012
1013 Beech Street	33-20-02-18-214-011
1016 Beech Street	33-20-02-18-223-002
1023 Beech Street	33-20-02-18-214-010
1026 Beech Street	33-20-02-18-223-003
1033 Beech Street	33-20-02-18-214-009
1036 Beech Street	33-20-02-18-223-004
416 Burcham Drive	33-20-02-18-105-001
605 Burcham Drive	33-20-02-07-318-006
615 Burcham Drive	33-20-02-07-318-005
625 Burcham Drive	33-20-02-07-318-010

645 Burcham Drive	33-20-02-07-318-009
401 Butterfield Drive	33-20-02-18-133-010
403 Butterfield Drive	33-20-02-18-133-009
411 Butterfield Drive	33-20-02-18-133-008
417 Butterfield Drive	33-20-02-18-133-007
418 Butterfield Drive	33-20-02-18-134-013
422 Butterfield Drive	33-20-02-18-134-014
428 Butterfield Drive	33-20-02-18-134-015
430 Butterfield Drive	33-20-02-18-134-020
432 Butterfield Drive	33-20-02-18-134-021
433 Butterfield Drive	33-20-02-18-123-016
434 Butterfield Drive	33-20-02-18-134-018
439 Butterfield Drive	33-20-02-18-123-015
447 Butterfield Drive	33-20-02-18-123-009
453 Butterfield Drive	33-20-02-18-123-008
461 Butterfield Drive	33-20-02-18-123-007
464 Butterfield Drive	33-20-02-18-134-019
471 Butterfield Drive	33-20-02-18-123-006
474 Butterfield Drive	33-20-02-18-134-001
500 Butterfield Drive	33-20-02-18-122-004
510 Butterfield Drive	33-20-02-18-122-003
513 Butterfield Drive	33-20-02-18-121-009
520 Butterfield Drive	33-20-02-18-122-002

525 Butterfield Drive	33-20-02-18-121-008
530 Butterfield Drive	33-20-02-18-122-001
605 Butterfield Drive	33-20-02-18-110-008
606 Butterfield Drive	33-20-02-18-111-009
618 Butterfield Drive	33-20-02-18-111-010
619 Butterfield Drive	33-20-02-18-110-007
624 Butterfield Drive	33-20-02-18-111-013
625 Butterfield Drive	33-20-02-18-110-006
633 Butterfield Drive	33-20-02-18-110-005
634 Butterfield Drive	33-20-02-18-111-012
666 Butterfield Drive	33-20-02-18-200-001
608 Camelot Drive	33-20-02-07-317-001
614 Camelot Drive	33-20-02-07-317-002
622 Camelot Drive	33-20-02-07-317-003
630 Camelot Drive	33-20-02-07-317-004
603 Charles Street	33-20-02-18-104-007
605 Charles Street	33-20-02-18-104-006
611 Charles Street	33-20-02-18-104-005
613 Charles Street	33-20-02-18-104-004
614 Charles Street	33-20-02-18-105-011
616 Charles Street	33-20-02-18-105-012
617 Charles Street	33-20-02-18-104-003
618 Charles Street	33-20-02-18-105-013

619 Charles Street	33-20-02-18-104-002
621 Charles Street	33-20-02-18-104-008
626 Charles Street	33-20-02-18-105-014
632 Charles Street	33-20-02-18-105-015
636 Charles Street	33-20-02-18-105-016
637 Charles Street	33-20-02-18-104-009
640 Charles Street	33-20-02-18-105-017
710 Chittenden Drive	33-20-02-18-147-009
714 Chittenden Drive	33-20-02-18-147-012
720 Chittenden Drive	33-20-02-18-147-011
721 Chittenden Drive	33-20-02-18-145-008
727 Chittenden Drive	33-20-02-18-145-007
730 Chittenden Drive	33-20-02-18-147-001
737 Chittenden Drive	33-20-02-18-145-006
816 Chittenden Drive	33-20-02-18-148-014
820 Chittenden Drive	33-20-02-18-148-015
824 Chittenden Drive	33-20-02-18-148-016
304 Collingwood Drive	33-20-02-18-147-007
310 Collingwood Drive	33-20-02-18-147-008
342 Collingwood Drive	33-20-02-18-145-009
346 Collingwood Drive	33-20-02-18-145-010
352 Collingwood Drive	33-20-02-18-145-011
406 Collingwood Drive	33-20-02-18-134-012



421 Collingwood Drive	33-20-02-18-133-006
427 Collingwood Drive	33-20-02-18-133-005
433 Collingwood Drive	33-20-02-18-133-004
439 Collingwood Drive	33-20-02-18-133-003
448 Collingwood Drive	33-20-02-18-123-012
500 Collingwood Drive	33-20-02-18-123-013
510 Collingwood Drive	33-20-02-18-123-014
517 Collingwood Drive	33-20-02-18-120-005
523 Collingwood Drive	33-20-02-18-120-004
544 Collingwood Drive	33-20-02-18-121-016
550 Collingwood Drive	33-20-02-18-121-017
555 Collingwood Drive	33-20-02-18-108-007
556 Collingwood Drive	33-20-02-18-121-001
557 Collingwood Drive	33-20-02-18-108-006
567 Collingwood Drive	33-20-02-18-108-005
629 Collingwood Drive	33-20-02-18-109-004
631 Collingwood Drive	33-20-02-18-109-005
639 Collingwood Drive	33-20-02-18-109-007
645 Collingwood Drive	33-20-02-18-109-008
700 Collingwood Drive	33-20-02-18-110-002
710 Collingwood Drive	33-20-02-18-110-003
711 Collingwood Drive	33-20-02-18-109-009
718 Collingwood Drive	33-20-02-18-110-004

723 Collingwood Drive	33-20-02-18-109-010
733 Collingwood Drive	33-20-02-18-109-012
758 Collingwood Drive	33-20-02-18-111-002
765 Collingwood Drive	33-20-02-18-200-002
775 Collingwood Drive	33-20-02-18-200-003
807 Collingwood Drive	33-20-02-18-200-004
811 Collingwood Drive	33-20-02-18-200-005
814 Collingwood Drive	33-20-02-18-201-002
820 Collingwood Drive	33-20-02-18-201-003
821 Collingwood Drive	33-20-02-18-200-006
831 Collingwood Drive	33-20-02-18-200-007
835 Collingwood Drive	33-20-02-18-200-008
907 Collingwood Drive	33-20-02-18-200-009
915 Collingwood Drive	33-20-02-18-200-010
916 Collingwood Drive	33-20-02-18-202-001
919 Collingwood Drive	33-20-02-18-200-011
358 Division & 502 Linden	33-20-02-18-143-001
550 Division & 506 Beech	33-20-02-18-119-001
418 Division & 506 Sunrise	33-20-02-18-132-020
325 Division Street	33-20-02-18-142-007
331 Division Street	33-20-02-18-142-006
337 Division Street	33-20-02-18-142-005
340 Division Street	33-20-02-18-143-014

343 Division Street	33-20-02-18-142-004
349 Division Street	33-20-02-18-142-003
353 Division Street	33-20-02-18-142-002
404 Division Street	33-20-02-18-132-018
410 Division Street	33-20-02-18-132-019
428 Division Street	33-20-02-18-132-003
436 Division Street	33-20-02-18-132-002
444 Division Street	33-20-02-18-132-001
504 Division Street	33-20-02-18-119-017
512 Division Street	33-20-02-18-119-018
530 Division Street	33-20-02-18-119-019
536 Division Street	33-20-02-18-119-003
544 Division Street	33-20-02-18-119-002
603 Division Street	33-20-02-18-105-009
607 Division Street	33-20-02-18-105-008
613 Division Street	33-20-02-18-105-007
619 Division Street	33-20-02-18-105-006
625 Division Street	33-20-02-18-105-005
629 Division Street	33-20-02-18-105-004
634 Division Street	33-20-02-18-106-001
635 Division Street	33-20-02-18-105-003
641 Division Street	33-20-02-18-105-002
600 Dunbar Court	33-20-02-07-318-001

607 Dunbar Court	33-20-02-07-317-008
610 Dunbar Court	33-20-02-07-318-002
613 Dunbar Court	33-20-02-07-317-007
620 Dunbar Court	33-20-02-07-318-011
625 Dunbar Court	33-20-02-07-317-006
631 Dunbar Court	33-20-02-07-317-005
323 Durand Street	33-20-02-18-224-005
324 Durand Street	33-20-02-18-225-001
408 Durand Street	33-20-02-18-223-008
409 Durand Street	33-20-02-18-222-005
425 Durand Street	33-20-02-18-222-004
435 Durand Street	33-20-02-18-222-003
507 Durand Street	33-20-02-18-213-008
514 Durand Street	33-20-02-18-214-013
515 Durand Street	33-20-02-18-213-007
523 Durand Street	33-20-02-18-213-006
524 Durand Street	33-20-02-18-214-014
531 Durand Street	33-20-02-18-213-005
534 Durand Street	33-20-02-18-214-015
539 Durand Street	33-20-02-18-213-004
541 Durand Street	33-20-02-18-213-003
544 Durand Street	33-20-02-18-214-016
554 Durand Street	33-20-02-18-214-017

509 Elizabeth Street	33-20-02-18-119-016
515 Elizabeth Street	33-20-02-18-119-015
518 Elizabeth Street	33-20-02-18-132-004
521 Elizabeth Street	33-20-02-18-119-014
527 Elizabeth Street	33-20-02-18-119-013
528 Elizabeth Street	33-20-02-18-132-005
540 Elizabeth Street	33-20-02-18-132-006
545 Elizabeth Street	33-20-02-18-119-012
605 Elizabeth Street	33-20-02-18-120-009
611 Elizabeth Street	33-20-02-18-120-008
612 Elizabeth Street	33-20-02-18-133-002
617 Elizabeth Street	33-20-02-18-120-007
619 Elizabeth Street	33-20-02-18-120-006
517 Gunson Street	33-20-02-18-214-008
527 Gunson Street	33-20-02-18-214-007
537 Gunson Street	33-20-02-18-214-006
545 Gunson Street	33-20-02-18-214-005
553 Gunson Street	33-20-02-18-214-004
563 Gunson Street	33-20-02-18-214-003
613 Gunson Street	33-20-02-18-202-007
619 Gunson Street	33-20-02-18-202-006
627 Gunson Street	33-20-02-18-202-005
633 Gunson Street	33-20-02-18-202-004

641 Gunson Street	33-20-02-18-202-003
649 Gunson Street	33-20-02-18-202-002
306 Kedzie Street	33-20-02-18-224-009
314 Kedzie Street	33-20-02-18-224-010
315 Kedzie Street	33-20-02-18-148-004
321 Kedzie Street	33-20-02-18-148-003
322 Kedzie Street	33-20-02-18-224-002
325 Kedzie Street	33-20-02-18-148-002
326 Kedzie Street	33-20-02-18-224-001
329 Kedzie Street	33-20-02-18-148-001
401 Kedzie Street	33-20-02-18-135-006
410 Kedzie Street	33-20-02-18-222-009
417 Kedzie Street	33-20-02-18-135-005
420 Kedzie Street	33-20-02-18-222-010
428 Kedzie Street	33-20-02-18-222-011
431 Kedzie Street	33-20-02-18-135-004
436 Kedzie Street	33-20-02-18-222-012
446 Kedzie Street	33-20-02-18-222-001
500 Kedzie Street	33-20-02-18-213-010
501 Kedzie Street	33-20-02-18-212-008
509 Kedzie Street	33-20-02-18-212-007
510 Kedzie Street	33-20-02-18-213-011
519 Kedzie Street	33-20-02-18-212-006

520 Kedzie Street	33-20-02-18-213-012
525 Kedzie Street	33-20-02-18-212-005
526 Kedzie Street	33-20-02-18-213-013
531 Kedzie Street	33-20-02-18-212-004
534 Kedzie Street	33-20-02-18-213-014
537 Kedzie Street	33-20-02-18-212-003
538 Kedzie Street	33-20-02-18-213-001
606 Kedzie Street	33-20-02-18-202-012
610 Kedzie Street	33-20-02-18-202-013
615 Kedzie Street	33-20-02-18-201-008
621 Kedzie Street	33-20-02-18-201-007
626 Kedzie Street	33-20-02-18-202-014
629 Kedzie Street	33-20-02-18-201-006
631 Kedzie Street	33-20-02-18-201-005
632 Kedzie Street	33-20-02-18-202-015
638 Kedzie Street	33-20-02-18-202-016
639 Kedzie Street	33-20-02-18-201-004
652 Kedzie Street	33-20-02-18-202-017
811 King Court	33-20-02-07-402-003
812 King Court	33-20-02-07-402-028
823 King Court	33-20-02-07-402-004
831 King Court	33-20-02-07-402-005
832 King Court	33-20-02-07-402-029

839 King Court	33-20-02-07-402-006
840 King Court	33-20-02-07-402-019
420 Linden Street	33-20-02-18-142-001
515 Linden Street	33-20-02-18-132-017
519 Linden Street	33-20-02-18-132-016
520 Linden Street	33-20-02-18-143-002
525 Linden Street	33-20-02-18-132-015
528 Linden Street	33-20-02-18-143-003
531 Linden Street	33-20-02-18-132-014
540 Linden Street	33-20-02-18-143-004
708 Linden Street	33-20-02-18-145-001
714 Linden Street	33-20-02-18-145-002
715 Linden Street	33-20-02-18-134-011
720 Linden Street	33-20-02-18-145-003
721 Linden Street	33-20-02-18-134-010
727 Linden Street	33-20-02-18-134-009
734 Linden Street	33-20-02-18-145-004
735 Linden Street	33-20-02-18-134-008
815 Linden Street	33-20-02-18-135-008
821 Linden Street	33-20-02-18-135-007
915 Linden Street	33-20-02-18-222-008
920 Linden Street	33-20-02-18-224-003
923 Linden Street	33-20-02-18-222-007



930 Linden Street	33-20-02-18-224-004
933 Linden Street	33-20-02-18-222-006
1014 Linden Street	33-20-02-18-225-002
1015 Linden Street	33-20-02-18-223-007
1025 Linden Street	33-20-02-18-223-006
1037 Linden Street	33-20-02-18-223-005
504 Meadowlawn Avenue	33-20-02-18-107-001
509 Meadowlawn Avenue	33-20-02-18-106-002
510 Meadowlawn Avenue	33-20-02-18-107-002
516 Meadowlawn Avenue	33-20-02-18-107-003
517 Meadowlawn Avenue	33-20-02-18-106-003
522 Meadowlawn Avenue	33-20-02-18-107-004
530 Meadowlawn Avenue	33-20-02-18-107-005
541 Meadowlawn Avenue	33-20-02-18-106-010
546 Meadowlawn Avenue	33-20-02-18-107-006
547 Meadowlawn Avenue	33-20-02-18-106-011
306 Orchard Street	33-20-02-18-148-009
309 Orchard Street	33-20-02-18-147-004
315 Orchard Street	33-20-02-18-147-003
318 Orchard Street	33-20-02-18-148-010
321 Orchard Street	33-20-02-18-147-002
324 Orchard Street	33-20-02-18-148-011
336 Orchard Street	33-20-02-18-148-012

340 Orchard Street	33-20-02-18-148-013
351 Orchard Street	33-20-02-18-145-005
407 Orchard Street	33-20-02-18-134-007
408 Orchard Street	33-20-02-18-135-009
412 Orchard Street	33-20-02-18-135-010
415 Orchard Street	33-20-02-18-134-006
419 Orchard Street	33-20-02-18-134-005
420 Orchard Street	33-20-02-18-135-011
427 Orchard Street	33-20-02-18-134-004
428 Orchard Street	33-20-02-18-135-012
434 Orchard Street	33-20-02-18-135-001
510 Orchard Street	33-20-02-18-212-010
514 Orchard Street	33-20-02-18-212-011
515 Orchard Street	33-20-02-18-122-007
521 Orchard Street	33-20-02-18-122-008
522 Orchard Street	33-20-02-18-212-012
526 Orchard Street	33-20-02-18-212-013
536 Orchard Street	33-20-02-18-212-001
606 Orchard Street	33-20-02-18-201-011
613 Orchard Street	33-20-02-18-111-006
616 Orchard Street	33-20-02-18-201-012
622 Orchard Street	33-20-02-18-201-013
627 Orchard Street	33-20-02-18-111-005

629 Orchard Street	33-20-02-18-111-004
632 Orchard Street	33-20-02-18-201-014
639 Orchard Street	33-20-02-18-111-003
644 Orchard Street	33-20-02-18-201-001
617 Snyder Road	33-20-02-18-109-002
620 Snyder Road	33-20-02-18-108-002
625 Snyder Road	33-20-02-18-109-003
630 Snyder Road	33-20-02-18-108-003
638 Snyder Road	33-20-02-18-108-004
660 Snyder Road	33-20-02-18-121-019
667 Snyder Road	33-20-02-18-110-001
668 Snyder Road	33-20-02-18-121-020
700 Snyder Road	33-20-02-18-121-004
701 Snyder Road	33-20-02-18-110-010
702 Snyder Road	33-20-02-18-121-005
706 Snyder Road	33-20-02-18-121-006
709 Snyder Road	33-20-02-18-110-009
710 Snyder Road	33-20-02-18-121-007
740 Snyder Road	33-20-02-18-122-011
747 Snyder Road	33-20-02-18-111-008
750 Snyder Road	33-20-02-18-122-012
753 Snyder Road	33-20-02-18-111-007
820 Snyder Road	33-20-02-18-212-002

821 Snyder Road	33-20-02-18-201-010
827 Snyder Road	33-20-02-18-201-009
912 Snyder Road	33-20-02-18-213-002
915 Snyder Road	33-20-02-18-202-011
925 Snyder Road	33-20-02-18-202-010
1025 Snyder Road	33-20-02-18-202-009
1028 Snyder Road	33-20-02-18-214-001
1033 Snyder Road	33-20-02-18-202-008
1038 Snyder Road	33-20-02-18-214-002
515 Sunrise Court	33-20-02-18-132-026
518 Sunrise Court	33-20-02-18-132-021
521 Sunrise Court	33-20-02-18-132-025
522 Sunrise Court	33-20-02-18-132-022
528 Sunrise Court	33-20-02-18-132-023
529 Sunrise Court	33-20-02-18-132-024
519 Sycamore Lane	33-20-02-18-143-013
525 Sycamore Lane	33-20-02-18-143-012
531 Sycamore Lane	33-20-02-18-143-011
537 Sycamore Lane	33-20-02-18-143-010
539 Sycamore Lane	33-20-02-18-143-009
Vacant Burcham Drive	33-20-02-18-108-013
Vacant Burcham Drive	33-20-02-18-109-001

Vacant Burcham Drive	33-20-02-18-109-011
549 Division Street	33-20-02-18-118-001
545 Division Street	33-20-02-18-118-002
539 Division Street	33-20-02-18-118-003
533 Division Street	33-20-02-18-118-004
527 Division Street	33-20-02-18-118-005
521 Division Street	33-20-02-18-118-006
515 Division Street	33-20-02-18-118-007
509 Division Street	33-20-02-18-118-008
503 Division Street	33-20-02-18-118-009
320-324 Division Street	33-20-02-18-144-001
510-512 Sycamore Lane	
520 Sycamore Lane	33-20-02-18-144-002
522 Sycamore Lane	33-20-02-18-144-003
530 Sycamore Lane	33-20-02-18-144-004
534-536 Sycamore Lane	33-20-02-18-144-005
321-323 Bailey Street	33-20-02-18-144-006
309-311 Bailey Street	33-20-02-18-144-007

- (8) *Ordinance No. 1098.* The zoning use district map is hereby amended to rezone a portion of the Chesterfield Hills Neighborhood into the R-O-1 Residential Rental Restriction Overlay District. The area to be rezoned generally lies west of Harrison Road, north of Michigan Avenue, east of the city limits and the Hillcrest Village Apartments and south of W. Grand River. It includes all of the neighborhood that is currently zoned in the R-2 Single Family District. The rezoning includes the following properties:

Street Address	Tax Parcel Number
146 Chesterfield Parkway	33-20-01-13-124-016
152 Chesterfield Parkway	33-20-01-13-124-023
218 Chesterfield Parkway	33-20-01-13-124-024
225 Chesterfield Parkway	33-20-01-13-122-012
227 Chesterfield Parkway	33-20-01-13-122-013
245 Chesterfield Parkway	33-20-01-13-119-015
300 Chesterfield Parkway	33-20-01-13-120-018
303 Chesterfield Parkway	33-20-01-13-119-016
308 Chesterfield Parkway	33-20-01-13-120-019
314 Chesterfield Parkway	33-20-01-13-120-020
324 Chesterfield Parkway	33-20-01-13-120-021
325 Chesterfield Parkway	33-20-01-13-119-032
328 Chesterfield Parkway	33-20-01-13-120-022
332 Chesterfield Parkway	33-20-01-13-120-023
337 Chesterfield Parkway	33-20-01-13-119-037
338 Chesterfield Parkway	33-20-01-13-120-024
349 Chesterfield Parkway	33-20-01-13-119-031
350 Chesterfield Parkway	33-20-01-13-120-025
371 Chesterfield Parkway	33-20-01-13-119-021
1003 Chesterfield Parkway	33-20-01-13-124-015
1009 Chesterfield Parkway	33-20-01-13-124-014

1012 Chesterfield Parkway	33-20-01-13-122-011
1014 Chesterfield Parkway	33-20-01-13-122-010
1028 Chesterfield Parkway	33-20-01-13-122-009
1034 Chesterfield Parkway	33-20-01-13-122-008
1035 Chesterfield Parkway	33-20-01-13-123-003
1036 Chesterfield Parkway	33-20-01-13-122-007
1041 Chesterfield Parkway	33-20-01-13-123-002
1048 Chesterfield Parkway	33-20-01-13-122-006
118 Cowley Avenue	33-20-01-13-116-014
120 Cowley Avenue	33-20-01-13-116-013
136 Cowley Avenue	33-20-01-13-116-012
141 Cowley Avenue	33-20-01-13-114-017
142 Cowley Avenue	33-20-01-13-116-011
149 Cowley Avenue	33-20-01-13-114-018
201 Cowley Avenue	33-20-01-13-114-019
206 Cowley Avenue	33-20-01-13-116-010
207 Cowley Avenue	33-20-01-13-114-020
210 Cowley Avenue	33-20-01-13-116-009
211 Cowley Avenue	33-20-01-13-114-021
217 Cowley Avenue	33-20-01-13-114-022
223 Cowley Avenue	33-20-01-13-114-023
229 Cowley Avenue	33-20-01-13-114-024
235 Cowley Avenue	33-20-01-13-114-025

236 Cowley Avenue	33-20-01-13-116-008
238 Cowley Avenue	33-20-01-13-116-007
240 Cowley Avenue	33-20-01-13-116-006
241 Cowley Avenue	33-20-01-13-114-026
249 Cowley Avenue	33-20-01-13-114-027
250 Cowley Avenue	33-20-01-13-116-005
301 Cowley Avenue	33-20-01-13-114-028
302 Cowley Avenue	33-20-01-13-116-004
307 Cowley Avenue	33-20-01-13-114-029
310 Cowley Avenue	33-20-01-13-116-003
313 Cowley Avenue	33-20-01-13-114-030
314 Cowley Avenue	33-20-01-13-116-002
320 Cowley Avenue	33-20-01-13-116-001
321 Cowley Avenue	33-20-01-13-114-031
329 Cowley Avenue	33-20-01-13-114-032
333 Cowley Avenue	33-20-01-13-114-033
336 Cowley Avenue	33-20-01-13-115-015
342 Cowley Avenue	33-20-01-13-115-014
343 Cowley Avenue	33-20-01-13-114-034
348 Cowley Avenue	33-20-01-13-115-013
404 Cowley Avenue	33-20-01-13-115-012
405 Cowley Avenue	33-20-01-13-112-009
409 Cowley Avenue	33-20-01-13-112-010



410 Cowley Avenue	33-20-01-13-115-011
417 Cowley Avenue	33-20-01-13-112-011
425 Cowley Avenue	33-20-01-13-112-012
426 Cowley Avenue	33-20-01-13-115-010
433 Cowley Avenue	33-20-01-13-112-013
434 Cowley Avenue	33-20-01-13-115-009
439 Cowley Avenue	33-20-01-13-112-014
440 Cowley Avenue	33-20-01-13-115-008
448 Cowley Avenue	33-20-01-13-115-007
500 Cowley Avenue	33-20-01-13-115-006
503 Cowley Avenue	33-20-01-13-111-007
504 Cowley Avenue	33-20-01-13-115-005
509 Cowley Avenue	33-20-01-13-111-008
510 Cowley Avenue	33-20-01-13-115-004
517 Cowley Avenue	33-20-01-13-111-009
522 Cowley Avenue	33-20-01-13-115-001
928 Cresenwood Road	33-20-01-13-120-015
936 Cresenwood Road	33-20-01-13-120-016
937 Cresenwood Road	33-20-01-13-124-025
942 Cresenwood Road	33-20-01-13-120-017
1016 Cresenwood Road	33-20-01-13-119-014
1021 Cresenwood Road	33-20-01-13-122-014
1022 Cresenwood Road	33-20-01-13-119-013

1025 Cresenwood Road	33-20-01-13-122-015
1028 Cresenwood Road	33-20-01-13-119-012
1033 Cresenwood Road	33-20-01-13-122-016
1039 Cresenwood Road	33-20-01-13-122-017
1045 Cresenwood Road	33-20-01-13-122-018
1046 Cresenwood Road	33-20-01-13-119-011
1049 Cresenwood Road	33-20-01-13-122-001
819 W. Grand River Avenue	33-20-01-13-118-005
825 W. Grand River Avenue	33-20-01-13-118-004
829 W. Grand River Avenue	33-20-01-13-118-003
837 W. Grand River Avenue	33-20-01-13-118-002
919 W. Grand River Avenue	33-20-01-13-117-013
925 W. Grand River Avenue	33-20-01-13-117-012
933 W. Grand River Avenue	33-20-01-13-117-011
939 W. Grand River Avenue	33-20-01-13-117-010
1003 W. Grand River Avenue	33-20-01-13-117-009
1009 W. Grand River Avenue	33-20-01-13-117-008
1015 W. Grand River Avenue	33-20-01-13-117-007
1023 W. Grand River Avenue	33-20-01-13-117-006
1029 W. Grand River Avenue	33-20-01-13-117-005
1035 W. Grand River Avenue	33-20-01-13-117-004
1041 W. Grand River Avenue	33-20-01-13-117-002
1047 W. Grand River Avenue	33-20-01-13-117-001

1103 W. Grand River Avenue	33-20-01-13-115-003
1107 W. Grand River Avenue	33-20-01-13-115-002
1203 W. Grand River Avenue	33-20-01-13-111-010
211 Highland Avenue	33-20-01-13-113-003
221 Highland Avenue	33-20-01-13-113-004
227 Highland Avenue	33-20-01-13-113-005
230 Highland Avenue	33-20-01-13-114-009
235 Highland Avenue	33-20-01-13-113-006
236 Highland Avenue	33-20-01-13-114-008
241 Highland Avenue	33-20-01-13-113-007
249 Highland Avenue	33-20-01-13-113-008
250 Highland Avenue	33-20-01-13-114-007
253 Highland Avenue	33-20-01-13-113-009
301 Highland Avenue	33-20-01-13-113-010
302 Highland Avenue	33-20-01-13-114-006
307 Highland Avenue	33-20-01-13-113-011
308 Highland Avenue	33-20-01-13-114-005
314 Highland Avenue	33-20-01-13-114-004
317 Highland Avenue	33-20-01-13-113-012
324 Highland Avenue	33-20-01-13-114-003
329 Highland Avenue	33-20-01-13-113-013
334 Highland Avenue	33-20-01-13-114-002
340 Highland Avenue	33-20-01-13-114-001

343 Highland Avenue	33-20-01-13-113-015
401 Highland Avenue	33-20-01-13-110-017
415 Highland Avenue	33-20-01-13-110-011
416 Highland Avenue	33-20-01-13-112-005
424 Highland Avenue	33-20-01-13-112-004
427 Highland Avenue	33-20-01-13-110-006
432 Highland Avenue	33-20-01-13-112-003
437 Highland Avenue	33-20-01-13-110-005
440 Highland Avenue	33-20-01-13-112-002
445 Highland Avenue	33-20-01-13-110-004
446 Highland Avenue	33-20-01-13-112-001
503 Highland Avenue	33-20-01-13-109-005
504 Highland Avenue	33-20-01-13-111-006
509 Highland Avenue	33-20-01-13-109-004
510 Highland Avenue	33-20-01-13-111-005
516 Highland Avenue	33-20-01-13-111-004
517 Highland Avenue	33-20-01-13-109-003
522 Highland Avenue	33-20-01-13-111-003
525 Highland Avenue	33-20-01-13-109-002
528 Highland Avenue	33-20-01-13-111-002
536 Highland Avenue	33-20-01-13-111-001
813 Huntington Road	33-20-01-13-121-008
819 Huntington Road	33-20-01-13-121-007

823 Huntington Road	33-20-01-13-121-006
827 Huntington Road	33-20-01-13-121-005
828 Huntington Road	33-20-01-13-118-010
830 Huntington Road	33-20-01-13-118-011
831 Huntington Road	33-20-01-13-121-004
836 Huntington Road	33-20-01-13-118-012
841 Huntington Road	33-20-01-13-121-003
842 Huntington Road	33-20-01-13-118-013
847 Huntington Road	33-20-01-13-121-002
848 Huntington Road	33-20-01-13-118-014
914 Huntington Road	33-20-01-13-117-016
917 Huntington Road	33-20-01-13-120-003
922 Huntington Road	33-20-01-13-117-017
923 Huntington Road	33-20-01-13-120-002
927 Huntington Road	33-20-01-13-120-001
930 Huntington Road	33-20-01-13-117-018
935 Huntington Road	33-20-01-13-120-026
938 Huntington Road	33-20-01-13-117-019
940 Huntington Road	33-20-01-13-117-020
1002 Huntington Road	33-20-01-13-117-021
1003 Huntington Road	33-20-01-13-119-003
1008 Huntington Road	33-20-01-13-117-022
1014 Huntington Road	33-20-01-13-117-023

1018 Huntington Road	33-20-01-13-117-024
1019 Huntington Road	33-20-01-13-119-002
1024 Huntington Road	33-20-01-13-117-028
1025 Huntington Road	33-20-01-13-119-001
110 Kensington Road	33-20-01-13-123-011
116 Kensington Road	33-20-01-13-123-010
119 Kensington Road	33-20-01-13-116-020
122 Kensington Road	33-20-01-13-123-009
128 Kensington Road	33-20-01-13-123-008
129 Kensington Road	33-20-01-13-116-037
134 Kensington Road	33-20-01-13-123-024
135 Kensington Road	33-20-01-13-116-022
143 Kensington Road	33-20-01-13-116-023
201 Kensington Road	33-20-01-13-116-024
209 Kensington Road	33-20-01-13-116-025
214 Kensington Road	33-20-01-13-122-005
215 Kensington Road	33-20-01-13-116-026
220 Kensington Road	33-20-01-13-122-004
221 Kensington Road	33-20-01-13-116-027
225 Kensington Road	33-20-01-13-116-028
233 Kensington Road	33-20-01-13-116-029
234 Kensington Road	33-20-01-13-122-003
235 Kensington Road	33-20-01-13-116-030

240 Kensington Road	33-20-01-13-122-002
243 Kensington Road	33-20-01-13-116-031
301 Kensington Road	33-20-01-13-116-032
306 Kensington Road	33-20-01-13-119-010
311 Kensington Road	33-20-01-13-116-033
316 Kensington Road	33-20-01-13-119-035
321 Kensington Road	33-20-01-13-116-034
330 Kensington Road	33-20-01-13-119-008
335 Kensington Road	33-20-01-13-115-016
339 Kensington Road	33-20-01-13-115-017
342 Kensington Road	33-20-01-13-119-007
349 Kensington Road	33-20-01-13-115-018
350 Kensington Road	33-20-01-13-119-006
357 Kensington Road	33-20-01-13-115-019
358 Kensington Road	33-20-01-13-119-005
365 Kensington Road	33-20-01-13-115-020
368 Kensington Road	33-20-01-13-119-004
403 Kensington Road	33-20-01-13-115-021
411 Kensington Road	33-20-01-13-115-022
417 Kensington Road	33-20-01-13-115-023
423 Kensington Road	33-20-01-13-115-024
429 Kensington Road	33-20-01-13-115-025
432 Kensington Road	33-20-01-13-117-029

435 Kensington Road	33-20-01-13-115-026
446 Kensington Road	33-20-01-13-117-003
447 Kensington Road	33-20-01-13-115-030
453 Kensington Road	33-20-01-13-115-028
820 Michigan Avenue	33-20-01-13-125-016
826 Michigan Avenue	33-20-01-13-125-017
830 Michigan Avenue	33-20-01-13-125-018
904 Michigan Avenue	33-20-01-13-125-019
906 Michigan Avenue	33-20-01-13-125-020
922 Michigan Avenue	33-20-01-13-123-021
924 Michigan Avenue	33-20-01-13-123-020
934 Michigan Avenue	33-20-01-13-123-019
946 Michigan Avenue	33-20-01-13-123-018
952 Michigan Avenue	33-20-01-13-123-017
1004 Michigan Avenue	33-20-01-13-123-016
1010 Michigan Avenue	33-20-01-13-123-015
1016 Michigan Avenue	33-20-01-13-123-014
1022 Michigan Avenue	33-20-01-13-123-013
1032 Michigan Avenue	33-20-01-13-123-012
1100 Michigan Avenue	33-20-01-13-116-019
1116 Michigan Avenue	33-20-01-13-116-018
1120 Michigan Avenue	33-20-01-13-116-017
1124 Michigan Avenue	33-20-01-13-116-016



1140 Michigan Avenue	33-20-01-13-116-015
1218 Oak Ridge Avenue	33-20-01-13-112-008
1222 Oak Ridge Avenue	33-20-01-13-112-007
1226 Oak Ridge Avenue	33-20-01-13-112-006
811 Oak Street	33-20-01-13-125-004
813 Oak Street	33-20-01-13-125-003
814 Oak Street	33-20-01-13-121-012
820 Oak Street	33-20-01-13-121-013
823 Oak Street	33-20-01-13-125-002
10 University Drive	33-20-01-13-123-004
20 University Drive	33-20-01-13-123-005
26 University Drive	33-20-01-13-123-006
32 University Drive	33-20-01-13-123-007
<u>33</u> University Drive	33-20-01-13-124-013
45 University Drive	33-20-01-13-124-012
51 University Drive	33-20-01-13-124-011
57 University Drive	33-20-01-13-124-010
65 University Drive	33-20-01-13-124-009
71 University Drive	33-20-01-13-124-008
124 University Drive	33-20-01-13-125-034
127 University Drive	33-20-01-13-124-007
130 University Drive	33-20-01-13-125-022
137 University Drive	33-20-01-13-124-006

138 University Drive	33-20-01-13-125-023
142 University Drive	33-20-01-13-125-024
145 University Drive	33-20-01-13-124-005
148 University Drive	33-20-01-13-125-025
202 University Drive	33-20-01-13-125-026
205 University Drive	33-20-01-13-124-004
206 University Drive	33-20-01-13-125-027
212 University Drive	33-20-01-13-125-028
213 University Drive	33-20-01-13-124-003
220 University Drive	33-20-01-13-125-029
221 University Drive	33-20-01-13-124-002
228 University Drive	33-20-01-13-125-030
232 University Drive	33-20-01-13-125-031
233 University Drive	33-20-01-13-124-001
246 University Drive	33-20-01-13-125-001
249 University Drive	33-20-01-13-120-014
301 University Drive	33-20-01-13-120-013
302 University Drive	33-20-01-13-121-014
308 University Drive	33-20-01-13-121-015
309 University Drive	33-20-01-13-120-012
315 University Drive	33-20-01-13-120-011
316 University Drive	33-20-01-13-121-016
318 University Drive	33-20-01-13-121-017

321 University Drive	33-20-01-13-120-010
327 University Drive	33-20-01-13-120-009
330 University Drive	33-20-01-13-121-018
333 University Drive	33-20-01-13-120-008
336 University Drive	33-20-01-13-121-019
342 University Drive	33-20-01-13-121-020
345 University Drive	33-20-01-13-120-007
349 University Drive	33-20-01-13-120-006
352 University Drive	33-20-01-13-121-021
359 University Drive	33-20-01-13-120-027
363 University Drive	33-20-01-13-120-004
364 University Drive	33-20-01-13-121-001
404 University Drive	33-20-01-13-118-015
405 University Drive	33-20-01-13-117-015
416 University Drive	33-20-01-13-118-001
419 University Drive	33-20-01-13-117-014
Vacant - Kensington Road	33-20-01-13-115-029
Vacant - Kensington Road	33-20-01-13-119-022
Vacant - Kensington Road	33-20-01-13-119-036
Vacant - Kensington Road	33-20-01-13-120-028
Vacant - Highland Avenue	33-20-01-13-113-014
1203 West View Avenue	33-20-01-13-112-015

- (9) *Ordinance No. 1101.* The zoning use district map is hereby amended to rezone the residential portion of the Red Cedar Neighborhood into the R-O-3 Residential Rental Restriction Overlay District. The area to be rezoned includes all of the neighborhood that is currently zoned in the R-2 Single Family District, and generally lies west of S. Harrison Road, north Trowbridge Road, east of US-127 and south of Kalamazoo Street. The rezoning includes the following properties:

Street Address	Tax Parcel Number
1118 Arbor Drive	33-20-01-24-116-008
1138 Arbor Drive	33-20-01-24-116-014
1150 Arbor Drive	33-20-01-24-116-015
1162 Arbor Drive	33-20-01-24-116-016
1174 Arbor Drive	33-20-01-24-116-018
1192 Arbor Drive	33-20-01-24-118-014
921 Daisy Lane	33-20-01-24-109-005
949 Daisy Lane	33-20-01-24-112-004
954 Daisy Lane	33-20-01-24-108-004
955 Daisy Lane	33-20-01-24-112-003
963 Daisy Lane	33-20-01-24-112-002
968 Daisy Lane	33-20-01-24-108-003
971 Daisy Lane	33-20-01-24-112-001
1026 Daisy Lane	33-20-01-24-107-011
1029 Daisy Lane	33-20-01-24-111-007
1031 Daisy Lane	33-20-01-24-111-006
1037 Daisy Lane	33-20-01-24-111-005
1045 Daisy Lane	33-20-01-24-111-004
1050 Daisy Lane	33-20-01-24-107-010

1057 Daisy Lane	33-20-01-24-111-003
1069 Daisy Lane	33-20-01-24-111-001
1107 Daisy Lane	33-20-01-24-110-016
1113 Daisy Lane	33-20-01-24-110-015
1119 Daisy Lane	33-20-01-24-110-014
1124 Daisy Lane	33-20-01-24-106-018
1125 Daisy Lane	33-20-01-24-110-013
1130 Daisy Lane	33-20-01-24-106-017
1131 Daisy Lane	33-20-01-24-110-012
1147 Daisy Lane	33-20-01-24-110-011
1150 Daisy Lane	33-20-01-24-106-016
1155 Daisy Lane	33-20-01-24-110-010
1210 Daisy Lane	33-20-01-24-106-015
1211 Daisy Lane	33-20-01-24-110-027
1219 Daisy Lane	33-20-01-24-110-026
1225 Daisy Lane	33-20-01-24-110-029
1228 Daisy Lane	33-20-01-24-106-013
1237 Daisy Lane	33-20-01-24-110-030
1242 Daisy Lane	33-20-01-24-106-012
1243 Daisy Lane	33-20-01-24-110-017
1250 Daisy Lane	33-20-01-24-106-011
1255 Daisy Lane	33-20-01-24-110-003
1309 Daisy Lane	33-20-01-24-110-019

1314 Daisy Lane	33-20-01-24-105-004
1326 Daisy Lane	33-20-01-24-105-003
1331 Daisy Lane	33-20-01-24-110-018
805 Hicks Drive	33-20-01-24-102-034
810 Hicks Drive	33-20-01-24-100-003
908 Hicks Drive	33-20-01-24-105-002
1219 Ivanhoe Drive	33-20-01-24-118-015
1225 Ivanhoe Drive	33-20-01-24-118-009
1226 Ivanhoe Drive	33-20-01-24-116-017
1233 Ivanhoe Drive	33-20-01-24-118-008
1238 Ivanhoe Drive	33-20-01-24-116-013
1241 Ivanhoe Drive	33-20-01-24-118-007
1249 Ivanhoe Drive	33-20-01-24-118-006
1252 Ivanhoe Drive	33-20-01-24-117-008
1257 Ivanhoe Drive	33-20-01-24-118-005
1260 Ivanhoe Drive	33-20-01-24-117-007
1265 Ivanhoe Drive	33-20-01-24-118-004
1268 Ivanhoe Drive	33-20-01-24-117-006
1273 Ivanhoe Drive	33-20-01-24-118-003
1276 Ivanhoe Drive	33-20-01-24-117-005
1281 Ivanhoe Drive	33-20-01-24-118-002
Landlocked - Daisy Lane	33-20-01-24-110-020
810 Larkspur Drive	33-20-01-24-102-014

920 Larkspur Drive	33-20-01-24-106-019
945 Larkspur Drive	33-20-01-24-111-002
1031 Larkspur Drive	33-20-01-24-114-002
930 Lilac Avenue	33-20-01-24-104-013
931 Lilac Avenue	33-20-01-24-109-002
938 Lilac Avenue	33-20-01-24-104-012
941 Lilac Avenue	33-20-01-24-109-001
946 Lilac Avenue	33-20-01-24-104-011
954 Lilac Avenue	33-20-01-24-104-010
955 Lilac Avenue	33-20-01-24-108-002
962 Lilac Avenue	33-20-01-24-104-009
963 Lilac Avenue	33-20-01-24-108-001
970 Lilac Avenue	33-20-01-24-104-008
1013 Lilac Avenue	33-20-01-24-107-008
1014 Lilac Avenue	33-20-01-24-103-018
1021 Lilac Avenue	33-20-01-24-107-007
1022 Lilac Avenue	33-20-01-24-103-017
1029 Lilac Avenue	33-20-01-24-107-006
1030 Lilac Avenue	33-20-01-24-103-016
1038 Lilac Avenue	33-20-01-24-103-015
1046 Lilac Avenue	33-20-01-24-103-014
1051 Lilac Avenue	33-20-01-24-107-005
1053 Lilac Avenue	33-20-01-24-107-004

1054 Lilac Avenue	33-20-01-24-103-013
1062 Lilac Avenue	33-20-01-24-103-012
1063 Lilac Avenue	33-20-01-24-107-003
1070 Lilac Avenue	33-20-01-24-103-011
1071 Lilac Avenue	33-20-01-24-107-002
1078 Lilac Avenue	33-20-01-24-103-010
1079 Lilac Avenue	33-20-01-24-107-001
1110 Lilac Avenue	33-20-01-24-102-026
1113 Lilac Avenue	33-20-01-24-106-010
1118 Lilac Avenue	33-20-01-24-102-025
1126 Lilac Avenue	33-20-01-24-102-024
1127 Lilac Avenue	33-20-01-24-106-009
1134 Lilac Avenue	33-20-01-24-102-023
1142 Lilac Avenue	33-20-01-24-102-022
1143 Lilac Avenue	33-20-01-24-106-008
1150 Lilac Avenue	33-20-01-24-102-021
1158 Lilac Avenue	33-20-01-24-102-020
1166 Lilac Avenue	33-20-01-24-102-019
1167 Lilac Avenue	33-20-01-24-106-007
1208 Lilac Avenue	33-20-01-24-102-018
1211 Lilac Avenue	33-20-01-24-106-006
1216 Lilac Avenue	33-20-01-24-102-017
1219 Lilac Avenue	33-20-01-24-106-005



1220 Lilac Avenue	33-20-01-24-102-030
1227 Lilac Avenue	33-20-01-24-106-004
1230 Lilac Avenue	33-20-01-24-102-031
1235 Lilac Avenue	33-20-01-24-106-003
1240 Lilac Avenue	33-20-01-24-102-032
1243 Lilac Avenue	33-20-01-24-106-002
1244 Lilac Avenue	33-20-01-24-102-033
1250 Lilac Avenue	33-20-01-24-102-028
1251 Lilac Avenue	33-20-01-24-106-001
1308 Lilac Avenue	33-20-01-24-100-006
1314 Lilac Avenue	33-20-01-24-100-005
1324 Lilac Avenue	33-20-01-24-100-004
1325 Lilac Avenue	33-20-01-24-105-001
931 Marigold Avenue	33-20-01-24-104-006
939 Marigold Avenue	33-20-01-24-104-005
947 Marigold Avenue	33-20-01-24-104-004
955 Marigold Avenue	33-20-01-24-104-003
963 Marigold Avenue	33-20-01-24-104-002
971 Marigold Avenue	33-20-01-24-104-001
1006 Marigold Avenue	33-20-01-24-101-025
1014 Marigold Avenue	33-20-01-24-101-024
1015 Marigold Avenue	33-20-01-24-103-009
1022 Marigold Avenue	33-20-01-24-101-023

1023 Marigold Avenue	33-20-01-24-103-008
1030 Marigold Avenue	33-20-01-24-101-022
1031 Marigold Avenue	33-20-01-24-103-007
1038 Marigold Avenue	33-20-01-24-101-021
1039 Marigold Avenue	33-20-01-24-103-006
1046 Marigold Avenue	33-20-01-24-101-020
1047 Marigold Avenue	33-20-01-24-103-005
1054 Marigold Avenue	33-20-01-24-101-019
1055 Marigold Avenue	33-20-01-24-103-004
1062 Marigold Avenue	33-20-01-24-101-018
1063 Marigold Avenue	33-20-01-24-103-003
1070 Marigold Avenue	33-20-01-24-101-017
1071 Marigold Avenue	33-20-01-24-103-002
1078 Marigold Avenue	33-20-01-24-101-016
1079 Marigold Avenue	33-20-01-24-103-001
1110 Marigold Avenue	33-20-01-24-101-014
1118 Marigold Avenue	33-20-01-24-101-013
1119 Marigold Avenue	33-20-01-24-102-013
1126 Marigold Avenue	33-20-01-24-101-012
1127 Marigold Avenue	33-20-01-24-102-012
1134 Marigold Avenue	33-20-01-24-101-011
1135 Marigold Avenue	33-20-01-24-102-011
1142 Marigold Avenue	33-20-01-24-101-010

1143 Marigold Avenue	33-20-01-24-102-010
1150 Marigold Avenue	33-20-01-24-101-009
1151 Marigold Avenue	33-20-01-24-102-009
1158 Marigold Avenue	33-20-01-24-101-008
1159 Marigold Avenue	33-20-01-24-102-008
1166 Marigold Avenue	33-20-01-24-101-007
1167 Marigold Avenue	33-20-01-24-102-007
1208 Marigold Avenue	33-20-01-24-101-006
1209 Marigold Avenue	33-20-01-24-102-006
1216 Marigold Avenue	33-20-01-24-101-005
1217 Marigold Avenue	33-20-01-24-102-005
1224 Marigold Avenue	33-20-01-24-101-004
1225 Marigold Avenue	33-20-01-24-102-004
1232 Marigold Avenue	33-20-01-24-101-003
1233 Marigold Avenue	33-20-01-24-102-003
1240 Marigold Avenue	33-20-01-24-101-002
1241 Marigold Avenue	33-20-01-24-102-002
1248 Marigold Avenue	33-20-01-24-101-001
1249 Marigold Avenue	33-20-01-24-102-001
1261 Marigold Avenue	33-20-01-24-100-002
1277 Marigold Avenue	33-20-01-24-100-001
930 Narcissus & 1019 Daisy	33-20-01-24-111-008
920 Narcissus Drive	33-20-01-24-107-012

1004 Narcissus Drive	33-20-01-24-111-009
1137 Rebecca Road	33-20-01-24-116-009
1145 Rebecca Road	33-20-01-24-116-010
1148 Rebecca Road	33-20-01-24-117-004
1153 Rebecca Road	33-20-01-24-116-011
1161 Rebecca Road	33-20-01-24-116-012
1140 Rowena Road	33-20-01-24-116-002
1150 Rowena Road	33-20-01-24-116-001
1256 Scott Drive	33-20-01-24-116-005
1265 Scott Drive	33-20-01-24-117-003
1272 Scott Drive	33-20-01-24-116-004
1273 Scott Drive	33-20-01-24-117-002
1281 Scott Drive	33-20-01-24-117-001
1288 Scott Drive	33-20-01-24-116-003
1208 Tanager Lane	33-20-01-24-113-008
1216 Tanager Lane	33-20-01-24-113-007
1224 Tanager Lane	33-20-01-24-113-006
1232 Tanager Lane	33-20-01-24-113-005
1233 Tanager Lane	33-20-01-24-116-007
1238 Tanager Lane	33-20-01-24-113-004
1240 Tanager Lane	33-20-01-24-113-003
Vacant - Daisy Lane	33-20-01-24-107-009

Vacant - Daisy Lane & Tanager	33-20-01-24-113-002
Vacant - Larkspur Drive	33-20-01-24-114-001
Vacant - Narcissus Drive	33-20-01-24-114-003
Vacant - Rebecca Road	33-20-01-24-116-006

(10) *Ordinance No. 1131.* The zoning use district map is hereby amended to rezone the Southeast Marble Neighborhood into the R-O-1 Residential Rental Restriction Overlay District. The area to be rezoned generally lies east of Hagadorn Road, south of Burcham Road, west of Timberlane Drive and extends south to include Cahill Drive. In includes all of the neighborhood that is currently zoned in either the R-1 or the R-2 Single-Family Districts. The rezoning includes the following properties:

Street Address	Tax Parcel Number
1525 Ann Street	33-20-02-17-116-012
1528 Ann Street	33-20-02-17-119-003
1533 Ann Street	33-20-02-17-116-011
1534 Ann Street	33-20-02-17-119-004
1541 Ann Street	33-20-02-17-116-010
1542 Ann Street	33-20-02-17-119-005
1549 Ann Street	33-20-02-17-116-009
1550 Ann Street	33-20-02-17-119-006
1557 Ann Street	33-20-02-17-116-008
1558 Ann Street	33-20-02-17-119-007
1603 Ann Street	33-20-02-17-117-016
1604 Ann Street	33-20-02-17-120-023
1611 Ann Street	33-20-02-17-117-015

1612 Ann Street	33-20-02-17-120-002
1617 Ann Street	33-20-02-17-117-014
1618 Ann Street	33-20-02-17-120-003
1625 Ann Street	33-20-02-17-117-013
1626 Ann Street	33-20-02-17-120-004
1631 Ann Street	33-20-02-17-117-012
1632 Ann Street	33-20-02-17-120-005
1639 Ann Street	33-20-02-17-117-011
1640 Ann Street	33-20-02-17-120-006
1645 Ann Street	33-20-02-17-117-010
1646 Ann Street	33-20-02-17-120-007
1653 Ann Street	33-20-02-17-117-009
1654 Ann Street	33-20-02-17-120-008
1708 Ann Street	33-20-02-17-121-001
1717 Ann Street	33-20-02-17-118-031
1720 Ann Street	33-20-02-17-121-002
1725 Ann Street	33-20-02-17-118-030
1728 Ann Street	33-20-02-17-121-003
1733 Ann Street	33-20-02-17-118-029
1736 Ann Street	33-20-02-17-121-004
1739 Ann Street	33-20-02-17-118-028
1800 Ann Street	33-20-02-17-121-005
1807 Ann Street	33-20-02-17-118-027

1816 Ann Street	33-20-02-17-121-006
1817 Ann Street	33-20-02-17-118-026
1823 Ann Street	33-20-02-17-118-025
1824 Ann Street	33-20-02-17-121-007
1827 Ann Street	33-20-02-17-118-024
1833 Ann Street	33-20-02-17-118-023
1839 Ann Street	33-20-02-17-118-022
1843 Ann Street	33-20-02-17-118-021
1846 Ann Street	33-20-02-17-122-002
1849 Ann Street	33-20-02-17-118-020
1852 Ann Street	33-20-02-17-122-003
1855 Ann Street	33-20-02-17-118-019
1860 Ann Street	33-20-02-17-122-004
1867 Ann Street	33-20-02-17-118-018
1868 Ann Street	33-20-02-17-122-005
1875 Ann Street	33-20-02-17-118-017
1876 Ann Street	33-20-02-17-122-006
1883 Ann Street	33-20-02-17-118-016
1884 Ann Street	33-20-02-17-122-007
1887 Ann Street	33-20-02-17-118-015
1521 Cahill Drive	33-20-02-17-119-018
1524 Cahill Drive	33-20-02-17-123-002
1529 Cahill Drive	33-20-02-17-119-017

1532 Cahill Drive	33-20-02-17-123-003
1538 Cahill Drive	33-20-02-17-123-004
1545 Cahill Drive	33-20-02-17-119-012
1546 Cahill Drive	33-20-02-17-123-005
1559 Cahill Drive	33-20-02-17-119-011
1560 Cahill Drive	33-20-02-17-123-006
1567 Cahill Drive	33-20-02-17-119-010
1572 Cahill Drive	33-20-02-17-123-007
1606 Cahill Drive	33-20-02-17-123-008
1611 Cahill Drive	33-20-02-17-120-020
1614 Cahill Drive	33-20-02-17-123-009
1623 Cahill Drive	33-20-02-17-120-019
1626 Cahill Drive	33-20-02-17-123-010
1634 Cahill Drive	33-20-02-17-123-011
1635 Cahill Drive	33-20-02-17-120-018
1644 Cahill Drive	33-20-02-17-123-012
1648 Cahill Drive	33-20-02-17-123-013
1653 Cahill Drive	33-20-02-17-120-013
1654 Cahill Drive	33-20-02-17-123-014
1665 Cahill Drive	33-20-02-17-120-012
1666 Cahill Drive	33-20-02-17-123-015
1677 Cahill Drive	33-20-02-17-120-011
1680 Cahill Drive	33-20-02-17-123-016



1708 Cahill Drive	33-20-02-17-123-017
1709 Cahill Drive	33-20-02-17-121-021
1716 Cahill Drive	33-20-02-17-123-018
1717 Cahill Drive	33-20-02-17-121-020
1724 Cahill Drive	33-20-02-17-123-019
1725 Cahill Drive	33-20-02-17-121-019
1806 Cahill Drive	33-20-02-17-124-001
1809 Cahill Drive	33-20-02-17-121-014
1817 Cahill Drive	33-20-02-17-121-013
1818 Cahill Drive	33-20-02-17-124-002
1824 Cahill Drive	33-20-02-17-124-003
1825 Cahill Drive	33-20-02-17-121-012
1830 Cahill Drive	33-20-02-17-124-004
1831 Cahill Drive	33-20-02-17-121-011
1836 Cahill Drive	33-20-02-17-124-005
1840 Cahill Drive	33-20-02-17-124-006
1841 Cahill Drive	33-20-02-17-122-018
1845 Cahill Drive	33-20-02-17-122-017
1846 Cahill Drive	33-20-02-17-124-007
1853 Cahill Drive	33-20-02-17-122-016
1854 Cahill Drive	33-20-02-17-124-008
1858 Cahill Drive	33-20-02-17-124-009
1859 Cahill Drive	33-20-02-17-122-015

1862 Cahill Drive	33-20-02-17-124-010
1870 Cahill Drive	33-20-02-17-124-011
1871 Cahill Drive	33-20-02-17-122-011
1878 Cahill Drive	33-20-02-17-124-012
1879 Cahill Drive	33-20-02-17-122-010
304 Droste Circle	33-20-02-17-120-014
305 Droste Circle	33-20-02-17-120-017
312 Droste Circle	33-20-02-17-120-015
313 Droste Circle	33-20-02-17-120-016
304 East Brookfield Drive	33-20-02-17-121-015
305 East Brookfield Drive	33-20-02-17-121-018
312 East Brookfield Drive	33-20-02-17-121-016
313 East Brookfield Drive	33-20-02-17-121-017
424 Hagadorn Road	33-20-02-17-116-001
646 Hagadorn Road	33-20-02-17-104-019
304 John R Street	33-20-02-17-120-021
305 John R Street	33-20-02-17-119-009
316 John R Street	33-20-02-17-120-024
317 John R Street	33-20-02-17-119-008
420 John R Street	33-20-02-17-117-017
551 John R Street	33-20-02-17-108-014
556 John R Street	33-20-02-17-109-003
557 John R Street	33-20-02-17-108-013

623 John R Street	33-20-02-17-104-010
627 John R Street	33-20-02-17-104-009
630 John R Street	33-20-02-17-105-002
646 John R Street	33-20-02-17-105-001
664 John R Street	33-20-02-17-101-019
665 John R Street	33-20-02-17-100-021
675 John R Street	33-20-02-17-100-025
680 John R Street	33-20-02-17-101-016
684 John R Street	33-20-02-17-101-002
685 John R Street	33-20-02-17-100-004
694 John R Street	33-20-02-17-101-001
695 John R Street	33-20-02-17-100-003
304 Lee Circle	33-20-02-17-119-013
312 Lee Circle	33-20-02-17-119-014
1507 Linden Street	33-20-02-17-112-017
1515 Linden Street	33-20-02-17-112-016
1528 Linden Street	33-20-02-17-116-002
1529 Linden Street	33-20-02-17-112-015
1536 Linden Street	33-20-02-17-116-003
1537 Linden Street	33-20-02-17-112-014
1542 Linden Street	33-20-02-17-116-004
1545 Linden Street	33-20-02-17-112-013
1548 Linden Street	33-20-02-17-116-005

1553 Linden Street	33-20-02-17-112-012
1556 Linden Street	33-20-02-17-116-006
1563 Linden Street	33-20-02-17-112-011
1605 Linden Street	33-20-02-17-113-020
1608 Linden Street	33-20-02-17-117-001
1617 Linden Street	33-20-02-17-113-019
1618 Linden Street	33-20-02-17-117-002
1630 Linden Street	33-20-02-17-117-003
1639 Linden Street	33-20-02-17-113-018
1642 Linden Street	33-20-02-17-117-004
1647 Linden Street	33-20-02-17-113-017
1653 Linden Street	33-20-02-17-113-016
1656 Linden Street	33-20-02-17-117-005
1667 Linden Street	33-20-02-17-113-015
1668 Linden Street	33-20-02-17-117-006
1672 Linden Street	33-20-02-17-117-018
1678 Linden Street	33-20-02-17-117-019
1679 Linden Street	33-20-02-17-113-014
1706 Linden Street	33-20-02-17-118-001
1714 Linden Street	33-20-02-17-118-002
1715 Linden Street	33-20-02-17-114-010
1720 Linden Street	33-20-02-17-118-003
1731 Linden Street	33-20-02-17-114-009

1732 Linden Street	33-20-02-17-118-004
1735 Linden Street	33-20-02-17-114-008
1806 Linden Street	33-20-02-17-118-005
1809 Linden Street	33-20-02-17-115-023
1817 Linden Street	33-20-02-17-115-022
1818 Linden Street	33-20-02-17-118-006
1825 Linden Street	33-20-02-17-115-021
1826 Linden Street	33-20-02-17-118-007
1833 Linden Street	33-20-02-17-115-020
1834 Linden Street	33-20-02-17-118-008
1841 Linden Street	33-20-02-17-115-019
1842 Linden Street	33-20-02-17-118-009
1849 Linden Street	33-20-02-17-115-018
1850 Linden Street	33-20-02-17-118-010
1857 Linden Street	33-20-02-17-115-017
1858 Linden Street	33-20-02-17-118-011
1864 Linden Street	33-20-02-17-118-012
1865 Linden Street	33-20-02-17-115-016
1873 Linden Street	33-20-02-17-115-015
1876 Linden Street	33-20-02-17-118-013
1881 Linden Street	33-20-02-17-115-014
1888 Linden Street	33-20-02-17-118-014
1889 Linden Street	33-20-02-17-115-013

1562 Linden Street & 421 John R	33-20-02-17-116-007
304 Margaret Street	33-20-02-17-122-019
305 Margaret Street	33-20-02-17-121-010
316 Margaret Street	33-20-02-17-122-020
317 Margaret Street	33-20-02-17-121-009
330 Margaret Street	33-20-02-17-122-001
331 Margaret Street	33-20-02-17-121-008
1523 Melrose Avenue	33-20-02-17-108-022
1524 Melrose Avenue	33-20-02-17-112-004
1530 Melrose Avenue	33-20-02-17-112-005
1535 Melrose Avenue	33-20-02-17-108-021
1541 Melrose Avenue	33-20-02-17-108-020
1542 Melrose Avenue	33-20-02-17-112-006
1547 Melrose Avenue	33-20-02-17-108-019
1553 Melrose Avenue	33-20-02-17-108-018
1554 Melrose Avenue	33-20-02-17-112-007
1559 Melrose Avenue	33-20-02-17-108-017
1560 Melrose Avenue	33-20-02-17-112-008
1565 Melrose Avenue	33-20-02-17-108-016
1566 Melrose Avenue	33-20-02-17-112-009
1571 Melrose Avenue	33-20-02-17-108-015
1572 Melrose Avenue	33-20-02-17-112-010
1605 Melrose Avenue	33-20-02-17-109-024

1606 Melrose Avenue	33-20-02-17-113-001
1611 Melrose Avenue	33-20-02-17-109-023
1617 Melrose Avenue	33-20-02-17-109-022
1618 Melrose Avenue	33-20-02-17-113-002
1623 Melrose Avenue	33-20-02-17-109-021
1624 Melrose Avenue	33-20-02-17-113-003
1629 Melrose Avenue	33-20-02-17-109-020
1630 Melrose Avenue	33-20-02-17-113-004
1635 Melrose Avenue	33-20-02-17-109-019
1636 Melrose Avenue	33-20-02-17-113-005
1641 Melrose Avenue	33-20-02-17-109-018
1642 Melrose Avenue	33-20-02-17-113-006
1647 Melrose Avenue	33-20-02-17-109-017
1648 Melrose Avenue	33-20-02-17-113-007
1653 Melrose Avenue	33-20-02-17-109-016
1654 Melrose Avenue	33-20-02-17-113-008
1659 Melrose Avenue	33-20-02-17-109-015
1660 Melrose Avenue	33-20-02-17-113-009
1666 Melrose Avenue	33-20-02-17-113-010
1667 Melrose Avenue	33-20-02-17-109-014
1672 Melrose Avenue	33-20-02-17-113-011
1677 Melrose Avenue	33-20-02-17-109-013
1718 Melrose Avenue	33-20-02-17-114-004

1724 Melrose Avenue	33-20-02-17-114-005
1729 Melrose Avenue	33-20-02-17-110-009
1730 Melrose Avenue	33-20-02-17-114-006
1741 Melrose Avenue	33-20-02-17-110-008
1747 Melrose Avenue	33-20-02-17-110-007
1805 Melrose Avenue	33-20-02-17-111-026
1812 Melrose Avenue	33-20-02-17-115-002
1813 Melrose Avenue	33-20-02-17-111-025
1820 Melrose Avenue	33-20-02-17-115-003
1821 Melrose Avenue	33-20-02-17-111-024
1829 Melrose Avenue	33-20-02-17-111-023
1830 Melrose Avenue	33-20-02-17-115-004
1836 Melrose Avenue	33-20-02-17-115-005
1837 Melrose Avenue	33-20-02-17-111-022
1842 Melrose Avenue	33-20-02-17-115-006
1843 Melrose Avenue	33-20-02-17-111-021
1850 Melrose Avenue	33-20-02-17-115-007
1851 Melrose Avenue	33-20-02-17-111-020
1857 Melrose Avenue	33-20-02-17-111-019
1860 Melrose Avenue	33-20-02-17-115-008
1865 Melrose Avenue	33-20-02-17-111-018
1868 Melrose Avenue	33-20-02-17-115-009
1875 Melrose Avenue	33-20-02-17-111-017



1876 Melrose Avenue	33-20-02-17-115-010
1885 Melrose Avenue	33-20-02-17-111-029
1886 Melrose Avenue	33-20-02-17-115-011
1895 Melrose Avenue	33-20-02-17-111-028
466 Moorland Drive	33-20-02-17-115-001
467 Moorland Drive	33-20-02-17-114-007
524 Moorland Drive	33-20-02-17-111-003
525 Moorland Drive	33-20-02-17-110-006
529 Moorland Drive	33-20-02-17-110-005
530 Moorland Drive	33-20-02-17-111-002
536 Moorland Drive	33-20-02-17-111-001
608 Moorland Drive	33-20-02-17-107-010
616 Moorland Drive	33-20-02-17-107-009
622 Moorland Drive	33-20-02-17-107-008
627 Moorland Drive	33-20-02-17-106-014
630 Moorland Drive	33-20-02-17-107-007
640 Moorland Drive	33-20-02-17-107-011
681 Moorland Drive	33-20-02-17-102-014
1527 Mt. Vernon Avenue	33-20-02-17-100-010
1530 Mt. Vernon Avenue	33-20-02-17-104-004
1533 Mt. Vernon Avenue	33-20-02-17-100-009
1538 Mt. Vernon Avenue	33-20-02-17-104-005
1541 Mt. Vernon Avenue	33-20-02-17-100-008

1546 Mt. Vernon Avenue	33-20-02-17-104-006
1549 Mt. Vernon Avenue	33-20-02-17-100-007
1552 Mt. Vernon Avenue	33-20-02-17-104-007
1559 Mt. Vernon Avenue	33-20-02-17-100-023
1560 Mt. Vernon Avenue	33-20-02-17-104-008
1569 Mt. Vernon Avenue	33-20-02-17-100-022
1603 Mt. Vernon Avenue	33-20-02-17-101-020
1609 Mt. Vernon Avenue	33-20-02-17-101-021
1616 Mt. Vernon Avenue	33-20-02-17-105-003
1619 Mt. Vernon Avenue	33-20-02-17-101-014
1626 Mt. Vernon Avenue	33-20-02-17-105-004
1631 Mt. Vernon Avenue	33-20-02-17-101-013
1636 Mt. Vernon Avenue	33-20-02-17-105-005
1641 Mt. Vernon Avenue	33-20-02-17-101-012
1646 Mt. Vernon Avenue	33-20-02-17-105-006
1651 Mt. Vernon Avenue	33-20-02-17-101-011
1656 Mt. Vernon Avenue	33-20-02-17-105-007
1661 Mt. Vernon Avenue	33-20-02-17-101-010
1666 Mt. Vernon Avenue	33-20-02-17-105-008
1671 Mt. Vernon Avenue	33-20-02-17-101-009
1676 Mt. Vernon Avenue	33-20-02-17-105-009
1707 Mt. Vernon Avenue	33-20-02-17-102-004
1725 Mt. Vernon Avenue	33-20-02-17-102-011

1726 Mt. Vernon Avenue	33-20-02-17-106-010
1735 Mt. Vernon Avenue	33-20-02-17-102-012
1736 Mt. Vernon Avenue	33-20-02-17-106-011
304 Murphy Circle	33-20-02-17-122-009
305 Murphy Circle	33-20-02-17-122-014
312 Murphy Circle	33-20-02-17-122-012
313 Murphy Circle	33-20-02-17-122-013
1524 Snyder Road	33-20-02-17-108-004
1530 Snyder Road	33-20-02-17-108-005
1531 Snyder Road	33-20-02-17-104-015
1536 Snyder Road	33-20-02-17-108-006
1541 Snyder Road	33-20-02-17-104-014
1542 Snyder Road	33-20-02-17-108-007
1548 Snyder Road	33-20-02-17-108-008
1551 Snyder Road	33-20-02-17-104-013
1554 Snyder Road	33-20-02-17-108-009
1560 Snyder Road	33-20-02-17-108-010
1561 Snyder Road	33-20-02-17-104-012
1566 Snyder Road	33-20-02-17-108-011
1571 Snyder Road	33-20-02-17-104-011
1572 Snyder Road	33-20-02-17-108-012
1606 Snyder Road	33-20-02-17-109-001
1607 Snyder Road	33-20-02-17-105-020

1612 Snyder Road	33-20-02-17-109-002
1617 Snyder Road	33-20-02-17-105-019
1622 Snyder Road	33-20-02-17-109-004
1627 Snyder Road	33-20-02-17-105-018
1633 Snyder Road	33-20-02-17-105-017
1636 Snyder Road	33-20-02-17-109-005
1637 Snyder Road	33-20-02-17-105-016
1642 Snyder Road	33-20-02-17-109-006
1647 Snyder Road	33-20-02-17-105-015
1648 Snyder Road	33-20-02-17-109-007
1656 Snyder Road	33-20-02-17-109-008
1657 Snyder Road	33-20-02-17-105-014
1666 Snyder Road	33-20-02-17-109-009
1667 Snyder Road	33-20-02-17-105-013
1672 Snyder Road	33-20-02-17-109-010
1677 Snyder Road	33-20-02-17-105-012
1678 Snyder Road	33-20-02-17-109-025
1717 Snyder Road	33-20-02-17-106-007
1724 Snyder Road	33-20-02-17-110-003
1727 Snyder Road	33-20-02-17-106-006
1736 Snyder Road	33-20-02-17-110-004
1737 Snyder Road	33-20-02-17-106-013
1820 Snyder Road	33-20-02-17-111-030

1826 Snyder Road	33-20-02-17-111-031
1831 Snyder Road	33-20-02-17-107-012
1832 Snyder Road	33-20-02-17-111-032
1838 Snyder Road	33-20-02-17-111-033
1844 Snyder Road	33-20-02-17-111-034
1850 Snyder Road	33-20-02-17-111-035
331 Timberlane Street	33-20-02-17-122-008
503 Timberlane Street	33-20-02-17-115-024
505 Timberlane Street	33-20-02-17-115-025
0 Vac Snyder Road	33-20-02-17-107-013
0 Vac Snyder Road	33-20-02-17-111-011
0 Vac Snyder Road	33-20-02-17-111-012
0 Vac Snyder Road	33-20-02-17-111-013
0 Vac Snyder Road	33-20-02-17-111-014
0 Vac Wayland Avenue	33-20-02-17-109-026
304 Wayland Avenue	33-20-02-17-121-022
305 Wayland Avenue	33-20-02-17-120-010
316 Wayland Avenue	33-20-02-17-121-023
317 Wayland Avenue	33-20-02-17-120-009
420 Wayland Avenue	33-20-02-17-118-032
450 Wayland Avenue	33-20-02-17-114-012
453 Wayland Avenue	33-20-02-17-113-013
461 Wayland Avenue	33-20-02-17-113-012

464 Wayland Avenue	33-20-02-17-114-002
466 Wayland Avenue	33-20-02-17-114-001
508 Wayland Avenue	33-20-02-17-110-010
516 Wayland Avenue	33-20-02-17-110-011
529 Wayland Avenue	33-20-02-17-109-012
532 Wayland Avenue	33-20-02-17-110-002
542 Wayland Avenue	33-20-02-17-110-001
612 Wayland Avenue	33-20-02-17-106-008
618 Wayland Avenue	33-20-02-17-106-009
619 Wayland Avenue	33-20-02-17-105-011
628 Wayland Avenue	33-20-02-17-106-002
631 Wayland Avenue	33-20-02-17-105-010
650 Wayland Avenue	33-20-02-17-106-001
674 Wayland Avenue	33-20-02-17-102-005
675 Wayland Avenue	33-20-02-17-101-008
684 Wayland Avenue	33-20-02-17-102-002
685 Wayland Avenue	33-20-02-17-101-017
694 Wayland Avenue	33-20-02-17-102-001
695 Wayland Avenue	33-20-02-17-101-018

(11) *Ordinance No. 1134.* The zoning use district map is hereby amended to rezone the Walnut Heights Neighborhood into the R-O-3 Residential Rental Restriction Overlay District. The area to be rezoned includes properties in the Walnut Heights, Walnut Heights No. 1, Walnut Heights No. 2 and Greencrest Subdivisions and a portion of the

Greencrest No. 1 Subdivision. The district generally lies east of Hagadorn Road, south of Haslett Road, west of Timberlane Drive and extends south to the MacDonald Middle School property. It includes all of the neighborhood that is currently zoned in the R-1 Single-Family District. The rezoning includes the following properties:

Street Address	Tax Parcel Number
1035 Ferndale Avenue	33-20-02-08-306-031
1122 Ferndale Avenue	33-20-02-08-304-008
1125 Ferndale Avenue	33-20-02-08-303-026
1136 Ferndale Avenue	33-20-02-08-304-009
1028 Hagadorn Road, N.	33-20-02-08-305-015
1036 Hagadorn Road, N.	33-20-02-08-305-016
1544 Haslett Road	33-20-02-08-303-001
1556 Haslett Road	33-20-02-08-303-002
1568 Haslett Road	33-20-02-08-303-003
1608 Haslett Road	33-20-02-08-303-004
1616 Haslett Road	33-20-02-08-303-005
1624 Haslett Road	33-20-02-08-303-006
1628 Haslett Road	33-20-02-08-303-007
1640 Haslett Road	33-20-02-08-303-008
1648 Haslett Road	33-20-02-08-303-009
1668 Haslett Road	33-20-02-08-303-010
1720 Haslett Road	33-20-02-08-304-001
1728 Haslett Road	33-20-02-08-304-002
1518 Parkvale Avenue	33-20-02-08-305-001

1524 Parkvale Avenue	33-20-02-08-305-002
1527 Parkvale Avenue	33-20-02-08-303-021
1532 Parkvale Avenue	33-20-02-08-305-003
1538 Parkvale Avenue	33-20-02-08-305-004
1539 Parkvale Avenue	33-20-02-08-303-020
1544 Parkvale Avenue	33-20-02-08-305-005
1551 Parkvale Avenue	33-20-02-08-303-019
1605 Parkvale Avenue	33-20-02-08-303-018
1606 Parkvale Avenue	33-20-02-08-306-028
1613 Parkvale Avenue	33-20-02-08-303-017
1614 Parkvale Avenue	33-20-02-08-306-029
1621 Parkvale Avenue	33-20-02-08-303-016
1622 Parkvale Avenue	33-20-02-08-306-002
1629 Parkvale Avenue	33-20-02-08-303-015
1630 Parkvale Avenue	33-20-02-08-306-003
1635 Parkvale Avenue	33-20-02-08-303-023
1638 Parkvale Avenue	33-20-02-08-306-004
1643 Parkvale Avenue	33-20-02-08-303-022
1651 Parkvale Avenue	33-20-02-08-303-025
1652 Parkvale Avenue	33-20-02-08-306-005
1660 Parkvale Avenue	33-20-02-08-306-006
1704 Parkvale Avenue	33-20-02-08-306-026
1707 Parkvale Avenue	33-20-02-08-304-007



1714 Parkvale Avenue	33-20-02-08-306-027
1719 Parkvale Avenue	33-20-02-08-304-006
1720 Parkvale Avenue	33-20-02-08-306-009
1724 Parkvale Avenue	33-20-02-08-306-010
1725 Parkvale Avenue	33-20-02-08-304-005
1500 Ridgewood Drive	33-20-02-08-308-001
1505 Ridgewood Drive	33-20-02-08-305-021
1510 Ridgewood Drive	33-20-02-08-308-002
1515 Ridgewood Drive	33-20-02-08-305-012
1520 Ridgewood Drive	33-20-02-08-308-003
1525 Ridgewood Drive	33-20-02-08-305-011
1530 Ridgewood Drive	33-20-02-08-308-004
1535 Ridgewood Drive	33-20-02-08-305-010
1540 Ridgewood Drive	33-20-02-08-308-005
1555 Ridgewood Drive	33-20-02-08-305-009
1566 Ridgewood Drive	33-20-02-08-308-006
1600 Ridgewood Drive	33-20-02-08-308-007
1605 Ridgewood Drive	33-20-02-08-306-021
1615 Ridgewood Drive	33-20-02-08-306-020
1620 Ridgewood Drive	33-20-02-08-308-008
1625 Ridgewood Drive	33-20-02-08-306-019
1630 Ridgewood Drive	33-20-02-08-308-009
1635 Ridgewood Drive	33-20-02-08-306-018

1640 Ridgewood Drive	33-20-02-08-308-010
1643 Ridgewood Drive	33-20-02-08-306-017
1700 Ridgewood Drive	33-20-02-08-308-034
1705 Ridgewood Drive	33-20-02-08-306-016
1722 Ridgewood Drive	33-20-02-08-308-033
1731 Ridgewood Drive	33-20-02-08-306-030
1737 Ridgewood Drive	33-20-02-08-306-025
1744 Ridgewood Drive	33-20-02-08-308-013
1749 Ridgewood Drive	33-20-02-08-306-013
1805 Ridgewood Drive	33-20-02-08-307-017
1817 Ridgewood Drive	33-20-02-08-307-016
1829 Ridgewood Drive	33-20-02-08-307-015
1841 Ridgewood Drive	33-20-02-08-307-014
1853 Ridgewood Drive	33-20-02-08-307-013
1854 Ridgewood Drive	33-20-02-08-311-003
1861 Ridgewood Drive	33-20-02-08-307-012
1862 Ridgewood Drive	33-20-02-08-311-004
1873 Ridgewood Drive	33-20-02-08-307-011
1874 Ridgewood Drive	33-20-02-08-311-005
1881 Ridgewood Drive	33-20-02-08-307-010
1882 Ridgewood Drive	33-20-02-08-311-006
1889 Ridgewood Drive	33-20-02-08-307-009
1890 Ridgewood Drive	33-20-02-08-311-007

1895 Ridgewood Drive	33-20-02-08-307-008
1025 Robb Street	33-20-02-08-305-008
1026 Robb Street	33-20-02-08-306-022
1035 Robb Street	33-20-02-08-305-007
1036 Robb Street	33-20-02-08-306-023
1105 Robb Street	33-20-02-08-305-006
1515 Walnut Heights Drive	33-20-02-08-308-026
1522 Walnut Heights Drive	33-20-02-08-309-001
1525 Walnut Heights Drive	33-20-02-08-308-025
1533 Walnut Heights Drive	33-20-02-08-308-024
1545 Walnut Heights Drive	33-20-02-08-308-023
1546 Walnut Heights Drive	33-20-02-08-309-002
1557 Walnut Heights Drive	33-20-02-08-308-022
1606 Walnut Heights Drive	33-20-02-08-309-003
1607 Walnut Heights Drive	33-20-02-08-308-021
1618 Walnut Heights Drive	33-20-02-08-309-004
1619 Walnut Heights Drive	33-20-02-08-308-020
1630 Walnut Heights Drive	33-20-02-08-309-005
1631 Walnut Heights Drive	33-20-02-08-308-019
1642 Walnut Heights Drive	33-20-02-08-309-006
1643 Walnut Heights Drive	33-20-02-08-308-018
1654 Walnut Heights Drive	33-20-02-08-309-007
1655 Walnut Heights Drive	33-20-02-08-308-017

1707 Walnut Heights Drive	33-20-02-08-308-016
1773 Walnut Heights Drive	33-20-02-08-310-001
1780 Walnut Heights Drive	33-20-02-08-311-018
1787 Walnut Heights Drive	33-20-02-08-310-013
1792 Walnut Heights Drive	33-20-02-08-311-017
1804 Walnut Heights Drive	33-20-02-08-311-016
1817 Walnut Heights Drive	33-20-02-08-310-012
1818 Walnut Heights Drive	33-20-02-08-311-015
1826 Walnut Heights Drive	33-20-02-08-311-023
1829 Walnut Heights Drive	33-20-02-08-310-011
1836 Walnut Heights Drive	33-20-02-08-311-013
1837 Walnut Heights Drive	33-20-02-08-310-010
1844 Walnut Heights Drive	33-20-02-08-311-012
1845 Walnut Heights Drive	33-20-02-08-310-009
1856 Walnut Heights Drive	33-20-02-08-311-011
1861 Walnut Heights Drive	33-20-02-08-310-008
1864 Walnut Heights Drive	33-20-02-08-311-010
1876 Walnut Heights Drive	33-20-02-08-311-002
1877 Walnut Heights Drive	33-20-02-08-310-007
1888 Walnut Heights Drive	33-20-02-08-311-001
1889 Walnut Heights Drive	33-20-02-08-310-006
1524 Woodside Drive	33-20-02-08-312-002
1531 Woodside Drive	33-20-02-08-308-027

1536 Woodside Drive	33-20-02-08-312-003
1550 Woodside Drive	33-20-02-08-312-004
1553 Woodside Drive	33-20-02-08-309-015
1560 Woodside Drive	33-20-02-08-312-005
1565 Woodside Drive	33-20-02-08-309-014
1611 Woodside Drive	33-20-02-08-309-013
1622 Woodside Drive	33-20-02-08-312-007
1623 Woodside Drive	33-20-02-08-309-012
1630 Woodside Drive	33-20-02-08-312-008
1635 Woodside Drive	33-20-02-08-309-011
1640 Woodside Drive	33-20-02-08-312-009
1647 Woodside Drive	33-20-02-08-309-010
1658 Woodside Drive	33-20-02-08-311-019
1665 Woodside Drive	33-20-02-08-309-009
1670 Woodside Drive	33-20-02-08-311-020
1682 Woodside Drive	33-20-02-08-311-021
1707 Woodside Drive	33-20-02-08-309-008
1719 Woodside Drive	33-20-02-08-308-015
1727 Woodside Drive	33-20-02-08-308-014
1728 Woodside Drive	33-20-02-08-310-002
1740 Woodside Drive	33-20-02-08-310-003
1750 Woodside Drive	33-20-02-08-310-004
1764 Woodside Drive	33-20-02-08-310-005

1774 Woodside Drive	33-20-02-08-307-018
1777 Woodside Drive	33-20-02-08-306-024
1783 Woodside Drive	33-20-02-08-306-011
1795 Woodside Drive	33-20-02-08-304-004
1797 Woodside Drive	33-20-02-08-304-003

(12) *Ordinance 1198*. The zoning use district map is amended to rezone the following properties into the R-O-1 Residential Rental Restriction Overlay District:

Street Address	Parcel Identification Number
1122 Farwood Drive	33-20-01-12-124-005
1127 Farwood Drive	33-20-01-12-124-004
1130 Farwood Drive	33-20-01-12-122-008
1135 Farwood Drive	33-20-01-12-124-003
1202 Farwood Drive	33-20-01-12-122-007
1207 Farwood Drive	33-20-01-12-124-002
1218 Farwood Drive	33-20-01-12-122-006
1225 Farwood Drive	33-20-01-12-124-001
1232 Farwood Drive	33-20-01-12-122-005
1246 Farwood Drive	33-20-01-12-122-004
1251 Farwood Drive	33-20-01-12-123-009
1310 Farwood Drive	33-20-01-12-122-003
1315 Farwood Drive	33-20-01-12-123-008

1330 Farwood Drive	33-20-01-12-122-002
1335 Farwood Drive	33-20-01-12-123-007
1401 Farwood Drive	33-20-01-12-123-006
1404 Farwood Drive	33-20-01-12-122-001
1417 Farwood Drive	33-20-01-12-123-005
1420 Farwood Drive	33-20-01-12-121-006
1425 Farwood Drive	33-20-01-12-123-004
1436 Farwood Drive	33-20-01-12-121-005
1441 Farwood Drive	33-20-01-12-123-003
1448 Farwood Drive	33-20-01-12-121-002
1453 Farwood Drive	33-20-01-12-123-002
1302 Fairoaks Court	33-20-01-12-128-005
1303 Fairoaks Court	33-20-01-12-128-006
1306 Fairoaks Court	33-20-01-12-128-004
1307 Fairoaks Court	33-20-01-12-128-019
1310 Fairoaks Court	33-20-01-12-128-003
1311 Fairoaks Court	33-20-01-12-128-020
1314 Fairoaks Court	33-20-01-12-128-002
1315 Fairoaks Court	33-20-01-12-128-009
1320 Fairoaks Court	33-20-01-12-128-001
1403 Fairoaks Court	33-20-01-12-128-010
1406 Fairoaks Court	33-20-01-12-127-007
1407 Fairoaks Court	33-20-01-12-128-011

1410 Fairoaks Court	33-20-01-12-127-006
1411 Fairoaks Court	33-20-01-12-128-012
1414 Fairoaks Court	33-20-01-12-127-005
1415 Fairoaks Court	33-20-01-12-128-013
1418 Fairoaks Court	33-20-01-12-127-004
1419 Fairoaks Court	33-20-01-12-128-014
1422 Fairoaks Court	33-20-01-12-127-003
1423 Fairoaks Court	33-20-01-12-128-015
1426 Fairoaks Court	33-20-01-12-127-002
1427 Fairoaks Court	33-20-01-12-128-016
1430 Fairoaks Court	33-20-01-12-127-001
1431 Fairoaks Court	33-20-01-12-128-017
1300 Basswood Circle	33-20-01-12-126-005
1301 Basswood Circle	33-20-01-12-126-006
1304 Basswood Circle	33-20-01-12-126-004
1305 Basswood Circle	33-20-01-12-126-007
1308 Basswood Circle	33-20-01-12-126-003
1309 Basswood Circle	33-20-01-12-126-008
1312 Basswood Circle	33-20-01-12-126-002
1313 Basswood Circle	33-20-01-12-126-009
1316 Basswood Circle	33-20-01-12-126-001
1400 Basswood Court	33-20-01-12-125-005
1401 Basswood Court	33-20-01-12-125-006



1404 Basswood Court	33-20-01-12-125-004
1405 Basswood Court	33-20-01-12-125-007
1408 Basswood Court	33-20-01-12-125-003
1409 Basswood Court	33-20-01-12-125-008
1412 Basswood Court	33-20-01-12-125-002
1413 Basswood Court	33-20-01-12-125-009
1416 Basswood Court	33-20-01-12-125-001
1417 Basswood Court	33-20-01-12-125-010
1420 Basswood Court	33-20-01-12-125-011
1100 Blanchette Drive	33-20-01-12-102-012
1108 Blanchette Drive	33-20-01-12-102-011
1120 Blanchette Drive	33-20-01-12-102-010
1131 Blanchette Drive	33-20-01-12-103-010
1140 Blanchette Drive	33-20-01-12-102-009
1200 Blanchette Drive	33-20-01-12-102-008
1205 Blanchette Drive	33-20-01-12-103-008
1208 Blanchette Drive	33-20-01-12-102-007
1209 Blanchette Drive	33-20-01-12-103-007
1220 Blanchette Drive	33-20-01-12-102-006
1225 Blanchette Drive	33-20-01-12-103-006
1240 Blanchette Drive	33-20-01-12-102-005
1259 Blanchette Drive	33-20-01-12-103-005
1300 Blanchette Drive	33-20-01-12-102-004

1305 Blanchette Drive	33-20-01-12-103-004
1320 Blanchette Drive	33-20-01-12-103-003
1335 Blanchette Drive	33-20-01-12-103-003
1340 Blanchette Drive	33-20-01-12-102-002
1355 Blanchette Drive	33-20-01-12-103-013
1405 Blanchette Drive	33-20-01-12-103-012
1785 Bramble Drive	33-20-01-12-101-004
1787 Bramble Drive	33-20-01-12-101-003
1795 Bramble Drive	33-20-01-12-101-002
1800 Bramble Drive	33-20-01-12-102-001
1805 Bramble Drive	33-20-01-12-101-001
1810 >Bramble Drive	33-20-01-12-100-017
1811 Bramble Drive	33-20-01-12-100-006
1820 Bramble Drive	33-20-01-12-100-016
1821 Bramble Drive	33-20-01-12-100-007
1830 Bramble Drive	33-20-01-12-100-015
1831 Bramble Drive	33-20-01-12-100-008
1840 Bramble Drive	33-20-01-12-100-014
1841 Bramble Drive	33-20-01-12-100-009
1850 Bramble Drive	33-20-01-12-100-013
1851 Bramble Drive	33-20-01-12-100-010
1860 Bramble Drive	33-20-01-12-100-012
1861 Bramble Drive	33-20-01-12-100-011

- (13) *Ordinance 1204*. The zoning use district map is hereby amended to rezone the following properties to the R-O-1 Residential Rental Restriction Overlay District:

Street Address		Parcel No.	Street Address		Parcel No.
512	E Oakwood Drive	33-20-01-13-107-019	509	University Drive	33-20-01-13-107-010
518	E Oakwood Drive	33-20-01-13-107-014	515	University Drive	33-20-01-13-107-009
519	E Oakwood Drive	33-20-01-13-106-006	525	University Drive	33-20-01-13-107-008
522	E Oakwood Drive	33-20-01-13-107-015	526	University Drive	33-20-01-13-108-013
528	E Oakwood Drive	33-20-01-13-107-016	531	University Drive	33-20-01-13-107-007
535	E Oakwood Drive	33-20-01-13-106-007	532	University Drive	33-20-01-13-108-014
538	E Oakwood Drive	33-20-01-13-107-017	538	University Drive	33-20-01-13-108-015
541	E Oakwood Drive	33-20-01-13-106-008	539	University Drive	33-20-01-13-107-006
			544	University Drive	33-20-01-13-108-016
503	W Oakwood Drive	33-20-01-13-105-014	545	University Drive	33-20-01-13-107-005
515	W Oakwood Drive	33-20-01-13-105-013	550	University Drive	33-20-01-13-108-017
520	W Oakwood Drive	33-20-01-13-106-001	609	University Drive	33-20-01-13-107-004
521	W Oakwood Drive	33-20-01-13-105-012	610	University Drive	33-20-01-13-108-018
527	W Oakwood Drive	33-20-01-13-105-011	619	University Drive	33-20-01-13-107-003
530	W Oakwood Drive	33-20-01-13-106-009	633	University Drive	33-20-01-13-107-002
531	W Oakwood Drive	33-20-01-13-105-010			
			810	W Grand River Avenue	33-20-01-13-108-012
543	Oakwood Drive	33-20-01-13-105-009	916	W Grand River Avenue	33-20-01-13-107-011
612	Oakwood Drive	33-20-01-13-107-018	942	W Grand River Avenue	33-20-01-13-106-005
640	Oakwood Drive	33-20-01-13-107-001	1002	W Grand River Avenue	33-20-01-13-106-004
641	Oakwood Drive	33-20-01-13-105-008	1008	W Grand River Avenue	33-20-01-13-106-011
			1016	W Grand River Avenue	33-20-01-13-106-010
Vac	N Harrison Avenue	33-20-01-13-108-002	1020	W Grand River Avenue	33-20-01-13-106-002
Vac	N Harrison Avenue	33-20-01-13-108-003	1040	W Grand River Avenue	33-20-01-13-105-015
509	N Harrison Avenue	33-20-01-13-108-011	1042	W Grand River Avenue	33-20-01-13-105-016
519	N Harrison Avenue	33-20-01-13-108-010	1054	W Grand River Avenue	33-20-01-13-105-001
529	N Harrison Avenue	33-20-01-13-108-009			
603	N Harrison Avenue	33-20-01-13-108-007	618	Kensington Road	33-20-01-13-105-002
611	N Harrison Avenue	33-20-01-13-108-006	626	Kensington Road	33-20-01-13-105-003
615	N Harrison Avenue	33-20-01-13-108-005	640	Kensington Road	33-20-01-13-105-004
627	N Harrison Avenue	33-20-01-13-108-004	650	Kensington Road	33-20-01-13-105-005
839	Wildwood Drive	33-20-01-13-108-001			
1015	Wildwood Drive	33-20-01-13-105-007			
1025	Wildwood Drive	33-20-01-13-105-006			

- (14) *Ordinance No. 1230.* The zoning use district map is hereby amended to rezone a portion of the Rudgate Hills, Rudgate Hills 1, Rudgate Hills 2, Rudgate Hills 3, Whitehills Estates 6, Whitehills Estates 7, Whitehills Estates 8, Whitehills Estates 9, Whitehills Estates 10, and Whitehills Estates 11 subdivisions, into the R-O-1 Residential Rental Restriction Overlay District. The area to be rezoned generally lies north of Saginaw Street and Walbridge Drive, west of Hagadorn Road, south of Lake Lansing Road, and east of Old Mill Road. The rezoning includes the following properties:

Address	Parcel ID Number
812 Applegate Lane	33-20-02-07-117-001
831 Applegate Lane	33-20-02-07-118-004
847 Applegate Lane	33-20-02-07-205-012
914 Applegate Lane	33-20-02-07-208-018
915 Applegate Lane	33-20-02-07-205-011
938 Applegate Lane	33-20-02-07-208-001
943 Applegate Lane	33-20-02-07-205-010
963 Applegate Lane	33-20-02-07-205-009
995 Applegate Lane	33-20-02-07-205-008
998 Applegate Lane	33-20-02-07-209-002
1038 Applegate Lane	33-20-02-07-210-003
1047 Applegate Lane	33-20-02-07-206-005
1050 Applegate Lane	33-20-02-07-210-005
1054 Applegate Lane	33-20-02-07-210-004
1057 Applegate Lane	33-20-02-07-202-011
1058 Applegate Lane	33-20-02-07-217-001

1063 Applegate Lane	33-20-02-07-202-012
1066 Applegate Lane	33-20-02-07-217-002
1069 Applegate Lane	33-20-02-07-202-013
1072 Applegate Lane	33-20-02-07-217-003
1075 Applegate Lane	33-20-02-07-202-014
1078 Applegate Lane	33-20-02-07-217-004
1081 Applegate Lane	33-20-02-07-202-015
1084 Applegate Lane	33-20-02-07-217-005
1090 Applegate Lane	33-20-02-07-217-006
1837 Blossom Lane	33-20-02-07-200-009
1840 Blossom Lane	33-20-02-07-200-012
1857 Blossom Lane	33-20-02-07-200-010
1868 Blossom Lane	33-20-02-07-200-011
1820 Boxwood Lane	33-20-02-07-200-006
1840 Boxwood Lane	33-20-02-07-200-005
1857 Boxwood Lane	33-20-02-07-200-003
1860 Boxwood Lane	33-20-02-07-200-004
1044 Cambria Drive	33-20-02-07-218-001
1057 Cambria Drive	33-20-02-07-213-018
1066 Cambria Drive	33-20-02-07-218-002
1071 Cambria Drive	33-20-02-07-213-017
1080 Cambria Drive	33-20-02-07-218-003
1083 Cambria Drive	33-20-02-07-213-016

1098 Cambria Drive	33-20-02-07-218-017
1106 Cambria Drive	33-20-02-07-218-013
1118 Cambria Drive	33-20-02-07-218-012
1250 Cambria Drive	33-20-02-07-218-020
1261 Cambria Drive	33-20-02-07-219-024
1273 Cambria Drive	33-20-02-07-219-025
Cambria Drive Vacant	33-20-02-07-219-023
1700 Cranston Court	33-20-02-07-214-030
1703 Cranston Court	33-20-02-07-214-023
1710 Cranston Court	33-20-02-07-214-029
1711 Cranston Court	33-20-02-07-214-024
1720 Cranston Court	33-20-02-07-214-028
1721 Cranston Court	33-20-02-07-214-033
1730 Cranston Court	33-20-02-07-214-035
1731 Cranston Court	33-20-02-07-214-034
1306 Dennison Road	33-20-02-07-218-008
1309 Dennison Road	33-20-02-07-218-007
1314 Dennison Road	33-20-02-07-218-009
1319 Dennison Road	33-20-02-07-218-006
1322 Dennison Road	33-20-02-07-218-010
1331 Dennison Road	33-20-02-07-218-018
1346 Dennison Road	33-20-02-07-210-028

1350 Dennison Road	33-20-02-07-210-012
1355 Dennison Road	33-20-02-07-213-014
1375 Dennison Road	33-20-02-07-213-009
1400 Dennison Road	33-20-02-07-210-021
1401 Dennison Road	33-20-02-07-209-012
1433 Dennison Road	33-20-02-07-209-013
1444 Dennison Road	33-20-02-07-210-020
1465 Dennison Road	33-20-02-07-209-014
1470 Dennison Road	33-20-02-07-210-009
1494 Dennison Road	33-20-02-07-210-008
1497 Dennison Road	33-20-02-07-209-015
1502 Dennison Road	33-20-02-07-210-007
1511 Dennison Road	33-20-02-07-209-016
1525 Dennison Road	33-20-02-07-209-017
1543 Dennison Road	33-20-02-07-209-001
1619 Dennison Road	33-20-02-07-205-007
1620 Dennison Road	33-20-02-07-206-006
1624 Dennison Road	33-20-02-07-206-011
1630 Dennison Road	33-20-02-07-206-012
1710 Dennison Road	33-20-02-07-206-013
1767 Dennison Road	33-20-02-07-203-017
1770 Dennison Road	33-20-02-07-201-008
1800 Dennison Road	33-20-02-07-201-009

1820 Dennison Road	33-20-02-07-201-010
Dennison Road Vacant	33-20-02-07-218-011
1351 Foxcroft Road	33-20-02-07-210-029
1352 Foxcroft Road	33-20-02-07-219-014
1366 Foxcroft Road	33-20-02-07-219-013
1373 Foxcroft Road	33-20-02-07-210-023
1378 Foxcroft Road	33-20-02-07-219-017
1399 Foxcroft Road	33-20-02-07-210-024
1425 Foxcroft Road	33-20-02-07-210-025
1450 Foxcroft Road	33-20-02-07-217-009
1461 Foxcroft Road	33-20-02-07-210-018
1490 Foxcroft Road	33-20-02-07-217-008
1493 Foxcroft Road	33-20-02-07-210-027
1515 Foxcroft Road	33-20-02-07-210-026
1520 Foxcroft Road	33-20-02-07-217-007
1623 Foxcroft Road	33-20-02-07-206-004
1630 Foxcroft Road	33-20-02-07-202-010
1637 Foxcroft Road	33-20-02-07-206-003
1707 Foxcroft Road	33-20-02-07-206-002
1710 Foxcroft Road	33-20-02-07-202-009
1720 Foxcroft Road	33-20-02-07-202-008
1740 Foxcroft Road	33-20-02-07-202-007



1757 Foxcroft Road	33-20-02-07-201-013
1760 Foxcroft Road	33-20-02-07-202-006
1777 Foxcroft Road	33-20-02-07-201-012
1780 Foxcroft Road	33-20-02-07-202-005
1797 Foxcroft Road	33-20-02-07-201-003
1800 Foxcroft Road & 1810	33-20-02-07-202-004
1820 Foxcroft Road	33-20-02-07-202-003
1837 Foxcroft Road	33-20-02-07-201-015
1840 Foxcroft Road	33-20-02-07-202-002
1231 Hillwood Circle	33-20-02-07-219-019
1253 Hillwood Circle	33-20-02-07-219-028
1254 Hillwood Circle	33-20-02-07-219-012
1275 Hillwood Circle	33-20-02-07-219-027
1276 Hillwood Circle	33-20-02-07-219-011
1298 Hillwood Circle	33-20-02-07-219-026
1415 Meadowbrook Lane	33-20-02-07-207-006
1416 Meadowbrook Lane	33-20-02-07-208-012
1438 Meadowbrook Lane	33-20-02-07-208-013
1439 Meadowbrook Lane	33-20-02-07-207-005
1456 Meadowbrook Lane	33-20-02-07-208-014
1459 Meadowbrook Lane	33-20-02-07-207-008
1472 Meadowbrook Lane	33-20-02-07-208-015
1507 Meadowbrook Lane	33-20-02-07-207-007

1512 Meadowbrook Lane	33-20-02-07-208-016
1523 Meadowbrook Lane	33-20-02-07-207-002
1530 Meadowbrook Lane	33-20-02-07-208-017
1543 Meadowbrook Lane	33-20-02-07-207-001
800 Northgate Drive	33-20-02-07-102-007
822 Northgate Drive	33-20-02-07-102-006
842 Northgate Drive	33-20-02-07-203-001
845 Northgate Drive	33-20-02-07-200-002
862 Northgate Drive	33-20-02-07-203-002
882 Northgate Drive	33-20-02-07-203-003
901 Northgate Drive	33-20-02-07-200-007
902 Northgate Drive	33-20-02-07-203-004
921 Northgate Drive	33-20-02-07-200-008
922 Northgate Drive	33-20-02-07-203-005
942 Northgate Drive	33-20-02-07-203-006
962 Northgate Drive	33-20-02-07-203-007
965 Northgate Drive	33-20-02-07-200-013
985 Northgate Drive	33-20-02-07-200-014
1840 Northgate Drive	33-20-02-07-102-001
1414 Old Mill Road	33-20-02-07-117-007
1432 Old Mill Road	33-20-02-07-117-006
1448 Old Mill Road	33-20-02-07-117-005
1504 Old Mill Road	33-20-02-07-117-004

1520 Old Mill Road	33-20-02-07-117-003
1536 Old Mill Road	33-20-02-07-117-002
1612 Old Mill Road	33-20-02-07-118-005
1624 Old Mill Road	33-20-02-07-118-001
763 Pebblebrook Lane	33-20-02-07-102-002
789 Pebblebrook Lane	33-20-02-07-102-003
811 Pebblebrook Lane	33-20-02-07-102-004
825 Pebblebrook Lane	33-20-02-07-102-005
844 Pebblebrook Lane	33-20-02-07-119-004
1047 Pebblebrook Lane	33-20-02-07-201-006
1017 Pebblebrook Lane	33-20-02-07-201-007
965 Pebblebrook Lane	33-20-02-07-203-010
945 Pebblebrook Lane	33-20-02-07-203-011
925 Pebblebrook Lane	33-20-02-07-203-012
905 Pebblebrook Lane	33-20-02-07-203-013
885 Pebblebrook Lane	33-20-02-07-203-014
865 Pebblebrook Lane	33-20-02-07-203-015
845 Pebblebrook Lane	33-20-02-07-203-016
985 Pebblebrook Lane	33-20-02-07-203-018
884 Pebblebrook Lane	33-20-02-07-204-002
904 Pebblebrook Lane	33-20-02-07-204-003
944 Pebblebrook Lane	33-20-02-07-204-005
964 Pebblebrook Lane	33-20-02-07-204-006

864 Pebblebrook Lane	33-20-02-07-204-013
924 Pebblebrook Lane	33-20-02-07-204-017
1050 Pebblebrook Lane	33-20-02-07-206-001
1020 Pebblebrook Lane	33-20-02-07-206-010
1718 Rudgate Lane	33-20-02-07-119-001
1302 Stonegate Lane	33-20-02-07-213-004
1424 Stonegate Lane	33-20-02-07-209-009
1437 Stonegate Lane	33-20-02-07-208-008
1438 Stonegate Lane	33-20-02-07-209-008
1454 Stonegate Lane	33-20-02-07-209-007
1455 Stonegate Lane	33-20-02-07-208-007
1467 Stonegate Lane	33-20-02-07-208-006
1476 Stonegate Lane	33-20-02-07-209-006
1481 Stonegate Lane	33-20-02-07-208-005
1502 Stonegate Lane	33-20-02-07-209-005
1505 Stonegate Lane	33-20-02-07-208-004
1525 Stonegate Lane	33-20-02-07-208-003
1526 Stonegate Lane	33-20-02-07-209-004
1542 Stonegate Lane	33-20-02-07-209-003
1543 Stonegate Lane	33-20-02-07-208-002
828 Tanglewood Lane	33-20-02-07-118-002
831 Tanglewood Lane	33-20-02-07-119-003
840 Tanglewood Lane	33-20-02-07-118-003

845 Tanglewood Lane	33-20-02-07-204-012
864 Tanglewood Lane	33-20-02-07-205-001
884 Tanglewood Lane	33-20-02-07-205-002
885 Tanglewood Lane	33-20-02-07-204-011
904 Tanglewood Lane	33-20-02-07-205-003
905 Tanglewood Lane	33-20-02-07-204-010
924 Tanglewood Lane	33-20-02-07-205-004
925 Tanglewood Lane	33-20-02-07-204-018
965 Tanglewood Lane	33-20-02-07-204-015
985 Tanglewood Lane	33-20-02-07-204-014
Tanglewood Lane Vacant	33-20-02-07-205-005
Tanglewood Lane Vacant	33-20-02-07-205-006
1302 Tavistock Place	33-20-02-07-218-025
1303 Tavistock Place	33-20-02-07-218-024
1314 Tavistock Place	33-20-02-07-218-026
1315 Tavistock Place	33-20-02-07-218-023
1326 Tavistock Place	33-20-02-07-218-027
1327 Tavistock Place	33-20-02-07-218-022
1338 Tavistock Place	33-20-02-07-218-028
1339 Tavistock Place	33-20-02-07-218-021
1350 Tavistock Place	33-20-02-07-218-029
700 Walbridge Drive	33-20-02-07-116-001

724 Walbridge Drive	33-20-02-07-116-002
812 Walbridge Drive	33-20-02-07-116-003
830 Walbridge Drive	33-20-02-07-212-001
844 Walbridge Drive	33-20-02-07-212-002
918 Walbridge Drive	33-20-02-07-212-003
930 Walbridge Drive	33-20-02-07-212-004
935 Walbridge Drive	33-20-02-07-208-011
944 Walbridge Drive	33-20-02-07-212-005
951 Walbridge Drive	33-20-02-07-208-010
995 Walbridge Drive	33-20-02-07-208-009
998 Walbridge Drive	33-20-02-07-212-006
1014 Walbridge Drive	33-20-02-07-213-003
1021 Walbridge Drive	33-20-02-07-209-011
1038 Walbridge Drive	33-20-02-07-213-007
1051 Walbridge Drive	33-20-02-07-209-010
1052 Walbridge Drive	33-20-02-07-213-005
Walbridge Drive Vacant	33-20-02-07-213-008
1205 Windale Place	33-20-02-07-217-010
1209 Windale Place	33-20-02-07-217-011
1212 Windale Place	33-20-02-07-219-001
Windale Place Vacant	33-20-02-07-219-002

Windale Place Vacant	33-20-02-07-219-016
1700 Wyngarden lane	33-20-02-07-202-028
1701 Wyngarden lane	33-20-02-07-202-016
1733 Wyngarden lane	33-20-02-07-202-017
1740 Wyngarden lane	33-20-02-07-202-027
1765 Wyngarden lane	33-20-02-07-202-018
1780 Wyngarden lane	33-20-02-07-202-026
1803 Wyngarden lane	33-20-02-07-202-019
1810 Wyngarden lane	33-20-02-07-202-025
1830 Wyngarden lane	33-20-02-07-202-024
1837 Wyngarden lane	33-20-02-07-202-020
1850 Wyngarden lane	33-20-02-07-202-023
1851 Wyngarden lane	33-20-02-07-202-021
1863 Wyngarden lane	33-20-02-07-202-022

- (15) *Ordinance No. 1232.* The zoning use district map is hereby amended to rezone a portion of the Benspoke, Brandstatter Estates, Pinecrest, Pinecrest 1, Pinecrest 2, Welcome Valley, and Woodingham Drive subdivisions into the R-O-2 Residential Rental Restriction Overlay District. The area to be rezoned generally lies north of Woodingham Drive, west of Harrison Avenue, south of Blanchette Drive, and east of Gilcrest Avenue and Coolidge Road. The rezoning includes the following properties:

Address	Parcel ID Number
802 Blanchette Drive	33-20-01-12-106-010
803 Blanchette Drive	33-20-01-12-108-006
812 Blanchette Drive	33-20-01-12-106-011

819 Blanchette Drive	33-20-01-12-108-005
822 Blanchette Drive	33-20-01-12-106-012
831 Blanchette Drive	33-20-01-12-108-004
841 Blanchette Drive	33-20-01-12-108-003
911 Blanchette Drive	33-20-01-12-108-002
921 Blanchette Drive	33-20-01-12-108-001
922 Blanchette Drive	33-20-01-12-105-008
1000 Blanchette Drive	33-20-01-12-105-007
1003 Blanchette Drive	33-20-01-12-107-005
1010 Blanchette Drive	33-20-01-12-105-006
1013 Blanchette Drive	33-20-01-12-107-004
1020 Blanchette Drive	33-20-01-12-105-005
1027 Blanchette Drive	33-20-01-12-107-003
1030 Blanchette Drive	33-20-01-12-105-004
1037 Blanchette Drive	33-20-01-12-107-002
1040 Blanchette Drive	33-20-01-12-105-003
1045 Blanchette Drive	33-20-01-12-107-001
1048 Blanchette Drive	33-20-01-12-105-002
1323 Cornbrook Road	33-20-01-12-118-016
803 Darlington Avenue	33-20-01-12-111-004
812 Darlington Avenue	33-20-01-12-108-011
815 Darlington Avenue	33-20-01-12-111-003
902 Darlington Avenue	33-20-01-12-108-009



909 Darlington Avenue	33-20-01-12-111-002
912 Darlington Avenue	33-20-01-12-108-008
915 Darlington Avenue	33-20-01-12-111-001
922 Darlington Avenue	33-20-01-12-108-007
1003 Darlington Avenue	33-20-01-12-110-005
1010 Darlington Avenue	33-20-01-12-107-009
1013 Darlington Avenue	33-20-01-12-110-004
1020 Darlington Avenue	33-20-01-12-107-008
1027 Darlington Avenue	33-20-01-12-110-003
1030 Darlington Avenue	33-20-01-12-107-007
1037 Darlington Avenue	33-20-01-12-110-001
1040 Darlington Avenue	33-20-01-12-107-006
821 Gainsborough Drive	33-20-01-12-117-002
824 Gainsborough Drive	33-20-01-12-111-007
830 Gainsborough Drive	33-20-01-12-111-006
836 Gainsborough Drive	33-20-01-12-111-005
902 Gainsborough Drive	33-20-01-12-110-010
912 Gainsborough Drive	33-20-01-12-110-009
1002 Gainsborough Drive	33-20-01-12-110-008
1016 Gainsborough Drive	33-20-01-12-110-007
1030 Gainsborough Drive	33-20-01-12-110-006
1410 Gilcrest Avenue	33-20-01-12-115-009
1421 Gilcrest Avenue	33-20-01-12-114-002

1432 Gilcrest Avenue	33-20-01-12-115-010
1433 Gilcrest Avenue	33-20-01-12-114-001
1444 Gilcrest Avenue	33-20-01-12-115-011
1505 Gilcrest Avenue	33-20-01-12-109-011
1510 Gilcrest Avenue	33-20-01-12-115-012
1525 Gilcrest Avenue	33-20-01-12-109-010
1528 Gilcrest Avenue	33-20-01-12-115-013
1534 Gilcrest Avenue	33-20-01-12-115-001
1535 Gilcrest Avenue	33-20-01-12-109-009
1551 Gilcrest Avenue	33-20-01-12-109-008
1609 Gilcrest Avenue	33-20-01-12-109-007
1619 Gilcrest Avenue	33-20-01-12-109-006
1624 Gilcrest Avenue	33-20-01-12-110-002
1629 Gilcrest Avenue	33-20-01-12-109-005
1639 Gilcrest Avenue	33-20-01-12-109-004
1701 Gilcrest Avenue	33-20-01-12-109-003
1721 Gilcrest Avenue	33-20-01-12-109-002
1743 Gilcrest Avenue	33-20-01-12-109-001
1401 Greenview Avenue	33-20-01-12-115-008
1409 Greenview Avenue	33-20-01-12-115-007
1430 Greenview Avenue	33-20-01-12-116-011
1440 Greenview Avenue	33-20-01-12-116-012
1441 Greenview Avenue	33-20-01-12-115-006

1505 Greenview Avenue	33-20-01-12-115-005
1508 Greenview Avenue	33-20-01-12-116-013
1520 Greenview Avenue	33-20-01-12-116-014
1521 Greenview Avenue	33-20-01-12-115-004
1530 Greenview Avenue	33-20-01-12-116-015
1533 Greenview Avenue	33-20-01-12-115-003
1546 Greenview Avenue	33-20-01-12-116-001
1551 Greenview Avenue	33-20-01-12-115-002
1403 Harrison Avenue	33-20-01-12-117-010
1411 Harrison Avenue	33-20-01-12-117-009
1425 Harrison Avenue	33-20-01-12-117-008
1435 Harrison Avenue	33-20-01-12-117-007
1509 Harrison Avenue	33-20-01-12-117-006
1521 Harrison Avenue	33-20-01-12-117-005
1533 Harrison Avenue	33-20-01-12-117-004
1545 Harrison Avenue	33-20-01-12-117-003
1603 Harrison Avenue	33-20-01-12-111-008
1701 Harrison Avenue	33-20-01-12-108-012
1727 Harrison Avenue	33-20-01-12-108-014
1739 Harrison Avenue	33-20-01-12-108-013
1763 Pinecrest Drive	33-20-01-12-105-009
1764 Pinecrest Drive	33-20-01-12-106-013
1410 Sherwood Avenue	33-20-01-12-117-011

1415 Sherwood Avenue	33-20-01-12-116-008
1426 Sherwood Avenue	33-20-01-12-117-012
1431 Sherwood Avenue	33-20-01-12-116-007
1440 Sherwood Avenue	33-20-01-12-117-013
1501 Sherwood Avenue	33-20-01-12-116-006
1510 Sherwood Avenue	33-20-01-12-117-014
1515 Sherwood Avenue	33-20-01-12-116-005
1520 Sherwood Avenue	33-20-01-12-117-015
1529 Sherwood Avenue	33-20-01-12-116-004
1530 Sherwood Avenue	33-20-01-12-117-016
1545 Sherwood Avenue	33-20-01-12-116-003
1548 Sherwood Avenue	33-20-01-12-117-001
1551 Sherwood Avenue	33-20-01-12-116-002
1130 Wolf Court	33-20-01-12-112-020
1131 Wolf Court	33-20-01-12-113-021
1137 Wolf Court	33-20-01-12-113-020
1202 Wolf Court	33-20-01-12-112-019
1203 Wolf Court	33-20-01-12-113-019
1208 Wolf Court	33-20-01-12-112-018
1211 Wolf Court	33-20-01-12-113-018
1217 Wolf Court	33-20-01-12-113-017
1220 Wolf Court	33-20-01-12-112-016
1221 Wolf Court	33-20-01-12-113-023

1225 Wolf Court	33-20-01-12-113-022
1226 Wolf Court	33-20-01-12-112-015
1230 Wolf Court	33-20-01-12-112-014
1231 Wolf Court	33-20-01-12-113-015
1237 Wolf Court	33-20-01-12-113-014
1304 Wolf Court	33-20-01-12-112-013
1305 Wolf Court	33-20-01-12-113-013
1310 Wolf Court	33-20-01-12-112-012
1311 Wolf Court	33-20-01-12-113-012
1316 Wolf Court	33-20-01-12-112-011
1320 Wolf Court	33-20-01-12-112-010
1323 Wolf Court	33-20-01-12-113-024
1324 Wolf Court	33-20-01-12-112-009
1327 Wolf Court	33-20-01-12-113-025
1328 Wolf Court	33-20-01-12-112-008
1331 Wolf Court	33-20-01-12-113-010
1336 Wolf Court	33-20-01-12-112-007
1341 Wolf Court	33-20-01-12-113-007
1341 Wolf Court	33-20-01-12-113-006
1346 Wolf Court	33-20-01-12-112-021
1408 Wolf Court	33-20-01-12-112-004
1419 Wolf Court	33-20-01-12-113-005
1425 Wolf Court	33-20-01-12-113-004

1428 Wolf Court	33-20-01-12-112-003
Wolf Court Vacant	33-20-01-12-113-008
Wolf Court Vacant	33-20-01-12-113-009
807 Woodingham Drive	33-20-01-12-119-011
821 Woodingham Drive	33-20-01-12-119-010
901 Woodingham Drive	33-20-01-12-119-009
911 Woodingham Drive	33-20-01-12-119-008
914 Woodingham Drive	33-20-01-12-116-009
921 Woodingham Drive	33-20-01-12-119-007
924 Woodingham Drive	33-20-01-12-116-010
1001 Woodingham Drive	33-20-01-12-119-006
1031 Woodingham Drive	33-20-01-12-119-005
1041 Woodingham Drive	33-20-01-12-119-004
1104 Woodingham Drive	33-20-01-12-114-003
1107 Woodingham Drive	33-20-01-12-119-003
1138 Woodingham Drive	33-20-01-12-118-001
1139 Woodingham Drive	33-20-01-12-119-002
1160 Woodingham Drive	33-20-01-12-118-002
1161 Woodingham Drive	33-20-01-12-119-001
1208 Woodingham Drive	33-20-01-12-118-003
1218 Woodingham Drive	33-20-01-12-118-004
1226 Woodingham Drive	33-20-01-12-118-005

1227 Woodingham Drive	33-20-01-12-118-015
1245 Woodingham Drive	33-20-01-12-118-014
1248 Woodingham Drive	33-20-01-12-118-006
1266 Woodingham Drive	33-20-01-12-118-007
1267 Woodingham Drive	33-20-01-12-118-013
1308 Woodingham Drive	33-20-01-12-118-008
1309 Woodingham Drive	33-20-01-12-118-012
1316 Woodingham Drive	33-20-01-12-118-024
1317 Woodingham Drive	33-20-01-12-118-023
1367 Woodingham Drive	33-20-01-12-118-025

(16) *Ordinance No. 1233.* The zoning use district map is hereby amended to rezone a portion of the Rudgate Hills, West Whitehills Estates, Whitehills Estates No. 5, Whitehills Estates No. 6, and Whitehills Estates No. 7 subdivisions, into the R-O-1 Residential Rental Restriction Overlay District. The district generally lies north of Saginaw Street, west of Old Mill Road, south of Pebblebrook Lane and White Memorial Park, and east of Kendale Boulevard and White Memorial Park. The rezoning includes the following properties:

Address	Parcel ID Number
1619 Anderson Road	33-20-02-07-114-013
1620 Anderson Road	33-20-02-07-114-008
1708 Anderson Road	33-20-02-07-114-009
1709 Anderson Road	33-20-02-07-114-012
1720 Anderson Road	33-20-02-07-114-010
1723 Anderson Road	33-20-02-07-114-011
631 Applegate Lane	33-20-02-07-114-015
634 Applegate Lane	33-20-02-07-115-002

635 Applegate Lane	33-20-02-07-114-014
708 Applegate Lane	33-20-02-07-115-003
713 Applegate Lane	33-20-02-07-114-007
726 Applegate Lane	33-20-02-07-115-004
731 Applegate Lane	33-20-02-07-114-006
506 Belmonte Circle	33-20-02-07-104-009
516 Belmonte Circle	33-20-02-07-104-010
517 Belmonte Circle	33-20-02-07-104-008
529 Belmonte Circle	33-20-02-07-104-007
530 Belmonte Circle	33-20-02-07-104-011
606 Belmonte Circle	33-20-02-07-104-012
609 Belmonte Circle	33-20-02-07-104-006
625 Belmonte Circle	33-20-02-07-104-005
311 Curtis Road	33-20-02-07-111-001
320 Curtis Road	33-20-02-07-110-002
329 Curtis Road	33-20-02-07-111-012
340 Curtis Road	33-20-02-07-110-003
407 Curtis Road	33-20-02-07-111-011
408 Curtis Road	33-20-02-07-110-004
420 Curtis Road	33-20-02-07-110-005
421 Curtis Road	33-20-02-07-111-010
503 Curtis Road	33-20-02-07-111-009
508 Curtis Road	33-20-02-07-112-001



524 Curtis Road	33-20-02-07-112-002
527 Curtis Road	33-20-02-07-111-008
606 Curtis Road	33-20-02-07-112-003
622 Curtis Road	33-20-02-07-112-004
1231 Hitching Post Road	33-20-02-07-302-004
1305 Hitching Post Road	33-20-02-07-113-005
1408 Hitching Post Road	33-20-02-07-115-011
1409 Hitching Post Road	33-20-02-07-112-005
1422 Hitching Post Road	33-20-02-07-115-012
1438 Hitching Post Road	33-20-02-07-115-013
1450 Hitching Post Road	33-20-02-07-115-014
1508 Hitching Post Road	33-20-02-07-115-015
1509 Hitching Post Road	33-20-02-07-111-007
1511 Hitching Post Road	33-20-02-07-111-006
1522 Hitching Post Road	33-20-02-07-115-016
1536 Hitching Post Road	33-20-02-07-115-001
1541 Hitching Post Road	33-20-02-07-111-005
1607 Hitching Post Road	33-20-02-07-111-004
1625 Hitching Post Road	33-20-02-07-111-003
1628 Hitching Post Road	33-20-02-07-114-016
1707 Hitching Post Road	33-20-02-07-105-001
1708 Hitching Post Road	33-20-02-07-114-017
1720 Hitching Post Road	33-20-02-07-114-018

1721 Hitching Post Road	33-20-02-07-104-013
1736 Hitching Post Road	33-20-02-07-114-019
1750 Hitching Post Road	33-20-02-07-114-020
1755 Hitching Post Road	33-20-02-07-104-004
1762 Hitching Post Road	33-20-02-07-114-021
1767 Hitching Post Road	33-20-02-07-104-003
1776 Hitching Post Road	33-20-02-07-114-001
1777 Hitching Post Road	33-20-02-07-104-015
1308 Old Hickory Lane	33-20-02-07-113-001
1413 Old Mill Road	33-20-02-07-115-010
1431 Old Mill Road	33-20-02-07-115-009
1447 Old Mill Road	33-20-02-07-115-008
1461 Old Mill Road	33-20-02-07-115-007
1515 Old Mill Road	33-20-02-07-115-006
1527 Old Mill Road	33-20-02-07-115-005
1623 Old Mill Road	33-20-02-07-114-005
1700 Old Mill Road	33-20-02-07-103-013
1707 Old Mill Road	33-20-02-07-114-004
1723 Old Mill Road	33-20-02-07-114-003
1724 Old Mill Road	33-20-02-07-103-014
1736 Old Mill Road	33-20-02-07-103-015
1743 Old Mill Road	33-20-02-07-114-002
1746 Old Mill Road	33-20-02-07-103-016

1768 Old Mill Road	33-20-02-07-103-017
1780 Old Mill Road	33-20-02-07-103-018
1792 Old Mill Road	33-20-02-07-103-001
599 Pebblebrook Lane	33-20-02-07-101-009
605 Pebblebrook Lane	33-20-02-07-101-006
611 Pebblebrook Lane	33-20-02-07-101-005
612 Pebblebrook Lane	33-20-02-07-103-002
620 Pebblebrook Lane	33-20-02-07-103-003
640 Pebblebrook Lane	33-20-02-07-103-004
660 Pebblebrook Lane	33-20-02-07-103-005
680 Pebblebrook Lane	33-20-02-07-103-006
710 Pebblebrook Lane	33-20-02-07-103-007
750 Pebblebrook Lane	33-20-02-07-103-008
776 Pebblebrook Lane	33-20-02-07-103-009
798 Pebblebrook Lane	33-20-02-07-103-010
1302 Portage Path	33-20-02-07-109-009
1305 Portage Path	33-20-02-07-109-010
1711 Rudgate Lane	33-20-02-07-103-011
1421 Stanlake Drive	33-20-02-07-107-025
1423 Stanlake Drive	33-20-02-07-107-010
1431 Stanlake Drive	33-20-02-07-107-009
1451 Stanlake Drive	33-20-02-07-107-022
1508 Stanlake Drive	33-20-02-07-108-006

1509 Stanlake Drive	33-20-02-07-107-021
1515 Stanlake Drive	33-20-02-07-107-024
1522 Stanlake Drive	33-20-02-07-108-014
1525 Stanlake Drive	33-20-02-07-107-023
1535 Stanlake Drive & 1537	33-20-02-07-107-018
1536 Stanlake Drive	33-20-02-07-108-015
1541 Stanlake Drive	33-20-02-07-107-003
1550 Stanlake Drive	33-20-02-07-108-016
1607 Stanlake Drive	33-20-02-07-107-002
1610 Stanlake Drive	33-20-02-07-108-017
1618 Stanlake Drive	33-20-02-07-108-018
1625 Stanlake Drive	33-20-02-07-107-001
Stanlake Drive Vacant	33-20-02-07-107-032
809 Tanglewood Lane	33-20-02-07-103-012
309 Walbridge Drive	33-20-02-07-110-010
324 Walbridge Drive	33-20-02-07-108-019
339 Walbridge Drive	33-20-02-07-110-009
340 Walbridge Drive	33-20-02-07-108-003
354 Walbridge Drive	33-20-02-07-108-004
363 Walbridge Drive	33-20-02-07-110-008
368 Walbridge Drive	33-20-02-07-108-005
407 Walbridge Drive	33-20-02-07-110-007

410 Walbridge Drive	33-20-02-07-109-001
425 Walbridge Drive	33-20-02-07-110-006
426 Walbridge Drive	33-20-02-07-109-011
509 Walbridge Drive	33-20-02-07-112-010
510 Walbridge Drive	33-20-02-07-109-004
525 Walbridge Drive	33-20-02-07-112-009
526 Walbridge Drive	33-20-02-07-109-006
538 Walbridge Drive	33-20-02-07-109-007
541 Walbridge Drive	33-20-02-07-112-008
609 Walbridge Drive	33-20-02-07-112-007
618 Walbridge Drive	33-20-02-07-113-002
623 Walbridge Drive	33-20-02-07-112-006
630 Walbridge Drive	33-20-02-07-113-003
638 Walbridge Drive	33-20-02-07-113-004
420 Woodland Pass	33-20-02-07-108-012
425 Woodland Pass	33-20-02-07-105-008
430 Woodland Pass	33-20-02-07-108-001
443 Woodland Pass	33-20-02-07-105-013
507 Woodland Pass	33-20-02-07-105-005
523 Woodland Pass	33-20-02-07-105-004
530 Woodland Pass	33-20-02-07-110-001
539 Woodland Pass	33-20-02-07-105-003
607 Woodland Pass	33-20-02-07-105-002

620 Woodland Pass	33-20-02-07-111-002
Woodland Pass Vacant	33-20-02-07-105-011
Woodland Pass Vacant	33-20-02-07-105-012

(17) *Ordinance No. 1291.* The zoning use district map is hereby amended to rezone a portion of the Ardson Heights Addition, Glencairn No. 1, and Glencairn No. 3 subdivisions, into the R-O-1 Residential Rental Restriction Overlay District. The proposed district generally lies south of Saginaw Street, west of Roxburgh Avenue, north of Wildwood Avenue, and east of Harrison Avenue. The rezoning includes the following properties:

Street	Tax Parcel
801 Glenhaven Ave	33-20-01-12-414-004
806 Glenhaven Ave	33-20-01-12-415-012
816 Glenhaven Ave	33-20-01-12-415-013
830 Glenhaven Ave	33-20-01-12-415-014
837 Glenhaven Ave	33-20-01-12-414-003
Vacant Glenhaven Ave	33-20-01-12-415-015
909 Glenhaven Ave	33-20-01-12-414-002
912 Glenhaven Ave	33-20-01-12-415-016
920 Glenhaven Ave	33-20-01-12-415-017
925 Glenhaven Ave	33-20-01-12-414-001
930 Glenhaven Ave	33-20-01-12-415-018
1001 Glenhaven Ave	33-20-01-12-404-006
1020 Glenhaven Ave	33-20-01-12-405-008
1023 Glenhaven Ave	33-20-01-12-404-005

1030 Glenhaven Ave	33-20-01-12-405-009
1037 Glenhaven Ave	33-20-01-12-404-004
1040 Glenhaven Ave	33-20-01-12-405-010
1049 Glenhaven Ave	33-20-01-12-404-003
1050 Glenhaven Ave	33-20-01-12-405-011
1061 Glenhaven Ave	33-20-01-12-404-002
1070 Glenhaven Ave	33-20-01-12-405-013
1071 Glenhaven Ave	33-20-01-12-404-001
720 N Harrison Ave	33-20-01-12-429-001
818 N Harrison Ave	33-20-01-12-414-013
830 N Harrison Ave	33-20-01-12-414-012
900 N Harrison Ave	33-20-01-12-414-014
940 N Harrison Ave	33-20-01-12-404-011
946 N Harrison Ave	33-20-01-12-404-012
1000 N Harrison Ave	33-20-01-12-404-013
1010 N Harrison Ave	33-20-01-12-404-014
1024 N Harrison Ave	33-20-01-12-404-017
1030 N Harrison Ave	33-20-01-12-404-018
601 Northlawn Ave	33-20-01-12-415-001
602 Northlawn Ave	33-20-01-12-405-006
606 Northlawn Ave	33-20-01-12-405-007
615 Northlawn Ave	33-20-01-12-415-019

706 Northlawn Ave	33-20-01-12-404-007
712 Northlawn Ave	33-20-01-12-404-008
716 Northlawn Ave	33-20-01-12-404-019
809 Roxburgh Ave	33-20-01-12-415-011
821 Roxburgh Ave	33-20-01-12-415-010
831 Roxburgh Ave	33-20-01-12-415-009
839 Roxburgh Ave	33-20-01-12-415-008
903 Roxburgh Ave	33-20-01-12-415-007
911 Roxburgh Ave	33-20-01-12-415-006
915 Roxburgh Ave	33-20-01-12-415-005
929 Roxburgh Ave	33-20-01-12-415-004
937 Roxburgh Ave	33-20-01-12-415-003
947 Roxburgh Ave	33-20-01-12-415-002
1025 Roxburgh Ave	33-20-01-12-405-005
1041 Roxburgh Ave	33-20-01-12-405-004
1057 Roxburgh Ave	33-20-01-12-405-003
1065 Roxburgh Ave	33-20-01-12-405-014
709 Southlawn Ave	33-20-01-12-429-002
724 Southlawn Ave	33-20-01-12-414-005
640 Wildwood Dr	33-20-01-13-200-002
716 Wildwood Dr	33-20-01-13-200-001



(18) *Ordinance No. 1321.* The zoning use district map is hereby amended to rezone the Hawk Nest Neighborhood into the R-O-3 Residential Rental Restriction Overlay District. The proposed district generally lies south of the Moore Branch of Remey Chandler Drain, west of the Northern Tier Trail, north of Coleman Road, and east of the western edge of the Hawk Nest Neighborhood. The rezoning includes the following properties:

Parcel Number	Street Address
19-20-50-36-102-016	411 Anhinga Dr
19-20-50-36-102-015	421 Anhinga Dr
19-20-50-36-102-122	422 Anhinga Dr
19-20-50-36-102-014	431 Anhinga Dr
19-20-50-36-102-123	432 Anhinga Dr
19-20-50-36-102-013	441 Anhinga Dr
19-20-50-36-102-124	442 Anhinga Dr
19-20-50-36-102-012	451 Anhinga Dr
19-20-50-36-102-125	452 Anhinga Dr
19-20-50-36-102-011	461 Anhinga Dr
19-20-50-36-102-126	462 Anhinga Dr
19-20-50-36-102-010	471 Anhinga Dr
19-20-50-36-102-127	472 Anhinga Dr
19-20-50-36-102-009	481 Anhinga Dr
19-20-50-36-102-128	482 Anhinga Dr
19-20-50-36-102-008	491 Anhinga Dr
19-20-50-36-102-129	492 Anhinga Dr
19-20-50-36-102-007	501 Anhinga Dr

19-20-50-36-102-130	502 Anhinga Dr
19-20-50-36-102-006	511 Anhinga Dr
19-20-50-36-102-131	512 Anhinga Dr
19-20-50-36-102-005	521 Anhinga Dr
19-20-50-36-102-132	522 Anhinga Dr
19-20-50-36-102-004	531 Anhinga Dr
19-20-50-36-102-133	532 Anhinga Dr
19-20-50-36-102-003	541 Anhinga Dr
19-20-50-36-102-134	542 Anhinga Dr
19-20-50-36-102-002	551 Anhinga Dr
19-20-50-36-102-135	552 Anhinga Dr
19-20-50-36-102-001	561 Anhinga Dr
19-20-50-36-202-207	601 Anhinga Dr
19-20-50-36-202-208	612 Anhinga Dr
19-20-50-36-102-121	423 Avocet Dr
19-20-50-36-102-092	424 Avocet Dr
19-20-50-36-102-120	433 Avocet Dr
19-20-50-36-102-093	434 Avocet Dr
19-20-50-36-102-119	443 Avocet Dr
19-20-50-36-102-094	444 Avocet Dr
19-20-50-36-102-118	453 Avocet Dr
19-20-50-36-102-095	454 Avocet Dr
19-20-50-36-102-117	463 Avocet Dr

19-20-50-36-102-096	464 Avocet Dr
19-20-50-36-102-116	473 Avocet Dr
19-20-50-36-102-097	474 Avocet Dr
19-20-50-36-102-115	483 Avocet Dr
19-20-50-36-102-098	484 Avocet Dr
19-20-50-36-102-114	493 Avocet Dr
19-20-50-36-102-099	494 Avocet Dr
19-20-50-36-102-113	503 Avocet Dr
19-20-50-36-102-100	504 Avocet Dr
19-20-50-36-102-112	513 Avocet Dr
19-20-50-36-102-101	514 Avocet Dr
19-20-50-36-102-111	523 Avocet Dr
19-20-50-36-102-102	524 Avocet Dr
19-20-50-36-102-110	533 Avocet Dr
19-20-50-36-102-103	534 Avocet Dr
19-20-50-36-102-109	543 Avocet Dr
19-20-50-36-102-104	544 Avocet Dr
19-20-50-36-102-108	553 Avocet Dr
19-20-50-36-102-105	554 Avocet Dr
19-20-50-36-202-210	609 Avocet Dr
19-20-50-36-202-212	614 Avocet Dr
19-20-50-36-102-091	425 Buteo Dr
19-20-50-36-102-079	435 Buteo Dr

19-20-50-36-102-078	445 Buteo Dr
19-20-50-36-102-077	455 Buteo Dr
19-20-50-36-102-055	456 Buteo Dr
19-20-50-36-102-076	465 Buteo Dr
19-20-50-36-102-056	466 Buteo Dr
19-20-50-36-102-075	475 Buteo Dr
19-20-50-36-102-057	476 Buteo Dr
19-20-50-36-102-074	485 Buteo Dr
19-20-50-36-102-058	486 Buteo Dr
19-20-50-36-102-073	495 Buteo Dr
19-20-50-36-102-059	496 Buteo Dr
19-20-50-36-102-072	505 Buteo Dr
19-20-50-36-102-071	515 Buteo Dr
19-20-50-36-102-060	516 Buteo Dr
19-20-50-36-102-070	525 Buteo Dr
19-20-50-36-102-061	526 Buteo Dr
19-20-50-36-102-069	535 Buteo Dr
19-20-50-36-102-062	536 Buteo Dr
19-20-50-36-102-068	545 Buteo Dr
19-20-50-36-102-063	546 Buteo Dr
19-20-50-36-102-067	555 Buteo Dr
19-20-50-36-102-064	556 Buteo Dr
19-20-50-36-202-214	615 Buteo Dr

19-20-50-36-202-216	616 Buteo Dr
19-20-50-36-102-181	3824 Caracara Ln
19-20-50-36-102-180	3828 Caracara Ln
19-20-50-36-102-170	3829 Caracara Ln
19-20-50-36-102-179	3834 Caracara Ln
19-20-50-36-102-171	3835 Caracara Ln
19-20-50-36-102-178	3838 Caracara Ln
19-20-50-36-102-172	3839 Caracara Ln
19-20-50-36-102-177	3844 Caracara Ln
19-20-50-36-102-173	3845 Caracara Ln
19-20-50-36-102-176	3848 Caracara Ln
19-20-50-36-102-174	3849 Caracara Ln
19-20-50-36-102-175	3854 Caracara Ln
19-20-50-36-300-043	Coleman Rd Vacant
19-20-50-36-202-268	614 Gannett Way
19-20-50-36-202-265	621 Gannett Way
19-20-50-36-202-269	624 Gannett Way
19-20-50-36-202-264	631 Gannett Way
19-20-50-36-202-270	634 Gannett Way
19-20-50-36-202-263	641 Gannett Way
19-20-50-36-202-271	644 Gannett Way
19-20-50-36-202-262	651 Gannett Way

19-20-50-36-202-272	654 Gannett Way
19-20-50-36-202-261	661 Gannett Way
19-20-50-36-202-273	664 Gannett Way
19-20-50-36-202-260	671 Gannett Way
19-20-50-36-202-274	674 Gannett Way
19-20-50-36-202-259	681 Gannett Way
19-20-50-36-102-017	3600 Kiskadee Dr
19-20-50-36-102-018	3606 Kiskadee Dr
19-20-50-36-102-019	3610 Kiskadee Dr
19-20-50-36-102-020	3616 Kiskadee Dr
19-20-50-36-102-021	3620 Kiskadee Dr
19-20-50-36-102-022	3626 Kiskadee Dr
19-20-50-36-102-023	3630 Kiskadee Dr
19-20-50-36-102-090	3633 Kiskadee Dr
19-20-50-36-102-024	3640 Kiskadee Dr
19-20-50-36-102-089	3643 Kiskadee Dr
19-20-50-36-102-025	3650 Kiskadee Dr
19-20-50-36-102-088	3653 Kiskadee Dr
19-20-50-36-102-026	3660 Kiskadee Dr
19-20-50-36-102-087	3663 Kiskadee Dr
19-20-50-36-102-027	3670 Kiskadee Dr
19-20-50-36-102-086	3673 Kiskadee Dr
19-20-50-36-102-028	3676 Kiskadee Dr

19-20-50-36-102-029	3680 Kiskadee Dr
19-20-50-36-102-085	3683 Kiskadee Dr
19-20-50-36-102-030	3690 Kiskadee Dr
19-20-50-36-102-031	3700 Kiskadee Dr
19-20-50-36-102-048	3703 Kiskadee Dr
19-20-50-36-102-032	3706 Kiskadee Dr
19-20-50-36-102-033	3710 Kiskadee Dr
19-20-50-36-102-047	3713 Kiskadee Dr
19-20-50-36-102-034	3716 Kiskadee Dr
19-20-50-36-102-035	3720 Kiskadee Dr
19-20-50-36-102-046	3723 Kiskadee Dr
19-20-50-36-102-036	3726 Kiskadee Dr
19-20-50-36-102-045	3727 Kiskadee Dr
19-20-50-36-102-037	3730 Kiskadee Dr
19-20-50-36-102-044	3733 Kiskadee Dr
19-20-50-36-102-043	3737 Kiskadee Dr
19-20-50-36-102-038	3740 Kiskadee Dr
19-20-50-36-102-042	3743 Kiskadee Dr
19-20-50-36-102-039	3746 Kiskadee Dr
19-20-50-36-102-041	3747 Kiskadee Dr
19-20-50-36-102-040	3750 Kiskadee Dr
19-20-50-36-102-137	3753 Kiskadee Dr
19-20-50-36-102-138	3757 Kiskadee Dr

19-20-50-36-102-139	3763 Kiskadee Dr
19-20-50-36-102-140	3767 Kiskadee Dr
19-20-50-36-102-190	3770 Kiskadee Dr
19-20-50-36-102-141	3773 Kiskadee Dr
19-20-50-36-102-191	3780 Kiskadee Dr
19-20-50-36-102-142	3787 Kiskadee Dr
19-20-50-36-102-192	3790 Kiskadee Dr
19-20-50-36-102-143	3797 Kiskadee Dr
19-20-50-36-102-193	3800 Kiskadee Dr
19-20-50-36-102-194	3806 Kiskadee Dr
19-20-50-36-102-195	3810 Kiskadee Dr
19-20-50-36-102-196	3816 Kiskadee Dr
19-20-50-36-102-197	3820 Kiskadee Dr
19-20-50-36-102-182	3821 Kiskadee Dr
19-20-50-36-102-198	3826 Kiskadee Dr
19-20-50-36-102-183	3827 Kiskadee Dr
19-20-50-36-102-199	3830 Kiskadee Dr
19-20-50-36-102-184	3831 Kiskadee Dr
19-20-50-36-102-200	3836 Kiskadee Dr
19-20-50-36-102-185	3837 Kiskadee Dr
19-20-50-36-102-201	3840 Kiskadee Dr
19-20-50-36-102-186	3841 Kiskadee Dr
19-20-50-36-102-202	3846 Kiskadee Dr



19-20-50-36-102-187	3847 Kiskadee Dr
19-20-50-36-102-203	3850 Kiskadee Dr
19-20-50-36-102-188	3851 Kiskadee Dr
19-20-50-36-102-204	3856 Kiskadee Dr
19-20-50-36-102-205	3860 Kiskadee Dr
19-20-50-36-102-206	3866 Kiskadee Dr
19-20-50-36-300-042	Parula Dr Vacant
19-20-50-36-202-291	3701 Parula Dr
19-20-50-36-202-292	3705 Parula Dr
19-20-50-36-202-258	3710 Parula Dr
19-20-50-36-202-293	3711 Parula Dr
19-20-50-36-202-294	3715 Parula Dr
19-20-50-36-202-295	3721 Parula Dr
19-20-50-36-202-296	3725 Parula Dr
19-20-50-36-202-297	3731 Parula Dr
19-20-50-36-202-298	3735 Parula Dr
19-20-50-36-202-281	635 Phoebe Ln
19-20-50-36-202-284	636 Phoebe Ln
19-20-50-36-202-280	645 Phoebe Ln
19-20-50-36-202-285	646 Phoebe Ln
19-20-50-36-202-279	655 Phoebe Ln
19-20-50-36-202-286	656 Phoebe Ln

19-20-50-36-202-287	664 Phoebe Ln
19-20-50-36-202-278	665 Phoebe Ln
19-20-50-36-202-277	675 Phoebe Ln
19-20-50-36-202-288	676 Phoebe Ln
19-20-50-36-202-276	685 Phoebe Ln
19-20-50-36-202-289	686 Phoebe Ln
19-20-50-36-202-275	695 Phoebe Ln
19-20-50-36-202-290	696 Phoebe Ln
19-20-50-36-102-144	3803 Plover Pl
19-20-50-36-102-145	3807 Plover Pl
19-20-50-36-102-146	3813 Plover Pl
19-20-50-36-102-147	3817 Plover Pl
19-20-50-36-102-148	3823 Plover Pl
19-20-50-36-102-149	3827 Plover Pl
19-20-50-36-102-169	3828 Plover Pl
19-20-50-36-102-168	3832 Plover Pl
19-20-50-36-102-151	3837 Plover Pl
19-20-50-36-102-167	3842 Plover Pl
19-20-50-36-102-152	3843 Plover Pl
19-20-50-36-102-153	3847 Plover Pl
19-20-50-36-102-154	3853 Plover Pl
19-20-50-36-102-155	3857 Plover Pl
19-20-50-36-102-166	3862 Plover Pl

19-20-50-36-102-156	3863 Plover Pl
19-20-50-36-102-165	3864 Plover Pl
19-20-50-36-102-157	3867 Plover Pl
19-20-50-36-102-164	3872 Plover Pl
19-20-50-36-102-158	3873 Plover Pl
19-20-50-36-102-159	3877 Plover Pl
19-20-50-36-102-160	3883 Plover Pl
19-20-50-36-102-161	3887 Plover Pl
19-20-50-36-102-189	3890 Plover Pl
19-20-50-36-102-162	3893 Plover Pl
19-20-50-36-102-163	3897 Plover Pl
19-20-50-36-202-219	617 Puffin Pl
19-20-50-36-202-229	618 Puffin Pl
19-20-50-36-202-220	627 Puffin Pl
19-20-50-36-202-230	628 Puffin Pl
19-20-50-36-202-221	637 Puffin Pl
19-20-50-36-202-231	638 Puffin Pl
19-20-50-36-202-222	641 Puffin Pl
19-20-50-36-202-223	647 Puffin Pl
19-20-50-36-202-224	657 Puffin Pl
19-20-50-36-202-233	658 Puffin Pl
19-20-50-36-202-225	667 Puffin Pl
19-20-50-36-202-234	668 Puffin Pl

19-20-50-36-202-226	677 Puffin Pl
19-20-50-36-202-235	678 Puffin Pl
19-20-50-36-202-236	682 Puffin Pl
19-20-50-36-202-227	687 Puffin Pl
19-20-50-36-202-232	648 Puffin Pl
19-20-50-36-202-237	688 Puffin Pl
19-20-50-36-202-238	692 Puffin Pl
19-20-50-36-202-209	3555 Shearwater Ln
19-20-50-36-102-136	3560 Shearwater Ln
19-20-50-36-102-107	3570 Shearwater Ln
19-20-50-36-102-106	3580 Shearwater Ln
19-20-50-36-202-211	3591 Shearwater Ln
19-20-50-36-102-066	3600 Shearwater Ln
19-20-50-36-102-065	3602 Shearwater Ln
19-20-50-36-202-213	3605 Shearwater Ln
19-20-50-36-202-215	3611 Shearwater Ln
19-20-50-36-202-311	3612 Shearwater Ln
19-20-50-36-202-217	3621 Shearwater Ln
19-20-50-36-202-218	3625 Shearwater Ln
19-20-50-36-202-310	3632 Shearwater Ln
19-20-50-36-202-309	3652 Shearwater Ln
19-20-50-36-202-228	3655 Shearwater Ln
19-20-50-36-202-308	3662 Shearwater Ln

19-20-50-36-202-248	3665 Shearwater Ln
19-20-50-36-202-307	3682 Shearwater Ln
19-20-50-36-202-306	3702 Shearwater Ln
19-20-50-36-202-249	3705 Shearwater Ln
19-20-50-36-202-305	3712 Shearwater Ln
19-20-50-36-202-304	3722 Shearwater Ln
19-20-50-36-202-266	3725 Shearwater Ln
19-20-50-36-202-303	3728 Shearwater Ln
19-20-50-36-202-267	3731 Shearwater Ln
19-20-50-36-202-302	3732 Shearwater Ln
19-20-50-36-202-282	3735 Shearwater Ln
19-20-50-36-202-301	3738 Shearwater Ln
19-20-50-36-202-300	3742 Shearwater Ln
19-20-50-36-202-283	3745 Shearwater Ln
19-20-50-36-202-299	3748 Shearwater Ln
19-20-50-36-102-080	3634 Whimbrel Way
19-20-50-36-102-081	3644 Whimbrel Way
19-20-50-36-102-054	3645 Whimbrel Way
19-20-50-36-102-082	3654 Whimbrel Way
19-20-50-36-102-053	3655 Whimbrel Way
19-20-50-36-102-083	3664 Whimbrel Way
19-20-50-36-102-052	3665 Whimbrel Way
19-20-50-36-102-084	3674 Whimbrel Way

19-20-50-36-102-051	3675 Whimbrel Way
19-20-50-36-102-050	3685 Whimbrel Way
19-20-50-36-102-049	3695 Whimbrel Way
19-20-50-36-202-247	615 Willet Way
19-20-50-36-202-246	619 Willet Way
19-20-50-36-202-250	622 Willet Way
19-20-50-36-202-245	629 Willet Way
19-20-50-36-202-251	632 Willet Way
19-20-50-36-202-244	639 Willet Way
19-20-50-36-202-252	642 Willet Way
19-20-50-36-202-243	649 Willet Way
19-20-50-36-202-253	652 Willet Way
19-20-50-36-202-242	659 Willet Way
19-20-50-36-202-254	662 Willet Way
19-20-50-36-202-241	669 Willet Way
19-20-50-36-202-255	672 Willet Way
19-20-50-36-202-240	679 Willet Way
19-20-50-36-202-256	682 Willet Way
19-20-50-36-202-239	689 Willet Way
19-20-50-36-202-257	692 Willet Way

(19) *Ordinance No. 1418*. The zoning use district map is hereby amended to rezone the Hawthorn Neighborhood to R-O-1 Residential Rental Restriction Overlay District. The proposed district follows the boundary of the platted Hawthorn Subdivision as recorded with the Ingham County Register of Deeds on December 14, 1976 in Liber 34 and pages 2, 3,

4, and 5. The rezoning includes the following properties:

Parcel Number	Street Address
33-20-01-12-322-041	1150 Chartwell Carriage Way S
33-20-01-12-322-042	1151 Chartwell Carriage Way S
33-20-01-12-322-055	1207 Chartwell Carriage Way S
33-20-01-12-322-026	1208 Chartwell Carriage Way S
33-20-01-12-322-025	1214 Chartwell Carriage Way S
33-20-01-12-322-024	1220 Chartwell Carriage Way S
33-20-01-12-322-023	1226 Chartwell Carriage Way S
33-20-01-12-322-022	1302 Chartwell Carriage Way S
33-20-01-12-322-067	1307 Chartwell Carriage Way S
33-20-01-12-322-021	1308 Chartwell Carriage Way S
33-20-01-12-322-068	1313 Chartwell Carriage Way S
33-20-01-12-322-020	1314 Chartwell Carriage Way S
33-20-01-12-322-069	1317 Chartwell Carriage Way S
33-20-01-12-322-072	1319 Chartwell Carriage Way S
33-20-01-12-322-019	1320 Chartwell Carriage Way S
33-20-01-12-322-071	1323 Chartwell Carriage Way S
33-20-01-12-322-070	1325 Chartwell Carriage Way S
33-20-01-12-322-018	1326 Chartwell Carriage Way S
33-20-01-12-322-017	1332 Chartwell Carriage Way S
33-20-01-12-322-009	1303 Chartwell Dual Carriage Way

33-20-01-12-322-008	1306 Chartwell Dual Carriage Way
33-20-01-12-322-010	1309 Chartwell Dual Carriage Way
33-20-01-12-322-007	1312 Chartwell Dual Carriage Way
33-20-01-12-322-011	1315 Chartwell Dual Carriage Way
33-20-01-12-322-006	1318 Chartwell Dual Carriage Way
33-20-01-12-322-012	1321 Chartwell Dual Carriage Way
33-20-01-12-322-005	1324 Chartwell Dual Carriage Way
33-20-01-12-322-013	1327 Chartwell Dual Carriage Way
33-20-01-12-322-004	1330 Chartwell Dual Carriage Way
33-20-01-12-322-014	1333 Chartwell Dual Carriage Way
33-20-01-12-322-003	1336 Chartwell Dual Carriage Way
33-20-01-12-322-015	1339 Chartwell Dual Carriage Way
33-20-01-12-322-002	1342 Chartwell Dual Carriage Way
33-20-01-12-322-016	1345 Chartwell Dual Carriage Way
33-20-01-12-322-001	1388 Chartwell Dual Carriage Way
33-20-01-12-322-061	961 Crimson Ct
33-20-01-12-322-060	966 Crimson Ct
33-20-01-12-322-062	967 Crimson Ct
33-20-01-12-322-059	972 Crimson Ct
33-20-01-12-322-063	973 Crimson Ct
33-20-01-12-322-058	978 Crimson Ct
33-20-01-12-322-064	979 Crimson Ct



33-20-01-12-322-057	984 Crimson Ct
33-20-01-12-322-065	985 Crimson Ct
33-20-01-12-322-056	990 Crimson Ct
33-20-01-12-322-066	991 Crimson Ct
33-20-01-12-322-048	962 Touraine Ave
33-20-01-12-322-049	963 Touraine Ave
33-20-01-12-322-047	968 Touraine Ave
33-20-01-12-322-050	969 Touraine Ave
33-20-01-12-322-046	974 Touraine Ave
33-20-01-12-322-051	975 Touraine Ave
33-20-01-12-322-045	980 Touraine Ave
33-20-01-12-322-052	981 Touraine Ave
33-20-01-12-322-044	986 Touraine Ave
33-20-01-12-322-053	987 Touraine Ave
33-20-01-12-322-043	992 Touraine Ave
33-20-01-12-322-054	993 Touraine Ave
33-20-01-12-322-040	1002 Touraine Ave
33-20-01-12-322-027	1003 Touraine Ave
33-20-01-12-322-039	1008 Touraine Ave
33-20-01-12-322-028	1009 Touraine Ave
33-20-01-12-322-038	1014 Touraine Ave
33-20-01-12-322-029	1015 Touraine Ave

33-20-01-12-322-037	1020 Touraine Ave
33-20-01-12-322-030	1021 Touraine Ave
33-20-01-12-322-036	1026 Touraine Ave
33-20-01-12-322-031	1027 Touraine Ave
33-20-01-12-322-035	1032 Touraine Ave
33-20-01-12-322-032	1033 Touraine Ave
33-20-01-12-322-034	1038 Touraine Ave
33-20-01-12-322-033	1039 Touraine Ave

- (20) *Ordinance No. 1456.* The zoning use district map is hereby amended to rezone the Shaw Estates Neighborhood to R-O-1 Residential Rental Restriction Overlay District. The boundary of the proposed district follows the east side of those parcels on the west side of Whittier north of Longfellow to the north boundary of Shaw Estates, the north side of those parcels on the north side of Whitman between the east side of lot 5 of Shaw Estates and the west boundary of Shaw Estates #2, the west side of those parcels on the west side of Prescott between the north boundary line of Shaw Estates #2 and lot 75 of Shaw Estates #2, and the south side of those parcels on the north side of Longfellow from Prescott to Whittier. The rezoning includes the following properties:

Parcel Number	Street Address
33-20-01-12-301-001	1089 Whitman Dr
33-20-01-12-301-002	1207 Prescott Dr
33-20-01-12-301-003	1197 Prescott Dr
33-20-01-12-301-004	1179 Prescott Dr
33-20-01-12-301-005	1175 Prescott Dr
33-20-01-12-301-006	1151 Prescott Dr
33-20-01-12-301-007	1137 Prescott Dr
33-20-01-12-301-008	1087 Prescott Dr

33-20-01-12-301-009	1085 Prescott Dr
33-20-01-12-302-001	1104 Whitman Dr
33-20-01-12-302-002	1090 Whitman Dr
33-20-01-12-302-003	1062 Whitman Dr
33-20-01-12-302-004	1048 Whitman Dr
33-20-01-12-302-005	1032 Whitman Dr
33-20-01-12-302-006	1022 Whitman Dr
33-20-01-12-302-007	1000 Whitman Dr
33-20-01-12-302-008	922 Whitman Dr
33-20-01-12-302-009	902 Whitman Dr
33-20-01-12-302-010	882 Whitman Dr
33-20-01-12-302-011	862 Whitman Dr
33-20-01-12-302-012	842 Whitman Dr
33-20-01-12-302-013	822 Whitman Dr
33-20-01-12-303-001	1240 Prescott Dr
33-20-01-12-303-002	1045 Whitman Dr
33-20-01-12-303-003	1253 Bryant Dr
33-20-01-12-303-004	1207 Bryant Dr
33-20-01-12-303-005	1197 Bryant Dr
33-20-01-12-303-006	Bryant Dr Vacant

33-20-01-12-303-009	1200 Prescott Dr
33-20-01-12-303-010	1210 Prescott Dr
33-20-01-12-303-011	1180 Prescott Dr
33-20-01-12-304-001	843 Whitman Dr
33-20-01-12-304-002	804 Longfellow Dr
33-20-01-12-304-003	824 Longfellow Dr
33-20-01-12-304-004	842 Longfellow Dr
33-20-01-12-304-005	860 Longfellow Dr
33-20-01-12-304-006	880 Longfellow Dr
33-20-01-12-304-007	900 Longfellow Dr
33-20-01-12-304-008	920 Longfellow Dr
33-20-01-12-304-009	940 Longfellow Dr
33-20-01-12-304-010	960 Longfellow Dr
33-20-01-12-304-011	980 Longfellow Dr
33-20-01-12-304-012	996 Longfellow Dr
33-20-01-12-304-013	1152 Bryant Dr
33-20-01-12-304-014	1158 Bryant Dr
33-20-01-12-304-017	1182 Bryant Dr
33-20-01-12-304-018	1190 Bryant Dr
33-20-01-12-304-019	1200 Bryant Dr
33-20-01-12-304-020	1210 Bryant Dr

33-20-01-12-304-021	921 Whitman Dr
33-20-01-12-304-022	893 Whitman Dr
33-20-01-12-304-023	873 Whitman Dr
33-20-01-12-304-024	1164 Bryant Dr
33-20-01-12-304-025	1170 Bryant Dr

(Ord. No. 1082, 9-21-2004; Ord. No. 1086, 1-4-2005; Ord. No. 1092, 12-21-2004; Ord. No. 1094, 1-4-2005; Ord. No. 1095, 1-4-2005; Ord. No. 1096, 2-15-2005; Ord. No. 1097, 3-15-2005; Ord. No. 1098, 2-15-2005; Ord. No. 1101, 4-5-2005; Ord. No. 1131, 2-7-2006; Ord. No. 1134, 3-21-2006; Ord. No. 1198, 11-5-2008; Ord. No. 1204, 3-3-2009; Ord. No. 1230, 12-1-2009; Ord. No. 1232, 12-1-2009; Ord. No. 1233, 12-1-2009; Ord. No. 1248, 12-7-2010; Ord. No. 1291, 3-5-2013; Ord. No. 1321, 4-15-2014; Ord. No. 1418, 1-23-2018; Ord. No. 1456, 6-18-2019)

Secs. 50-778—50-789. - Reserved.

DIVISION 6. - EAST VILLAGE DISTRICT

Sec. 50-790. - Defined area.

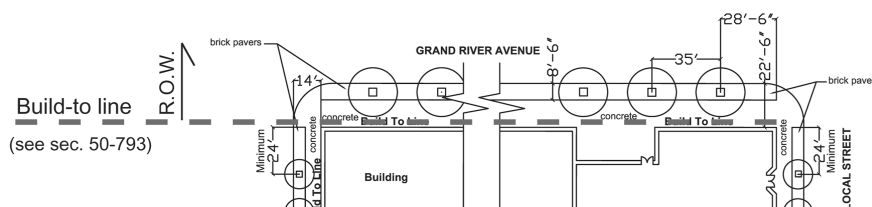
The East Village District is approximately 35 acres bounded by Bogue Street to the west, Grand River Avenue to the north, Hagadorn Road to the east, and the Red Cedar River to the south. The boundary for the district was initially determined by the district master plan as reflected in Ordinance 1140.

(Ord. No. 1139, 6-6-2006; Ord. No. 1462, 2-25-2020)

Sec. 50-791. - Definitions.

In addition to the definitions in sections 50-5—50-9, the following definitions shall apply to the East Village District:

*Build-to line (BTL)* means an alignment established a certain distance from the curb line to a line along which the building shall be built. Build-to lines vary for major streets and local streets and are dimensioned on the siting plans (see section 50-793). Build-to lines along Grand River Avenue will be based on the future right-of-way (R.O.W.) for Grand River Avenue improvements based on the 2000 Grand River Avenue Study and any future plans developed from the study.



*Facade* means the elevation or "face" of a building, from ground level to roof line.

*Floodplain, 100-year* means the low land near a watercourse which has been, or may be, covered by water of a flood of 100-year frequency, as established by engineering practices of the U.S. Army Corps of Engineers. It shall also mean that a flood of this magnitude may have a one-percent chance of occurring in any given year.

*Floodway* means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

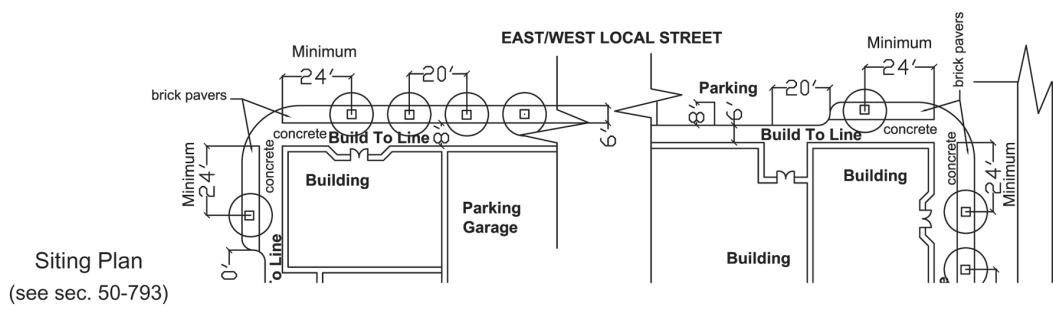
*Floodway encroachment* means any fill, structure, building, accessory use, or development in the floodway.

*Floodplain/floodway remediation* means the process of improving the floodway capacity that has by natural and manmade circumstances decreased over the years, causing an increase in the 100-year floodplain.

*Major streets* shall be Grand River Avenue, Hagadorn Road, and Bogue Street. All other streets in the district shall be considered local streets.

*Shared parking* means parking spaces assigned to more than one use where persons utilizing the spaces are unlikely to need the spaces at the same time of day.

*Siting* means the location and placement of a building, structure, parking, or other objects.



*Transparency* means use of material that allows one to see into a building.

*Traffic impact study* means a plan prepared to determine the impacts, if any, that a proposed redevelopment plan would have on existing roads. The plan shall provide solutions and/or alternatives as needed.

*Parking study* means a plan prepared to determine the parking requirements based on the proposed uses and the expected range of time of day each use would require parking. The plan shall provide solutions and/or alternatives as needed.

*Riverbank improvement plan* means a plan prepared to determine where the use of riverbank improvement techniques would be beneficial to the river environment. The plan will be secondary to the city's floodplain/floodway remediation plan and shall be provided by the developer at the request of the city.

*Street wall* means the main wall of a structure that is closest to and most nearly parallel with an adjacent street.

*New urbanism* means the process of reintegrating the components of modern life (housing, workplace, shopping, and recreation) into compact, pedestrian-friendly, mixed-use neighborhoods linked by transit.

(Ord. No. 1139, 6-6-2006; Ord. No. 1462, 2-25-2020)

Sec. 50-792. - Regulating plan.

East Village District has four form-based zones (Fig. 2):

- A. Grand River Avenue/Bogue Street Area
- B. Grand River Avenue Area I
- C. Grand River Avenue Area II

#### D. Water's Edge Area

Note: Exact boundaries for each zone are subject to change based on development plans that are consistent with the district master plan.



#### E. General requirements for each zone.

- (1) *[Intent.]* The intent of the East Village Form-Based Zoning Codes are to provide for the economic, social, and environmental benefits of the East Village District.
- (2) *Economic.*
  - a. In order to maximize the economic benefits of the district, redevelopment plans shall provide for an increase in density of the area while providing a mixture of uses, quality architecture, adequate parking facilities and site access.
  - b. Buildings in each zone can be up to eight stories or 112 feet in height and may provide a mixture of residential uses or office uses. Depending on the zone in which the building will be constructed, a building may be required to provide for office and retail uses on the first floor of the building. The city council may, upon an affirmative vote of three-fourths of all members of the city council, permit a maximum building height up to ten stories or 140 feet, as long as the additional building height will cause no significant negative impact on adjacent properties, public streets and parking facilities, or public utility and services.  
  
The first floor of any building may include various office, public/semi-public uses and lobbies for upper levels. Traffic impact and parking studies prepared by a professional transportation consultant are required to assure adequate access and that parking is neither insufficient nor excessive to accommodate the proposed mixture of uses. It is the responsibility of the developer to submit the plans prior to receiving preliminary site plan approval.
- (3) *Social.*
  - a. In order to maximize the social benefits of the district, redevelopment plans shall provide for services and amenities which diversify such offerings within the zones.
  - b. Class A multi-family redevelopment plans shall provide mixed-market rental units, and may provide owner occupied housing, and low to moderate income housing.
  - c. Redevelopment plans shall demonstrate acceptable motorized and non-motorized circulation through the district and easy access for the surrounding neighborhoods and the university.
  - d. Redevelopment plans shall provide pedestrian-oriented, human-scale, street-level environments. This will be

made possible through the requirements for first story transparency, build-to lines, minimum sidewalk widths, minimum and maximum building heights, and landscaping. It is the city's objective that alleys, patio seating, parks, and plazas designed to function for a variety of public events be incorporated through public/private cooperation and partnership as part of redevelopment plans for the district. It is also the city's objective that other elements such as outdoor dining and rooftop gardens be included in redevelopment plans where appropriate.

(4) *Environmental.*

- a. In order to maximize the environmental benefits of the district, redevelopment plans must protect and improve the condition of the Red Cedar River and its banks.
- b. When appropriate, the city shall contract a consultant specializing in floodplain/floodway remediation to prepare a floodplain/floodway remediation plan that shall provide the technical information needed to determine where and when remediation would benefit the environmental integrity of the river as well as the development opportunities along the river edge. The city may require, the preparation of a riverbank improvement plan by a consultant specializing in riverbank restoration shall be the responsibility of the developer. Such plan will be secondary to any floodplain/floodway remediation plan. When requested, the plan shall provide the technical information needed to determine where and how to improve the riverbank. The completion of this plan, when required, is necessary in order to grant final approval of redevelopment plans.
- c. Stormwater management techniques, as determined by the city engineer, shall exceed minimum requirements of the city's stormwater management in areas that have the potential to pose the most significant threat to the quality of the river environment. Stormwater management techniques will also be required to cover as little usable open space as necessary to maintain proper function. This may require underground storage in certain areas.

F. Description of East Village Zones.

(1) *Grand River Avenue Area I and Grand River Area II Zones.*

- a. These two zones are characterized by shallow depth, high visibility along Grand River Avenue, and premium river frontage (Fig. 4).

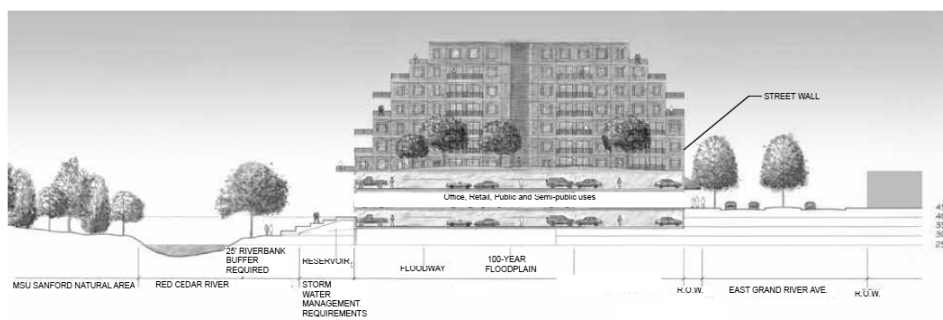


Figure 4. Section showing development possibilities in the Grand River Avenue Area Zone utilizing required methods to develop within the confines of the Red Cedar River.

- b. Note: Project sites may be required to provide a 25-foot riverbank buffer based on the findings of the floodplain/floodway remediation plan.
- c. Any development frontage on Grand River Avenue is required to comply with setback standards and if the development contains housing, it shall contain a mixture of market rate housing types and contain office and retail uses on the ground floor unless waived by a three-fourths vote of the city council because of the availability of adjacent or nearby retail preexisting uses.



(2) *Grand River Avenue/Bogue Street Area Zone.*

- a. This zone is characterized by its frontage on two major streets, with increased visibility for businesses and its accessibility from campus.



Figure 5. A graphic representation looking north on Bogue Street showing the potential character of the district as redeveloped under the intent of the Master Plan, Bondy Studio.

- b. Redevelopment within this zone is required to meet setback standards and if the redevelopment contains housing, it is required to consist of a mixture of market rate housing opportunities and may provide for owner occupied and/or low to moderate income housing. Redevelopment projects in this zone are also required to contain office and retail uses on the ground floor in any Grand River Avenue frontage unless waived by a three-fourths vote of the city council because of the availability of adjacent or nearby retail preexisting uses.
- c. Redevelopment projects within this zone with frontage on the river are required to also comply with the standards set forth in subsection E(4).
- (3) *Waters Edge Area Zone.* This zone is characterized by its premium river frontage and its central location between the other two zones in the district. The size and shape of the zone could accommodate public spaces large enough to support a variety of public events (Fig. 6).



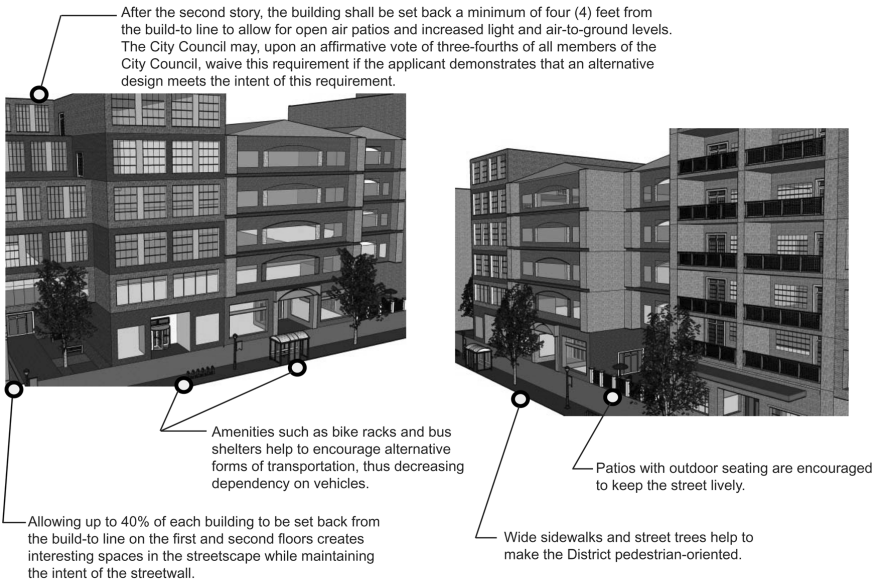
Figure 6. A graphic representation showing the character of the Red Cedar River Corridor as intended in the Master Plan, Bondy Studio.

- a. Redevelopment within this district shall be consistent with all design standards applicable to the district except major street setback requirements.
- b. Any redevelopment project within this zone that includes frontage on the river must comply with the requirements set forth in subsection F(1)b., above.

(Ord. No. 1139, 6-6-2006; Ord. No. 1270, 5-1-2012; Ord. No. 1403, 8-15-2017; Ord. No. 1429, 7-17-2018; Ord. No. 1462, 2-25-2020)

Sec. 50-793. - Building envelope requirements, all zones.

A. *Building envelope requirements are illustrated in the following graphics:*



**Rooftop patios and gardens are encouraged above parking garages.**



**Commercial uses are required on the first floor of parking garages, unless otherwise exempted.**



Building envelope requirements will assure that the streetwalls in the District create a pedestrian-oriented, human-scale environment while at the same time allowing flexibility in architectural design.

B. *General requirements.*

- (1) The minimum story height for the first floor is 15 feet as measured from finished floor to finished floor, except along Grand River Avenue, unless waived by city council to accommodate first floor residential uses.

- (2) No more than 40 percent of the street wall may be set back from the building front on the first and second floors of the building. After the second story, the building shall be set back a minimum of four feet from the build-to line to allow for open air increased light and air-to-ground levels. The city council may, upon an affirmative vote of three-fourths of all members of the city council, waive this requirement if the applicant demonstrates that an alternative design meets the intent of this requirement.
- (3) The first story facade shall have a range of 50 percent minimum to 75 percent maximum transparency, measuring the face of the first story of the building as a percentage of the solid material to transparent material (Fig. 8) where commercial uses are present.

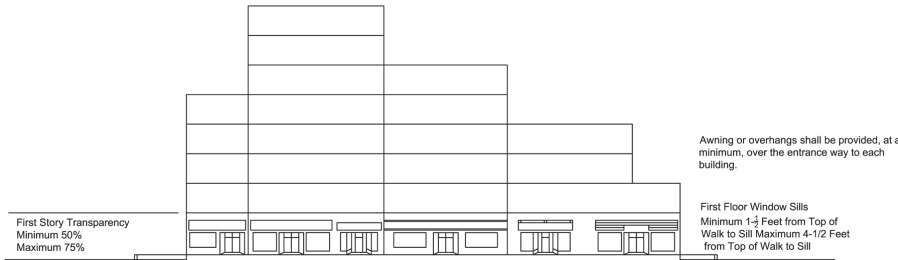


Figure 8. Graphic representation of first story requirements for windows and entryways.

- (4) First story window sills must be a minimum of one and one-half feet and a maximum of four and one-half feet above the sidewalk (Fig. 8) where commercial uses are present.
  - (5) All doorways shall be recessed in such a way that doors do not encroach into the right-of-way or beyond the build-to line (see subsections 50-793E(1)1).
  - (6) Awnings or overhangs shall be provided, at a minimum, over the entranceway to each building.
  - (7) Rooftop equipment shall be reasonably screened.
  - (8) Signs shall be in accordance with chapter 32.
- C. *Facade materials.* To create a compatible visual relationship with the university and the downtown, building designs and facades should incorporate the surface materials and some of the architectural elements found in the traditional architecture of nearby university buildings and the more contemporary urban-scale structures in the downtown.
- (1) The materials listed below indicate the maximum allowed per building of each type including all surfaces with the exception of the roof.

**Schedule of Facade Materials**

Wall Material	Maximum Allowable Percentages*
Brick natural clay	100
Glazed brick or ceramic tile	100
Limestone	100
Stone field, cobble, etc.	100
Granite/marble, polished	100
Fluted and split faced C.M.U.	75

Striated scored C.M.U.	25
Standing seam metal ( <i>must have factory applied permanent color finish</i> )	75
Glass block	50
Display glass	50
Molded cornices, trim, columns, surrounds	15
EIFS	25

## EXPAND

\* Maximum allowable percentages do not eliminate transparency requirements.

(2) *Streets, alleys, parking, and loading/unloading.*

- a. The adequacy of public streets to meet the needs of a redevelopment proposal shall be verified by the submission of a traffic impact study. Traffic impact study means the analysis of the potential traffic impacts generated by a proposed project. It shall be prepared by a certified traffic engineer per the Institute of Transportation Engineers (ITE), and at a minimum provide:
  1. A description of the site, surroundings, and study area.
  2. Existing traffic conditions, roadway characteristics, driveways and potential turning movement conflicts, traffic crash data and analysis covering the most recent three years for the study area or proximity to site access points.
  3. Forecasted trip generation of proposed use for the a.m. and p.m. peak hour and average day. The forecasts shall be based on the data and procedures outlined in the most recent edition of Trip Generation published by the Institute of Transportation Engineers (ITE). The applicant may use other commonly accepted sources of data or supplement the standard data with data from at least three similar projects in Michigan.
  4. Any additional information requested by the city engineer needed to summarize the full extent of traffic impacts.
  5. A summary of findings.
  6. Mitigation plan which may include measures such as roadway widening, need for bypass lanes or deceleration tapers/lanes, changes to signalization, use of access management techniques or a reduction in the proposed intensity of use.
- b. The adequacy of parking facilities to meet the needs of a redevelopment proposal shall be verified by the submission of a study of parking prepared by a consultant specializing in parking studies. It shall clearly establish those uses that will utilize the spaces at different times of the day, week, month and year, including seasonal or mode adjustment factors, the study shall address the size and type of activities, the composition of occupants, the rate of turnover for proposed shared spaces and the anticipated peak parking and traffic loads.
- c. Six on-site surface parking spaces are allowed for every one-half acre, or more, of redevelopment site for customer convenience and short-term loading and unloading. This may be met by six parallel parking spaces along a local street adjacent to the redevelopment site or six on-site parking spaces at the rear of the building off

shared alleyways. All other required parking must be located within a parking structure.

- d. New alleys must have a minimum width of 20 feet for access of public services.
- e. Service and loading/unloading areas shall be located at the rear of buildings off shared alleyways.

(3) *Public areas.*

- a. Public sidewalks must be a minimum of 22 feet wide on Grand River Avenue, 20 feet wide on Bogue Street and 14 feet wide on all local streets. Street trees, benches, bicycle racks, bus shelters, street lights, and any other amenities shall be located within the required sidewalk areas.
- b. Public sidewalks shall be constructed with a combination of concrete and brick as shown on the siting plans (see subsections 50-793E(1), (3)).
- c. Amenities located in public areas such as kiosks, benches, bus shelters, newspaper racks, and trash receptacles shall be consistent with the intent of the Downtown East Lansing Design Guidelines Manual.

(4) *Landscaping and amenities.*

- a. Street trees shall be provided at a minimum of one for every 35 feet of street frontage along Grand River Avenue and Bogue Street, and one street tree for every 20 feet of frontage along local streets. These street trees may be placed an equal distance apart or clustered.
- b. Surface parking areas located behind buildings off shared alleys shall provide a ten-foot buffer between the sidewalk and parking. A minimum of one street tree shall be provided per buffer. The remaining planting area should consist of a minimum of one species of evergreen shrub, two species of deciduous shrubs, and three species of perennials, including groundcovers (see subsections 50-793E(1) and (3)). A three-foot high decorative wall with similar materials as used on the facade of adjacent buildings may be used in lieu of a ten-foot planting buffer for screening parking areas. All plant material must be suitable for urban conditions and be site appropriate for scale and light exposure.

(5) *River protection.*

- a. Any redevelopment which has frontage on the river shall improve and maintain the floodway/floodplain in a way that protects the area from flooding consistent with development constraints due to the location of the 100-year floodplain. (Fig. 10).
- b. At the city's request, a riverbank improvement plan shall be prepared by a consulting firm specializing in riverbank restoration at the developer's expense. The intent of this plan is to determine areas along the bank, for each individual development project, that are in need of stabilization in order to prevent erosion of the bank. When a plan is requested by the city, the plan shall make recommendations for bank stabilization and filtering contaminants from run-off prior to reaching the river. These methods must be incorporated into redevelopment plans.

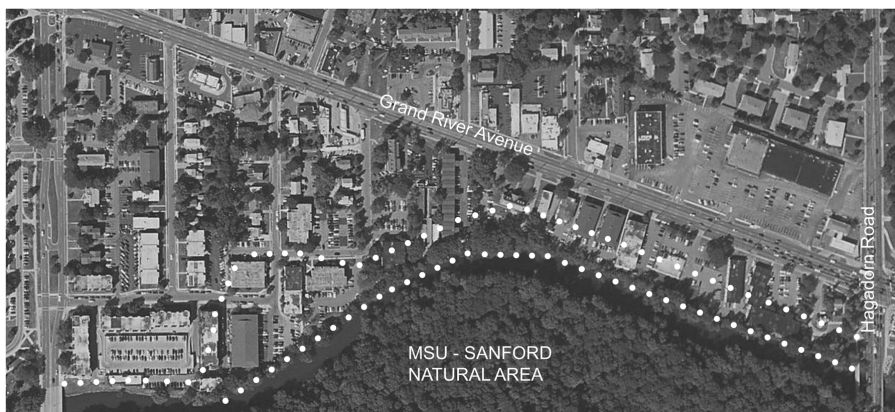
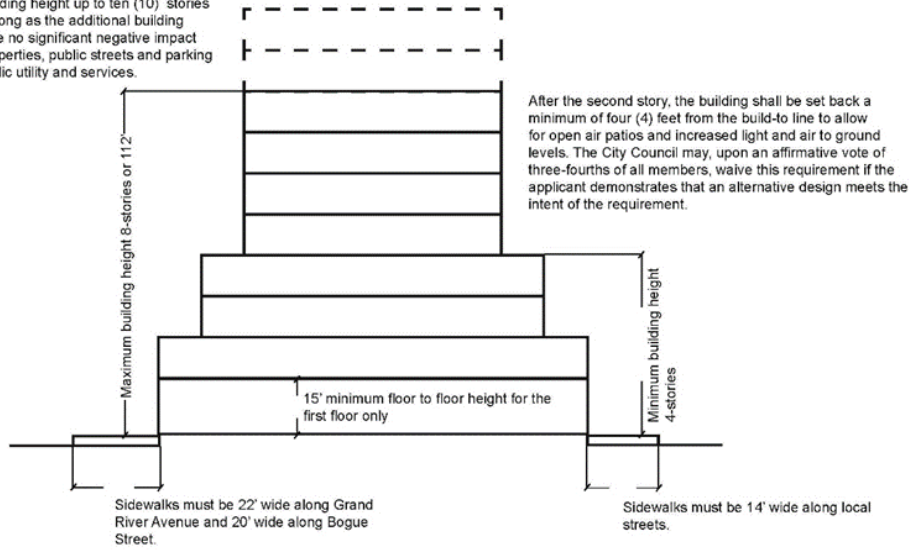


Figure 10. The River Improvement Overlay delineation shown within the dotted outline.

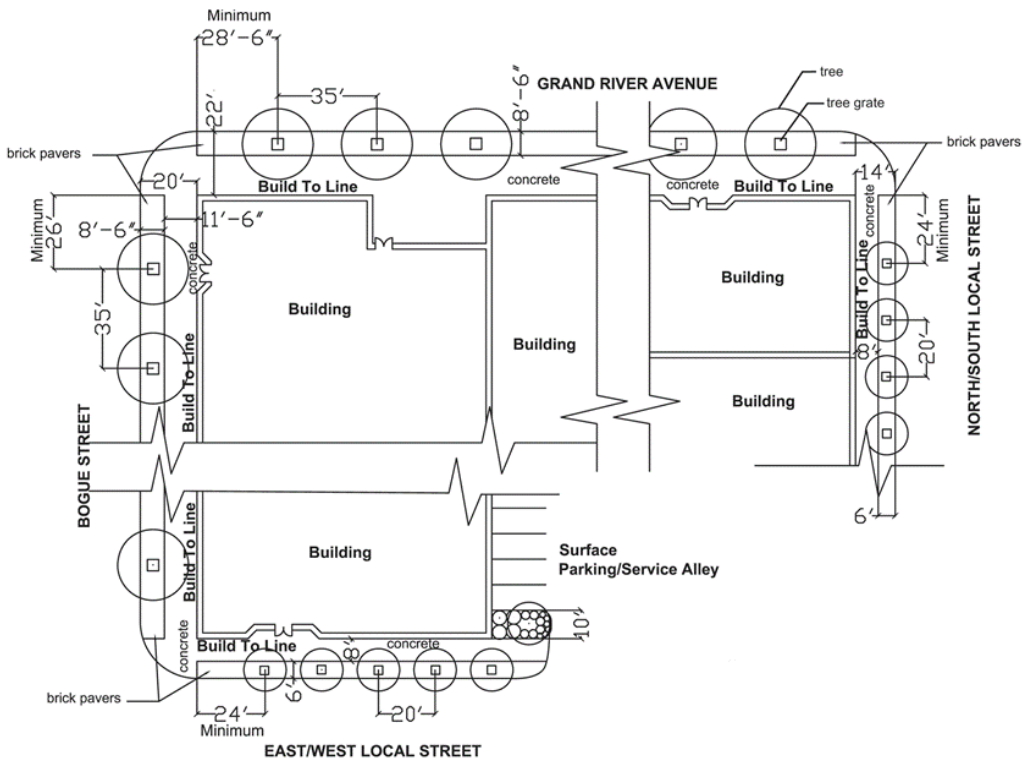
D. Building height—All zones.

The city council may, upon an affirmative vote of three-fourths of all members of city council, permit a maximum building height up to ten (10) stories or 140 feet, as long as the additional building height will cause no significant negative impact on adjacent properties, public streets and parking facilities, or public utility and services.



E. Building siting.

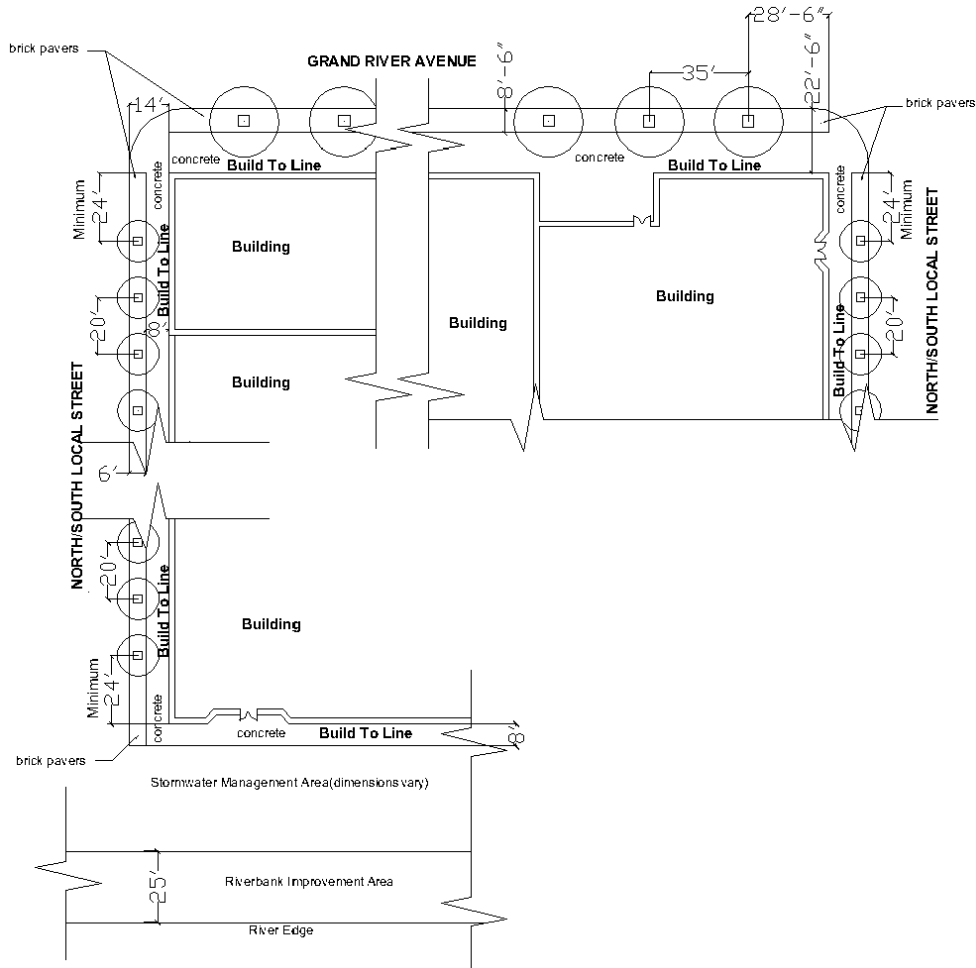
(1) Grand River Avenue/Bogue Street Area Zone.



Notes:

1. All doorways shall be recessed in such a way that doors do not encroach into the right-of-way or beyond the build-to line.
2. A maximum of 40 percent of the building frontage can be set back from the BTL.
3. Trees may be evenly spaced or clustered.

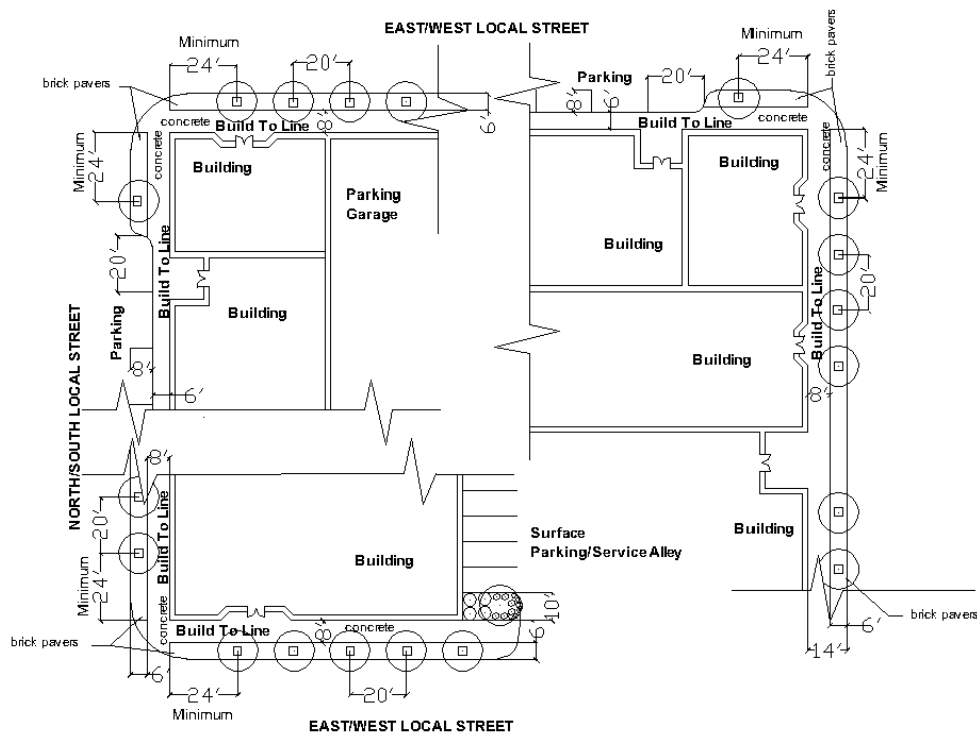
(2) Grand River Avenue Area.



**Notes:**

1. All doorways shall be recessed in such a way that doors do not encroach into the right-of-way or beyond the build-to line.
2. A maximum of 40 percent of the building frontage can be set back from the BTL.
3. Trees may be evenly spaced or clustered.
4. Project sites may be required to provide a riverbank buffer.

(3) *Waters Edge Area Zone.*



**Notes:**

1. All doorways shall be recessed in such a way that doors do not encroach into the right-of-way or beyond the build-to line.
2. A maximum of 40 percent of the building frontage can be set back from the BTL.
3. Trees may be evenly spaced or clustered.
4. Project sites may be required to provide a riverbank buffer.

(Ord. No. 1139, 6-6-2006; Ord. No. 1270, 5-1-2012; Ord. No. 1403, 8-15-2017; Ord. No. 1429, 7-17-2018; Ord. No. 1460, 8-13-2019; Ord. No. 1462, 2-25-2020; Ord. No. 1492, 12-15-2020)

**Editor's note**— Ord. No. 1403, adopted Aug. 15, 2017, changed the title of § 50-793 from "Building envelope requirements" to read as herein set out.

**Sec. 50-794. - Permitted land uses.**

Uses permitted shall be in accordance with the objectives of the East Village Master Plan. The following uses of buildings and premises shall be permitted in the East Village zoning district:

**A. General requirements.**

- (1) Except as provided in subsections B(4) and C(2)a. below, at least 75 percent of the first floor of each building in the district along Grand River Avenue shall be used for retail or office uses, as listed in this section. In all other zones, the first floor of any building may be used for those purposes or, subject to an approved site plan, for residential uses. In any building fronting on Grand River Avenue, any remaining space on the first floor of a building may be used for public/semi-public spaces as listed in this section, and for residential amenities, lobbies, hallways, elevators or stairways necessary to access uses on other floors of the building or for entrances to parking facilities provided within the building.
- (2) Floors of any building above and below the first floor may be used for any of the uses listed in subsections 50-794B., C., and D., singularly or in combination.



- (3) In order to achieve a balance of housing in the area over time, all multi-family development plans, shall be marketed and/or sold as mixed-market rental units, as defined in section 50-7 of this chapter, moderate to low income housing condominiums. This provision shall not apply to hotel dwelling units and Class B multi-family development plans.
  - (4) The occupancy of a condominium dwelling unit shall be limited to a family as defined in this chapter, except that an owner-occupant may lease to no more than one unrelated individual (Class I license), and a non-owner occupant may lease to a family or no more than two unrelated individuals (Class III license).
- B. *Principal uses permitted subject to an approved site plan as set forth in section 50-36 of this chapter.*
- (1) *Retail.*
    - a. Retail business, except those uses which tend to detract from or interfere with a high intensity of pedestrian shopping activity, including automobile sales facilities, auto service centers, drive-in restaurants and similar uses which rely on regular direct vehicular access to serve a significant portion of their customers; and except for establishments licensed for the sale at retail of alcoholic liquor, as defined by section 105(2) of the Michigan Liquor Control Code of 1998, MCL 436.1105(2), including specially designated merchants and specially designated distributors as described at MCL 436.1537.
    - b. Shops for making articles or products to be sold at retail on the premises, such as leather goods, jewelry, prepared food or a bakery, provided that the conduct of such business is not objectionable as being odorous, unsightly, or noisy.
    - c. Personal service establishments such as barber and beauty shops, dry cleaners and laundries, shoe repair shops, photographers, spas, health clubs, and service establishments of a like nature.
    - d. Restaurants, except restaurants licensed for the sale of alcoholic beverages or alcoholic liquor as defined by Section 105(1) of the Michigan Liquor Control Code of 1998, MCL 436.1105(2), cafes, and similar establishments, including such establishments that may offer outdoor dining areas and walk-up service windows.
  - (2) *Office.*
    - a. Office uses, including, but not limited to, general and professional offices, medical and dental offices, banks and financial institutions, automatic teller machines, real estate offices, travel agencies, and offices of political, professional, or civic organizations or associations.
  - (3) *Residential.*
    - a. Hotels.
  - (4) *Public/semipublic.*
    - a. Theaters, public assembly halls, concert halls, meeting rooms, clubs, lodges, churches or similar places of assembly.
    - b. Government and public utility offices.
    - c. Museums and art galleries.
    - d. Colleges, universities, business or trade schools or similar education or training facilities.
    - e. Radio and television studios and broadcasting facilities, excluding transmission, and receiving towers.
    - f. Publicly owned parks, recreation buildings and facilities.
- C. *Principal uses permitted subject to an approved special use permit as provided by article II, division 3 of this chapter.*
- (1) *Retail.*
    - a. Recreational uses and facilities which do not serve alcoholic beverages, including, but not limited to, video game arcades, billiard or pool parlors, and indoor or outdoor court facilities.
    - b. Restaurants licensed for the sale of alcoholic beverages or alcoholic liquor as defined by section 105(1) of the

Michigan Liquor Control Code of 1998, MCL 436.1105(2).

- c. Establishments licensed for the sale at retail of alcoholic liquor, as defined by section 105(2) of the Michigan Liquor Control Code of 1998, MCL 436.1105(2), including specially designated merchants and specially designated distributors as described at MCL 436.1537.
- d. Uses with limited drive-in facilities, such as financial institutions, dry cleaners and drugstores, uses that provide valet parking and uses which provide limited short-term on-site parking to serve their customers, provided that such drive-in or parking facilities are designed and operated to promote public safety by minimizing conflicts with pedestrian flow and congestion on public streets and alleys, and to reduce the visual impact of parking areas and driveways.

(2) *Public/semipublic.*

- a. Parking structures provided to serve the parking needs of surrounding buildings in the district may be constructed as the primary or sole use of a building or parcel, provided that such structures shall be located and designed to minimize adverse visual impacts on the streetscape and disruptions to pedestrian flow and activity, and provided further, that whenever practicable, the first floor of such structures facing a public street shall provide space for retail uses as listed in this section.

(3) *Residential.*

- a. Class A and Class B multiple-family dwellings as defined in section 50-6 of this chapter.

D. *Permitted accessory uses.* In addition to uses customarily incidental to the main use of the building or lot, the following uses shall be permitted as accessory uses:

- (1) Parking facilities provided within or under a building.
- (2) Class A home occupations.
- (3) Video games, pool tables, and other similar amusement games located within a restaurant or other business, provided that the total number of games or machines contained within the building shall not exceed one game for every 400 square feet of gross floor area of the restaurant or business.
- (4) Automatic teller machines which are enclosed within or attached to the principal building.
- (5) Recreational uses and facilities such as swimming pools, indoor or outdoor court facilities, and weight or training rooms for the use of the patrons or tenants of a hotel or residential use, provided that such uses do not exceed 20 percent of the gross floor area.

(Ord. No. 1139, 6-6-2006; Ord. No. 1270, 5-1-2012; Ord. No. 1403, 8-15-2017; Ord. No. 1462, 2-25-2020)

Sec. 50-795. - Nonconforming uses and buildings.

Uses and buildings legally existing within the East Village zoning district at the time this division is adopted may be continued, although such uses or buildings do not conform to the standards of the district. The following provisions shall apply to nonconforming uses and buildings in this district:

- (1) Except, as set forth in subparagraphs a and b of this paragraph, a building which does not conform to the regulations of this district shall not be enlarged and a use which does not conform to the regulations shall not be extended throughout any parts of the structure that were not originally designed for that use unless the use and building are changed to comply with the regulations of this district.
  - a. The nonconforming use of a licensed rental occupancy may be extended throughout any parts of the building except that the addition or enlargement of a bedroom that is completely below grade and the conversion of a garage into a bedroom are prohibited.
  - b. Renovations or additions may be made to a nonconforming multiple family building which will not cumulatively

increase the existing total floor area (meaning, for this provision only, the total of all interior square footage without basements or attics) by more than 20 percent pursuant to this provision and the renovations or additions do not result in increased occupancy.

- (2) A nonconforming building shall not be converted in use in a way which would result in a higher parking requirement according to the ratios in section 50-812, regardless of the number of parking spaces present; except, buildings deemed to be culturally or historically significant by the city council may be converted in use consistent with the goals and objectives of the East Village Master Plan, subject to an approved special use permit as provided by article II, division 3, of this chapter.
- (3) If any nonconforming building ceases to be used for any reason for a continuous period of more than one year, then any future use of the land and any building or improvements upon it shall be in conformity with the regulations of this district.
- (4) If any nonconforming building is moved or removed, the subsequent use of the land on which such building was located, and any subsequent building or improvements thereon, shall be in conformity with the regulations of this district.
- (5) Where a nonconforming building is damaged or destroyed by fire, explosion, wind, flood, or other catastrophe, it may be rebuilt and the use continued, but not to any greater extent than in the previously existing building. Such reconstruction shall be accomplished in accordance with the site plan review requirements in section 50-36 of this chapter and shall, to the maximum practicable extent, comply with the current standards of the zoning district that applied to the property immediately preceding the adoption of this article. Such reconstructions shall not increase the occupancy, floor area, seating capacity or any other feature that increases the density or intensity of the former use of the property, except as provided for in subsection (1).
- (6) Existing parking areas, access driveways and other site improvements may be maintained as necessary to keep them in sound and usable condition; however, such facilities shall not be expanded, unless such expansions are required to support the adaptive reuse of a culturally or historically significant structure as provided for in subsection (2) above.

(Ord. No. 1139, 6-6-2006; Ord. No. 1270, 5-1-2012; Ord. No. 1380, 11-9-2016)

Secs. 50-796—50-800. - Reserved.

#### DIVISION 7. - MEDICAL MARIHUANA PROVISIONING CENTER FACILITIES AND MARIHUANA RETAIL OVERLAY DISTRICTS

*Footnotes:*

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**Editor's note**— Ord. No. 1469, adopted Oct. 29, 2019, amended div. 7 in its entirety to read as herein set out. Former div. 7, §§ 50-801—50-803, pertained to similar subject matter, and derived from Ord. No. 1416a, adopted Nov. 7, 2018.

Sec. 50-801. - Purpose and objectives.

The purpose and objectives of the medical marihuana provisioning center facilities and marihuana retail overlay district is to allow for the unique activity of medical marihuana provisioning center facilities and marihuana retailers within the city while achieving land management objectives of appropriate placement of said uses within the city while segregating the use from certain other land uses in order to avert situations in which such a use may have a deleterious effect on neighboring properties or the city as a whole.

(Ord. No. 1469, 10-29-2019)

Sec. 50-802. - Medical marihuana provisioning center facilities and marihuana retailer overlay districts.

The following medical marihuana provisioning center facilities and marihuana retailer overlay districts are hereby established within the city.

- (a) A district containing those parcels of property bounded by the existing B2 - Retail Sales Business - District south of Michigan Avenue and west of Brody Road.
- (b) A district containing those parcels of property north of Abbey Road as extended to U.S. 127, west of Coolidge Road, east of U.S. 127 and south of the northern boundary line of the existing OIP - Office Industrial Park - District as extended to U.S. 127.
- (c) A district containing those parcels of property bounded by Park Lake Road, Haslett Road, and Merritt Road.
- (d) A district containing those parcels of property abutting the south side of Grand River Avenue between Cedar Street to the west and Hagadorn Road to the east.

(Ord. No. 1469, 10-29-2019)

Sec. 50-803. - Permitted uses.

Permitted principal uses, subject to an approved special use permit, as provided for in article II, division 3 of this chapter are:

- (a) Medical marihuana provisioning center facilities if they meet the standards of and are operated in accordance with the standards set forth in section 50-94(a) and section 50-94a(a) and (b); and
- (b) Marihuana retailers if they meet the standards of and are operated in accordance with the standards set forth in section 50-94(a) and section 50-94b(a) and (b) and have been issued a special use permit for a medical marihuana provisioning center facility at the same location and have a current, valid equivalent license, as defined by the state administrative rules, issued by the state for the operation of a medical marihuana provisioning center within the City of East Lansing.

(Ord. No. 1469, 10-29-2019)

Sec. 50-804. - Reserved.

DIVISION 8. - BUILDING HEIGHT OVERLAY DISTRICT

Sec. 50-805. - Building height overlay district.

In order to achieve the land management objective of allowing building heights in excess of 140 feet within the city while, at the same time, concentrating them in areas within the city most appropriate for buildings of this expanded height while minimizing the impact on neighboring properties, especially residential neighborhoods, there is hereby created a building height overlay district which shall include the following properties: those properties south of Albert Avenue and north of Grand River Avenue lying west of Bailey Street and east of Abbot Road.

(Ord. No. 1449, 4-9-2019)

Sec. 50-806. - Building height.

Notwithstanding any other restriction on building height to the contrary, a building within the overlay district established by this division may be permitted to be constructed to a maximum building height of 160 feet if the building would otherwise be eligible to be built to a maximum building height of 140 feet pursuant to the standards set forth in section 50-593(f) and city council

determines that the additional height conforms to the standards for approval of special use permits in the particular situation.

(Ord. No. 1449, 4-9-2019)

Secs. 50-807—50-810. - Reserved.

ARTICLE VIII. - OFF-STREET PARKING REQUIREMENTS

*Footnotes:*

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**Editor's note**— Ord. No. 1287, adopted June 18, 2013, amended art. VIII in its entirety to read as herein set out. Former art. VIII, §§ 50-811—50-820, pertained to similar subject matter, and derived from the 1994 Code, ch. 55, §§ 5.101—5.107, 5.109—5.111; Ord. No. 967, adopted May 16, 2000; Ord. No. 1054, §§ 5.102—5.104, adopted Oct. 21, 2003; Ord. No. 1061, adopted Feb. 7, 2006; Ord. No. 1226, adopted Oct. 6, 2009; and Ord. No. 1231, adopted Feb. 16, 2010.

**Cross reference**— Stopping, standing and parking, § 44-521 et seq.

Sec. 50-811. - Purpose.

The purpose of this article is to provide for adequate vehicular and bicycle parking space for differing types of land uses within the city, and to set standards for the construction and use of off-street parking and access facilities, so as to protect the health, safety, and welfare of the general public. The specific requirements of this section are designed to provide standards for paving, curbing, and proper drainage of parking and access surfaces to prevent soil erosion and hazards to health from stagnating water and movement of loose materials; and to set minimum design standards, marking, and signage requirements to ensure proper traffic flow, sufficient area for parking and turning, safe ingress and egress onto streets, and sufficient access for public service vehicles, so as to prevent unnecessary threat or damage to property or life.

(Ord. No. 1287, 6-18-2013)

Sec. 50-812. - Required parking ratios.

It shall be the responsibility of both the owner and occupant of any property to provide off-street parking as required and regulated in this article. Except as otherwise provided in this chapter, such parking shall be provided on the same premises with the use it is required to serve. The minimum number of required parking spaces shall be determined from the ratios listed below. Appropriate evidence, such as building floor plans and seating plans, shall be submitted to determine the minimum parking requirement for each use. Where per-roomer or per-person standards are used, the minimum parking space requirement shall be based upon the maximum potential occupancy of the dwelling as determined from relevant lot area and floor area standards in this chapter and chapter 6, article III of the City Code. Where per-seat standards are used but a fixed seating plan is not provided, the parking ratio for the use shall be based upon the maximum permitted occupancy of the identified room(s) as computed from the Uniform Building Code. Where buildings contain multiple tenancy, gross floor area shall exclude common public hallways, arcades, and mechanical/maintenance rooms which support the entire building. Where alternative standards are provided, the one resulting in the highest number of parking spaces shall be used. Where the computed ratios for a use result in a fractional requirement, the requirement shall be rounded up to the nearest whole number of spaces. Also, the ratios below assume that typical accessory uses as permitted may be present and no additional parking spaces are required for them except as specifically stated in the standards below.

					Minimum Parking Ratio
(1)	Residential uses:				

	a.	Single- and two-family structures	2 spaces per dwelling unit, plus 1 space per roomer.
	b.	Multiple-family structures:	
	1.	Class A units	.75 space per efficiency unit 1 space per 1-bedroom unit 1.50 spaces per 2-bedroom unit 2.5 spaces per unit with 3 bedrooms <u>3.5</u> spaces per unit with 4 bedrooms 1 space per bedroom above 4 bedrooms.
		In no case shall the maximum permitted occupancy for a Class A multiple-family dwelling exceed a ratio of 1.5 persons per parking space provided.	
	2.	Class B units	0.5 space per person.
		For Class B units marketed to and occupied by elderly persons, generally 62 years of age or older, minimum parking spaces shall be provided at the rate of 0.5 space per person. If such units subsequently are not occupied by elderly persons, the basic standards above shall apply and sufficient parking shall be provided.	
(2)		<i>Nonresidential uses.</i>	
	a.	Elementary school	1 per classroom plus 4.
	b.	High school/middle school	1 per 6 seats in main auditorium or assembly room.
	c.	Library	1 per 6 seats in reading rooms or main assembly room.
	d.	Church, synagogue, mosque	1 per <u>3.5</u> seats in main worship room.
	e.	Hospital, extended care facility	1 per 2 beds or 2 residents.
	f.	Funeral home	1 per 6 seats or 50 square feet in assembly rooms.
	g.	Museum/art gallery	1 per 500 square feet of public viewing area.
	h.	Medical or dental office or clinic (no overnight facilities)	2 per examination room plus 1 per 100 square feet of patient waiting room.
	i.	General business or professional office (excluding medical and dental office); bank; savings and loan or other financial institution	1 per 300 square feet net floor area.
	j.	Private club or lodge, community center	1 per 100 square feet in main meeting or club room.
	k.	Automotive service center, motor vehicle sales	2 per service bay plus 1 per 300 square feet of office and customer service/waiting area.
	l.	Theater, auditorium	1 per 4 seats.
	m.	Bowling alley	6 per lane.
	n.	Regional or community shopping center	4 per 1,000 square feet gross floor area.
	o.	Hotel or motel (excluding restaurant)	1 per lodging or dwelling unit plus 1 per 100 square feet of meeting and banquet rooms.
	p.	Restaurant	1 per 4 seats or 1 per 50 square feet in dining room and lounge area; plus 1 per each 20 square feet of customer waiting area if take-out service is provided.
	q.	Child care facility	1 per employee plus 1 per each 10 children.
	r.	Other nonresidential uses:	
	1.	B-3 district	1 per 500 square feet gross floor area.
	2.	Other districts	1 per 300 square feet gross floor area.

	s.	Automatic teller machine	2 per machine.
	t.	Carwash, drive-through auto service	1 per service bay or 1 per employee.
	u.	Essential services	Determined by planning commission (see <u>section 50-148</u> ).
	v.	Commercial recreation uses:	
	1.	Softball, baseball, soccer fields; skating rinks; swimming pools	25 spaces per field, rink or pool.
	2.	Tennis, racquet or handball courts	4 spaces per court.
	3.	Golf courses	6 spaces per hole.
	4.	Golf, firearm or archery ranges	1 space per tee or target.
	5.	Health and fitness centers; gymnasiums	5 spaces per 1,000 gross square feet.
		In addition to the requirements above, commercial recreation facilities shall also provide parking for:	
		Restaurants or retail facilities, at the rates required in subsections (2)p and r of this section;	
		Spectators, at the ratio of 1 space per each 4 persons permitted based on maximum occupancy standards for seating and viewing areas; and	
		Employees, at the ratio of 1 space for each employee present.	
	w.	College, university, business or trade school or similar education or training facilities	1 space per 50 sq. ft. of classrooms plus 1 per 300 sq. ft. of administrative offices.

(3) Consistent with the city's objectives to maximize open space and minimize the adverse effects of excess ground coverage on the general environment, neighboring properties, and storm sewers, the total amount of parking provided for uses that require 50 or more parking spaces shall not exceed a figure equal to 1.25 times the minimum parking requirement determined from 50-812 of this chapter. However, the developer of a project may obtain a waiver of the maximum allowable amount of parking or 1.25 times the minimum requirement under this Code where the applicant can demonstrate a need for additional parking spaces which cannot be appropriately satisfied by other off-premises or on-street parking spaces. The demonstration of need may be based on one or more of the following factors:

- a. Employee, customer, tenant, or visitor demands.
- b. Regular or seasonal peak demands.
- c. Potential conversion of part or all of the property to a use which has a higher parking requirement.
- d. Potential congestion or safety hazards, either on site or along adjacent public streets.

Where anticipated parking needs and impacts cannot be accurately predicted, the city may require that construction of additional parking spaces in excess of the 1.25 ratio be deferred until the need for the additional spaces can be demonstrated by actual measurements.

(4) Consistent with the city's objectives to maximize open space and minimize the adverse effects of excess ground coverage in the RA, R-1, R-2 and R-3 low density residential zones and to minimize the adverse impacts of automobiles on neighboring properties and on the general environment, the total amount of parking provided for residential uses permitted in these zones, exclusive of driveways in front yards, shall not exceed six parking spaces, or 1.5 times the permitted residential occupancy, whichever is less. Residential parking includes a garage or paved surface, at least eight feet by 16 feet in size, which is accessible and can be used at all times for parking a motor vehicle.

- (5) The parking requirements established by this section may be modified subject to an approved special use permit where the applicant is able to show reduced parking needs for the intended use of the building.

(Ord. No. 1287, 6-18-2013; Ord. No. 1492, 12-15-2020)

Sec. 50-813. - Required stacking spaces.

In addition to the off-street parking spaces required in section 50-812, uses with drive-thru service shall also provide stacking spaces for customers in vehicles waiting to be served. Such spaces shall be of the same size and construction as parking spaces, and shall be arranged so they do not obstruct traffic movement through the property nor extend into any public right-of-way. The minimum number of stacking spaces required for a use shall be determined according to the ratios listed below.

Use		Stacking Spaces
(1)	Carwash:	
	a.	Automatic conveyor system
		15 per bay
	b.	Automatic roll-over unit
		6 per bay
	c.	Self-service or hand wash
		3 per bay
(2)	Restaurant, coffee shop	
		10 per window
(3)	Bank, savings and loan	
		4 per window
(4)	Dry cleaner, laundry	
		3 per window
(5)	Automatic teller	
		2 per machine
(6)	Pharmacy	
		2 per window
(7)	Other	
		To be determined with the use proposed

(Ord. No. 1287, 6-18-2013; Ord. No. 1492, 12-15-2020)

Sec. 50-814. - General parking regulations.

- (1) *Use of parking and access areas.* Off-street parking spaces, stacking spaces, and access facilities shall be used solely for the purposes of parking and maneuvering motor vehicles except where otherwise allowed in this chapter. No commercial repair or service work on vehicles shall be conducted on any parking, storage, or access facilities, nor shall such facilities be used to park or store disabled, dismantled, inoperable, or unregistered vehicles.



- (2) *Parking in yards.* No motor vehicle shall be parked on any yard except upon a driveway or parking space designed and constructed according to the standards of this chapter.
- (3) *Residential parking.* In residential districts no parking space shall be provided in a front yard, or in an exposed side yard of a corner lot, except in conjunction with a single-family, two-family, or townhouse structure. Parking spaces may be placed on a driveway and in a tandem arrangement, provided that, no more than 50 percent of the required number of parking spaces are totally or partially located in the front yard or exposed side yard, and provided further that no parking space extends into a public right-of-way.
- (4) *Off-premises parking.* In order to encourage the use of public transportation, limit the amount of impervious surface, thereby reducing stormwater runoff, and support redevelopment efforts in older structures, the City of East Lansing allows for off-premises parking under certain circumstances. For multiple-family uses, office uses, or uses located in any of the B business districts of this chapter, the required off-street parking facilities may be provided on a property separate from that of the use such facilities are intended to serve, subject to the following requirements:
- a. Off-premises parking facilities must be located within one of the B business districts, the P parking district, the municipal parking system, or other locations as approved by city council.
    1. Off-premises parking facilities for multiple-family residential uses must be located within one-quarter of a mile of the use they are intended to serve, as measured between properties along probable pedestrian pathways or documentation shall be provided to demonstrate convenient access through public or private mass transit.
    2. Off-premises parking facilities for office or retail uses must be located within 500 feet of the use they are intended to serve, as measured along probable pedestrian pathways. Where a portion of an off-street parking lot or a contiguous series of on-street parking spaces falls within the 500-foot area, all of the spaces within the lot or the series of spaces shall be counted.
  - b. Off-premises parking facilities must be improved and maintained in accordance with the requirements of this chapter.
  - c. Evidence must be submitted that such off-premises parking facilities will remain available to serve the intended use. If utilizing a municipal parking facility, parking passes must be purchased on a yearly basis and if using other locations documentation shall be updated on a yearly basis or approval under this section shall expire and the extent and occupancy of the use shall be restricted proportionately to the minimum requirement for the use under this chapter and the number of parking spaces available on site.
  - d. Off-premises parking facilities must not be necessary to meet the requirements of another use.
  - e. Off-premises parking facilities shall be reviewed in conjunction with the use they are intended to serve and shall be considered an integral part of any approval granted to the use they are intended to serve.
  - f. Notwithstanding items (a) through (e) of this subsection, city council may approve or deny the request for off-premises parking based on the proximity of public transit, the type(s) of uses proposed for the site, the proximity to major employment, and/or education facilities and the general standards of [section 50-36](#).
- (5) *Maximum use restriction.* If fewer spaces are available to serve a use than the minimum requirement for the use under the standards of this chapter, the extent and occupancy of the use shall be restricted proportionately to the number of parking spaces available.
- (6) *Mixed use.* Where two or more uses occupy a property or occupy adjoining properties which are developed with shared parking and access facilities under a single site plan, the following rules apply:
- a. The combined parking requirement shall be the sum of the individual requirements for each use present except as follows:
    1. Where the mixed use includes a residential use, the parking requirements otherwise established by this Code for the residential portion of the use are reduced by 50 percent.

2. Where the individual uses are expected to experience peak parking demands at different times, where the individual uses have complementary functions, or where the property owner demonstrates that due to the specific type of uses, proximity to public parking and other circumstances that the parking demands of the building or buildings will be more than otherwise required by this chapter, the city council may permit an appropriate reduction of the combined parking requirement in conjunction with site plan approval, in addition to any other reductions authorized by this chapter.
  - b. For existing buildings, the planning and zoning official may permit a reduction of the combined parking requirement by up to 25 percent where the property owner provides written evidence, such as a lease or condominium bylaws, which limits the hours of operation of individual tenants to ensure that peak parking demands do not exceed the number of parking spaces present.
- (7) *Changes in use.* Any change in the use or occupancy of a property which would result in a higher parking requirement according to the ratios in section 50-812 or any change in use from a specific use that caused the city council to grant a reduction from the requirements of this Code, regardless of the number of parking spaces present, shall be considered an expansion of the use and shall be subject to the review procedures and standards specified in this chapter. This provision shall not apply where a reduction of the combined parking requirement for a multiple tenant building has been granted under subsection (6) above so that the peak parking demand for the property does not increase. For any expansion of a use, all existing and proposed parking and access facilities shall be improved and maintained in accordance with the standards of this chapter.
- (8) *Motorcycle parking.* Up to three vehicular parking spaces on a property may be converted to motorcycle parking spaces, consistent with the dimensional standards in section 50-816(1). For every four motorcycle parking spaces provided, required automobile parking can be reduced by one space.

(Ord. No. 1287, 6-18-2013; Ord. No. 1400, 5-9-2017; Ord. No. 1492, 12-15-2020)

#### Sec. 50-815. - Paving permit.

No part of any privately owned yard or premises shall be paved or repaved as defined in section 50-8 for the purposes of providing parking, access, or other improvements unless a paving permit is first issued by the building official as described in this section.

- (1) *Permit application.* Application for this paving permit shall be made to the department of planning, building and development and shall include an accurate site plan or survey of the lot for which the permit is sought, showing:
  - a. The dimension of each side of the lot.
  - b. The boundaries, with dimensions, of existing and proposed paving on the lot and the location and dimensions of parking spaces.
  - c. The location and dimensions of any buildings or other structures on the lot.
  - d. The nature of the paving material or materials to be used and the nature of adjacent ground cover.
  - e. A landscape plan if required under subsection 50-840(1).
  - f. For pavement expansions, existing and proposed grades are required.
- (2) *Permit issuance.* The paving permit shall identify the property upon which the paving is to be installed and describe the specific area which is to be paved and the type of surface to be used. The paving permit shall be posted in a conspicuous location on the lot during the paving operation.
- (3) *Nonconforming paving.* A paving permit may be issued for a driveway or parking space pavement reconstruction as defined in section 50-8 which legally exists at the time of adoption of this provision as long as it meets the following requirements:
  - a. The proposed reconstruction shall not increase or extend any existing nonconformity.

- b. The proposed reconstruction shall not cause or permit a change in the occupancy or use of the property.
- c. The proposed reconstruction shall not increase the number of parking spaces provided on the property.
- d. The proposed reconstruction does not increase the quantity of stormwater runoff directed to adjacent private properties.

(Ord. No. 1287, 6-18-2013)

Sec. 50-816. - Parking and access facility design standards.

Unless otherwise specified in this chapter, parking and access facilities shall be designed according to the following standards.

- (1) *Parking space size.* Each parking space shall be a rectangular area a minimum of 20 feet in length and nine feet in width, exclusive of driveways. In conjunction with single-family, two-family, and townhouse structures, parking spaces may be on a driveway and may be a minimum of eight feet wide and 18 feet long. Motorcycle parking spaces shall be a minimum of eight feet in length and four feet in width. Where 25 or more parking spaces are required for a use, up to 30 percent of the number of required spaces may be reduced in size, but not less than a minimum of eight feet wide and 16 feet long. Some number of parking spaces may be required to be wider than the minimums stated above to be accessible for physically handicapped persons.
- (2) *Driveway width.* Driveways shall be at least eight feet wide for one-way travel and at least 18 feet wide for two-way travel. Driveway aisles within a parking lot that provide access into abutting parking spaces shall be developed according to the following standards.

Parking Space Arrangement	Minimum Aisle Width
Parallel parking	12-foot aisle width
30° angle parking	11-foot aisle width
45° angle parking	13-foot aisle width
60° angle parking	18-foot aisle width
90° angle parking	20-foot aisle width*

\*If the driveway is regularly used by sanitary trucks, delivery trucks, or other large vehicles, the minimum width shall be increased to 24 feet.

If abutting parking spaces are arranged at an angle other than those listed above, the minimum driveway width shall be determined according to the next highest standard from the table. For example, if 75-degree angle parking is provided, the minimum driveway width shall be the standards for 90-degree angle parking, or 20 feet.

- (3) *Yard paving restriction.* In all residential districts, the amount of paving in a front yard and in a side yard along a street on a corner lot shall not exceed an amount equal to 25 percent of the front yard area as defined in [section 50-9](#) of this chapter or up to 35 percent where 10 percent of the paving is pervious paving material. On lots within the RA, R-1, R-2, and R-3 districts, no more than 30 percent of the rear yard may be used for parking and access facilities, inclusive of garages, carports, and surface paving.
- (4) *Parking and driveway setbacks.* Except as provided for in subsection (7) of this section, parking spaces and driveways shall be set back according to the provisions of this chapter. In no case shall a parking space or driveway be placed closer than eight feet from a rear lot line or three feet from any other property line, except where the driveway must penetrate across the lot line to provide access to the adjacent street or alley. A parking space may be located contiguous to an alley when the space is directly accessed from the alley. If the closed end of a parking space abuts a

front, rear, or side yard, or a required landscape screen, or is eight feet or less from a property line, wheel stops, bumper guards, or similar devices shall be placed to prohibit vehicles from extending beyond the end of the parking space.

- (5) *Surface materials.* At a minimum and in the absence of an approved engineering design, all parking and driveway facilities shall be paved with driving courses as specified below. Each driving course shall be placed over an appropriately prepared and improved subgrade and/or base at least two inches in depth below grade as determined by the building official. Thicker courses and base may be required if the subgrade and/or anticipated traffic conditions so warrant.
- a. Residential uses with less than seven provided parking spaces shall be paved with one of the following driving courses:
    1. Concrete with a minimum thickness of four inches; or
    2. Bituminous material with a minimum thickness of two inches over a four-inch gravel base; or
    3. Pervious paving material provided it is stationary and manufactured for use as a driving surface as approved by the building official.
  - b. Uses with more than seven and fewer than 50 provided parking spaces shall be paved with one of the following driving courses:
    1. Concrete with a minimum thickness of six inches; or
    2. Bituminous material with a minimum thickness of three inches over a minimum six-inch gravel base; or
    3. Pervious paving material provided that it is stationary and manufactured for use as a driving surface as approved by the building official.
  - c. Uses with 50 or more provided parking spaces shall be paved with one of the following driving courses:
    1. Concrete with a minimum thickness of six inches; or
    2. Bituminous material with a minimum thickness of four inches over a minimum six-inch gravel base; or
    3. Pervious paving material provided it is stationary and manufactured for use as a driving surface as approved by the building official.
- (6) *Other improvements.* Except for single- and two-family dwellings on individual lots, where seven or more unenclosed parking spaces are provided, exclusive of driveways, the following additional improvements as determined by the city engineer are required:
- a. *Drainage.* Parking areas shall be appropriately graded and equipped with facilities to collect stormwater on-site and transmit it to approved public facilities.
  - b. *Marking.* All parking spaces shall be appropriately marked with painted lines.
  - c. *Curbing.* The perimeter of parking areas shall be enclosed with concrete curbing extending six inches above the paved surface.
  - d. *Lighting.* Lighting as provided or required to illuminate parking and access areas shall be placed, arranged, or shielded so it does not direct light onto adjacent properties or streets per section 50-155.
- (7) *Shared parking and access facilities.* In conjunction with multiple-family or nonresidential uses, two or more adjoining properties may be developed with shared parking and access facilities when approved under a single unified plan. In such cases the setbacks, curbing, and perimeter landscaping requirements of section 50-840 shall not apply along the common property line. For the purposes of this provision, a shared driveway shall be an improved facility that is:
- a. Described in a recorded easement that affords the right of access to two or more adjoining lots; or
  - b. No more than ten feet in width, constructed partially on two or more adjoining lots and has been regularly used

to provide access to the adjoining lots.

(Ord. No. 1287, 6-18-2013)

Sec. 50-817. - Parking and access plan.

A plan showing all site improvements including building location, ingress and egress, parking spaces including bicycle parking, stacking spaces, loading zones, maneuvering areas, landscaping, sidewalks and patios, proposed grading (topography) at a maximum of two-foot contour intervals, fencing, curb cuts, and lighting, or other arrangements as may be required; and shall include surrounding existing conditions within 50 feet beyond the property lines so as to show existing grades and contours, vegetation, retaining walls, and other physical features which may affect the plan.

Note: The requirements of this subsection regarding grading and/or contour plans may be incorporated with requirements elsewhere in this Code, e.g., chapter 34, pertaining to grading and soil erosion control.

- (1) *Submission for approval.* No person shall construct a parking lot without first submitting a parking and access plan and a landscape plan and receiving approval thereof.
  - a. All uses required to submit development plans for approval in accordance with section 50-36 of this chapter shall submit and receive approval of a parking and access plan as part of that required development plan approval.
  - b. A parking and access plan and landscape plan for all other uses shall be submitted to the planning and zoning official and comply with the site plan approval procedures of section 50-35.
- (2) *Issuance of permits.* No certificate of occupancy or rental housing license shall be issued unless the parking and landscape improvements have been completed, or a cash deposit to cover 1.5 times the cost of the contemplated improvements as approved by the city has been deposited with the city.
- (3) *Time period.* The required improvements are to be completed within one year of the issuance of the building permit, occupancy permit or paving permit. In the event of unusual delays or adverse weather conditions that make it impossible to pave or plant, the building official may grant a single extension of the time limit for a further period of no more than six months.
- (4) *Maintenance.*
  - a. It shall be the responsibility of the owner and occupant of the property to maintain all parking and access facilities in a safe and usable condition. This includes, but is not limited to, sweeping, patching, sealing, and ensuring that the surface is level, free of potholes or chuck holes, and water ponding; reconstructing and replenishing paving; repainting space markings; repairing or replacing curbing or wheel stops; and cleaning on-site drainage facilities.
  - b. Legal parking and driveway surfaces existing at the time of the adoption of this provision that do not meet the surface material standards set forth in subsection 50-816(5) and city requirements for driveway and parking area approaches and curb cuts shall be maintained (i.e., replenished) or shall be improved with crushed stone material of at least 25 percent crushed stone, with the entire mixture having a maximum particle the size of one inch and not more than 50 percent passing a sieve with 2.36 millimeter square openings. If the building official and city engineer determine that an existing driveway or parking area has been properly maintained, the driveway or parking area may be replenished with the above material without having to meet the minimum subgrade and base requirements set forth under subsection 50-816(5). The building official and city engineer shall take into account the nature of the use, such as heavy transient vehicle movement and the number of vehicles parked or stored, when making the determination.
  - c. Michigan Department of Transportation (MDOT) aggregate (i.e., crushed stone) designated as 6A shall be used to maintain or reconstruct front yard driveways and paving areas except when the building official and city engineer have approved an alternate material, meeting the gradation of the required aggregate, due to circumstances

unique to a property. MDOT aggregate designated as 22A or 23A shall be used to maintain or reconstruct side and rear yard parking areas except when the building official and city engineer have approved an alternate material, meeting the gradation of the required aggregate, due to circumstances unique to the property.

- d. The building official may also require means of containing vehicles and crushed stone materials in order to keep them separate and distinct from adjacent ground covering (i.e., grass, landscaped areas). No landscaping materials shall be used to maintain or reconstruct existing driveways and parking areas.
- e. It shall also be the responsibility of the owner and occupant to prevent the migration of loose surface materials into yards, landscaped areas, or public rights-of-way.

(Ord. No. 1287, 6-18-2013)

Sec. 50-818. - Off-street commercial loading space.

One off-street loading space for commercial vehicles, the width of which shall be a minimum of ten feet, shall be provided on the premises of each building or structure which exceeds 2,000 square feet in gross floor area or adjacent to such building or structure in that portion of a public alley which has been designated as a "loading zone" by the city engineer and approved by the city council.

- (1) Such loading or unloading space shall be provided for each building or structure which is occupied for manufacturing, storage, warehouse, wholesale, or retail purposes or for other uses which involve the distribution of merchandise. The number of off-street loading and unloading spaces provided, either on the premises or adjacent to the premises, shall be sufficient to ensure that the loading and unloading of vehicles shall not unduly interfere with the use of streets and alleys. A minimum width of ten feet of unobstructed travelway must be maintained at all times.
- (2) Buildings or structures in excess of 20,000 square feet of gross floor area shall be reviewed by the city council, which may increase the number or size of loading spaces based on the expected volume and frequency of deliveries.

(Ord. No. 1287, 6-18-2013)

Sec. 50-819. - Fire lane parking regulations.

The owners of all multiple-family dwellings, including existing multiple-family dwellings containing or renting more than 12 dwelling units, shall, as a condition of leasing or renting any of said dwelling units to any person, first obtain a certificate of compliance with fire lane parking regulations.

- (1) *Issuance of certificate of compliance with fire lane parking regulations.* Certificates of compliance with fire lane parking regulations shall be issued by the East Lansing Building Official upon the approval of the East Lansing Fire Chief.
- (2) *Requirements for approval of fire chief.*
  - a. The East Lansing Fire Chief shall approve an application for the certificate of compliance upon the completion of the following requirements:
    1. There shall be established and maintained upon any parking lot provided by the owner of a multiple-family dwelling a fire lane of a width of not less than 12 feet and marked with yellow lines of not less than four inches in width. Said fire lanes shall be marked with the words "FIRE LANE" at intervals of not more than 30 feet. The words "FIRE LANE" shall be painted on the pavement in yellow, and the letters shall be no less than five inches in height. Upon request of the fire marshall, the city shall mark the fire lane as required by this section at the property owner's expense.
    2. The fire lane shall be located in such a position as will, in the opinion of the East Lansing Fire Chief, permit

the entrance of fire and rescue equipment on any portion of the property necessary to fight fire or to rescue occupants from the multiple-family dwelling. If, in the opinion of the fire chief, the establishment of a fire lane is not necessary to permit the entrance of fire and rescue equipment upon the premises, the fire lane requirement shall be waived, and the certificate of compliance shall indicate that the fire lane requirement is waived.

3. The owner of the multiple-family dwelling shall grant in writing upon the application for a certificate of compliance, to the City of East Lansing and its police officers, the right to enter the property to enforce parking regulations in fire lanes as established.
- (3) *Additional requirements for approval of fire chief and city engineer.*
- a. The owner of each multiple-family dwelling shall provide and maintain a sign of such wording and of such size as shall be determined by the city engineer, and said sign shall be placed at each entrance to the parking lot or lots. Upon request, the city engineer shall provide and install said signs upon the premises at city expense.
  - b. The sign shall notify all persons that parking is prohibited by city ordinance in fire lanes, is enforced by the East Lansing police, and is subject to a fine as specified in chapter 44, article IV of the City Code.
- (4) *Time of compliance.* Owners of existing multiple-family dwellings containing more than 12 dwelling units shall be notified by the building official that they must comply with the requirements of this section. Owners shall comply with the requirements within 90 days of notice to comply by the building official.
- (5) *Transferability.* Certificates of compliance with fire lane parking regulations shall not be transferable; and upon conveyance of a multiple-family dwelling subject to the fire lane parking regulations, the owner shall comply with this section within 90 days of acquisition of ownership.
- (6) *Parking prohibited.* No person shall park any motor vehicle upon any fire lane established on any property as set forth in this section of the Code. Violation of this section shall be subject to a fine as specified in chapter 44, article IV of the City Code.
- (7) *Enforcement.* The city may enforce the terms of this section by application for injunction to any court of competent jurisdiction.

(Ord. No. 1287, 6-18-2013)

#### Sec. 50-820. - Bicycle storage requirements.

It shall be the responsibility of both the owner and occupant of any multiple-family or nonresidential premises to provide on-site storage facilities for bicycles according to the following provisions.

- (1) *Number of spaces.* The number of bicycle storage spaces shall be determined as follows:
  - a. For Class A multiple-family dwellings, there shall be one storage space for each two bedrooms within a structure.
  - b. For Class B multiple-family dwellings, there shall be one storage space for each two occupants, based on maximum permitted occupancy.
  - c. For non-residential uses, there shall be one storage space for each ten required parking spaces through the first 100 required parking spaces and one storage space for each 15 required parking spaces in excess of 100.
- (2) *Outdoor storage facilities.* A portion of the bicycle storage spaces must be located outdoors. Outdoor storage spaces are subject to the following requirements:
  - a. The outdoor storage spaces must be on the premises, except that in the B-3 district, the bicycle racks or similar locking devices may be located within the public right-of-way as approved by the city engineer.
  - b. Outdoor storage spaces must be in a location that is conveniently accessible to visitors or customers.
  - c. Outdoor storage spaces must be in the form of a rack or other locking device that is constructed of durable

material and is securely anchored in place. Each storage space in a rack must be at least two feet wide.

- (3) *Indoor storage facilities.* A portion of the bicycle storage spaces can be located indoors. Indoor storage spaces are subject to the following requirements:
- a. Indoor storage facilities must contain bicycle racks, lockable doors, or some other means to enable bicycles to be secured.
  - b. Indoor storage facilities can be lockers, closets, storage rooms, or other facilities within a building that are accessible to occupants and employees of the premises.
  - c. Indoor storage facilities cannot be habitable rooms, kitchens, dining rooms, bathrooms, hallways, balconies, or patios.
  - d. Each indoor storage space must be at least 10 square feet.
- (4) *Exemptions.* Hotels and motels located within the B-3 City Center commercial district shall be exempt from the requirements of this section.

(Ord. No. 1287, 6-18-2013)

Sec. 50-821. - Electric vehicle charging stations.

- (1) Definitions for the purposes of this section:
- a. *Electric vehicle* means a fully electric automobile or hybrid gas and electric automobile.
  - b. *Level 2 or better charging station* means a public or private parking space that is served by battery charging station equipment that has as its primary purpose the transfer of electric energy by conductive or inductive means to a battery or other energy storage device in an electric vehicle equipped with a level 2 or better charging equipment.
  - c. *Private restricted use charging station* means an electric vehicle charging station that is (1) privately owned and restricted access; for example executive parking or designated employee parking, or (2) publicly owned and restricted; for example fleet parking with no access to the general public.
  - d. *Public use charging station* means an electric vehicle charging station that is (1) publicly owned and publicly available; for example park and ride, public library lot, or on street parking, or (2) privately owned and available to visitors of the use; for example shopping center parking.
- (2) Each non-residential use of a property, combined residential with a non-residential use, or multiple-family residential property with at least 50 required parking spaces shall have one level 2 or better charging station installed in the parking lot. The charging stations on private property may be either private restricted use charging stations or public use charging stations at the property owner's discretion. One additional level 2 or better charger shall be installed for each 50 additional parking spaces required or installed on the premises identified in this provision. All chargers required by this provision shall be maintained operational.
- (3) This provision shall apply to each new site plan and to each revised or amended site plan which expands the current parking on the premises.
- (4) An electric vehicle charging station required pursuant to this section may be counted as a parking space in the calculation of the parking spaces required by this Code.
- (5) Public use charging stations shall be reserved for parking and charging of electric vehicles only. Electric vehicles may be parked in any space designated for parking subject to the restrictions that would apply to any other vehicle that would park in that space.
- (6) A developer or property owner may apply for an exemption to this requirement or a reduction in the number of stations required if the developer or property owner can show one or more of the following:
- a. That the anticipated parking duration due to the particular use of the property, or similar considerations, would not



make the presence of charging stations reasonable due to the lack of the likelihood of use of the station or stations.

- b. That the expense of complying with this requirement significantly outweighs the level of cost of the improvement so as to preclude the improvement if this requirement was imposed.
- c. That the imposition of this requirement would constitute a governmental taking as defined by law.

(Ord. No. 1445, 5-26-2019)

Secs. 50-822—50-839. - Reserved.

#### ARTICLE IX. - LANDSCAPING REQUIREMENTS

Sec. 50-840. - Generally.

Appropriate ground cover, trees and other vegetation shall be planted and maintained on the site to control stormwater runoff and prevent erosion, siltation and dust; to provide privacy between adjacent uses; to mitigate impacts from parking, noise and lights; and to enhance the appearance of the site.

(1) *Landscape screen requirements.* Landscaping screen shall mean trees, shrubs, vines, fences, walls, or earth berms, or some combination thereof. When required, parking spaces and parking areas shall be effectively screened with perimeter landscaping on all sides adjacent to or visible from adjacent properties, streets, or alleys and interior landscape islands where larger areas of paving are needed. Landscaping shall address the visual impact, and improve the heat radiation effect and air pollution impact of the paved area.

a. *When required.* Landscape screening shall be installed and maintained as may be required elsewhere in this chapter and under the following conditions:

1. For single- and two-family uses on individual lots, unenclosed parking spaces or driveways in the rear yard or in the side yard which have an area of 500 square feet or more shall be screened. Screening shall consist of plant materials or fencing which meets the height requirements for rear yard placement in subsection (1)b of this section;
2. Screening shall be provided for all other uses where five or more unenclosed parking spaces are provided, exclusive of driveways. Screening shall be provided in accordance with a landscape plan as defined in subsection 50-840(2) and it shall meet the design standards in subsection (1)b of this section, except when screening in the vicinity of public rights-of-way conflicts with the clear view of traffic, in accordance with section 48-36 of the City Code.

b. *Design standards.*

1. Plant selection shall consist of a combination of evergreen and deciduous trees and shrubs which provide year-round interest.
2. Plant material installed for a perimeter landscape screen shall be placed in a planting bed at least eight feet wide and shall be at least two feet high at initial planting and be expected to grow to a height of at least three feet in the front yard and five feet in the side and rear yards within two years of planting.
3. Fences, walls, or earth berms used in a perimeter landscape screen shall be at least three feet high in a front yard and five feet high in a side or rear yard.
4. The required height of a perimeter landscape screen shall be reduced where it is determined by the city engineer that such landscaping would interfere with vehicular or pedestrian traffic safety and visibility.
5. The height of a perimeter landscape screen may be increased where significant changes in elevations between an adjacent property or public right-of-way make it necessary to comply with the intent of this

article.

6. One shade tree of a minimum 3½-inch caliper shall be planted for each 40 linear feet of side or rear yard.
7. At least one shade tree of a minimum 3½-inch caliper shall be planted within or adjacent to the public right-of-way for each 40 feet of lot frontage.
8. Where fences, walls, or earth berms are used to provide the perimeter landscape screen, at least one shrub or vine shall be planted along such features, visible from the adjacent property or public right-of-way, for each ten linear feet of such features.
9. Loose ground cover or mulch materials shall be placed or effectively contained so they do not spill over into parking and access facilities or the public right-of-way. All ground cover in the public right-of-way shall be approved by the planning and zoning administrator.
10. All required landscape features within three feet of the edge of parking or access facilities shall be protected from vehicle encroachment by curbing, wheel stops, or similar means.
11. Where 20 or more parking spaces are provided, there shall be at least ten square feet of interior landscaped area per space provided within the overall perimeter of the parking area.
12. Interior landscaped areas shall be at least 125 square feet in an area with a minimum dimension of not less than eight feet.
13. At least one shade tree of a minimum 3½-inch caliper shall be planted in each interior landscaped area.
14. There shall be at least one interior landscaped area for each 20 parking spaces provided or fraction thereof.
15. The application of the above standards may be adjusted, in part or in whole, to allow credit for healthy plant material to be retained on or adjacent to the site if such an adjustment is consistent with the intent of this article.
16. All plant material shall be approved by the planning and zoning administrator.

(2) *Landscape plan approval requirements.*

a. Submittal requirements:

1. A preliminary landscape plan shall be submitted where required to the department of planning, building and development. Landscape plan means a plan prepared by a landscape architect registered in the State of Michigan showing the type, height, and placement of all materials, including a grading plan. The grading plan shall be prepared by an engineer, architect, landscape architect, or land surveyor registered in the State of Michigan. Where a development plan is required, the applicant must also submit a preliminary landscape plan and cost estimate with the development plan application.

b. Review requirements:

1. Staff will provide the applicant with a preliminary review of the landscape plan prior to the city council taking action on a development plan.
2. When an application for a development plan is approved, the applicant must provide staff with a revised landscape plan and cost estimate including any changes required by the preliminary staff review and conditions of final approval.
3. At the time the landscape plans receive final approval, the applicant must submit a cash bond 1.5 times the cost of completing the plan. Building construction plans will not be accepted until the bond is submitted.
4. The landscape installation must be complete in order to receive a final certificate of occupancy and to release the bond.

(3) *Landscape maintenance.* Landscaping must be maintained in a neat, clean, orderly and healthful condition. This includes, among other things, pruning, mowing, weeding, litter removal, replacement of dead or diseased plants,

repair or replacement of broken or damaged fences or walls, and regular fertilizing and watering of plant materials.

(Ord. No. 1287, 6-18-2013)

Secs. 50-842—50-850. - Reserved.

#### ARTICLE X. - NONCONFORMING USES AND STRUCTURES

*Footnotes:*

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**Editor's note**— Ord. No. 1287, adopted June 18, 2013, amended and renumbered former art. IX, §§ 50-851—50-857 as art. X, §§ 50-851—50-857. The former art. IX, pertained to nonconforming uses and buildings, and derived from the 1994 Code, ch. 55, §§ 5.131—5.137; and Ord. No. 1117, adopted Feb. 7, 2006.

Sec. 50-851. - Continuation generally.

The lawfully permitted use of land or structures existing at the time of the adoption of the zoning ordinance or any amendment thereto may be continued, although such use does not conform to the standards of the district in which such land or building is located. Such uses shall be deemed nonconforming uses.

(Ord. No. 1287, 6-18-2013)

Sec. 50-852. - Nonconforming use of land.

Where no structure is involved, the nonconforming use of land may be continued, provided however:

- (1) A nonconforming use shall not be enlarged or extended to occupy a greater area of land than was occupied at the time of the adoption of the zoning ordinance, unless specifically allowed by other provisions of this chapter.
- (2) A nonconforming use shall not be moved in whole or in part to any other portion of the lot or parcel of land occupied by such nonconforming use at the time of the adoption of the ordinance from which this chapter is derived.
- (3) If a nonconforming use of land, or any portion thereof, ceases for any reason for any continuous period of more than 30 days, or is changed to a conforming use, any future use of the land shall be in conformity with the provisions of this chapter.

(Ord. No. 1287, 6-18-2013)

Sec. 50-853. - Nonconforming use of a structure.

- (1) Except as authorized herein, a structure, the use of which does not conform to the use regulations for the district in which it is situated, shall not be enlarged unless the use therein is changed to a conforming use. If the use is nonconforming only as a result of its licensed rental occupancy, the structure may be enlarged by an addition if all of the following conditions are met:
  - a. The addition, based on the floor area in existence at the time of the adoption of this ordinance, increases the existing total floor area (meaning, for this provision only, the total of all interior square footage without basements or attics) by no more than 20 percent pursuant to this provision.
  - b. The addition is located on the side or rear of the structure or is constructed as one or more dormers.
  - c. The addition is not added to an area that is partly or completely below grade.
  - d. The addition is in compliance with all other laws and regulations.
- (2) Except as authorized herein, a structure containing a nonconforming use shall not be structurally altered or

reconstructed unless:

- a. Such alterations are required by law; or
  - b. It is maintenance and repair work that is required to keep the structure in sound condition; or
  - c. The structural alterations are permitted pursuant to paragraph (1) of this section; or
  - d. The use is nonconforming only as a result of its licensed rental occupancy and the structural alterations do not do any of the following:
    - (i) Add any bedrooms that are partly or completely below grade or enlarge any bedrooms that are partly or completely below grade.
    - (ii) Convert an existing garage into a bedroom.
    - (iii) Combine a licensed rental unit with another licensed rental unit or unlicensed dwelling unit unless the subsequent use is a conforming use.
- (3) Except for a use that is a nonconforming licensed rental occupancy, a nonconforming use may not be extended throughout any parts of the structure which were not originally designed for such use.
  - (4) A nonconforming use of a structure may be changed to a conforming use.
  - (5) If a nonconforming use of a structure ceases for any reason for a continuous period of more than one year, or is changed to a conforming use, or if the structure in which such use is conducted or maintained is moved for any distance whatsoever, for any reason, then any future use of such structure shall be in conformity with the standards specified by the zoning ordinance for the district in which such structure is located.
  - (6) If a structure in which a nonconforming use is conducted or maintained is removed, the subsequent use of the land on which such structure was located, and the subsequent use of any structure thereon, shall be in conformity with the standards specified by the zoning ordinance for the district in which such land or structure is located.
  - (7) Changing the use of a nonconforming single-family or two-family residential structure to a rental dwelling (licensed or unlicensed) for occupancy by other than a family or domestic unit (as defined by this chapter) shall be deemed a change which enlarges or extends the nonconforming use of a structure, except in the following circumstances:
    - a. For so long as the owner of the structure, as of the date of adoption of the ordinance from which this chapter is derived, continues to reside in said structure; and/or
    - b. For so long as the owner of the structure, as of the date of adoption of the ordinance from which this chapter is derived, continues to own said structure.

(Ord. No. 1287, 6-18-2013; Ord. No. 1382, 11-9-2016; Ord. No. 1432, 9-18-2018)

#### Sec. 50-854. - Nonconformity other than use.

A structure which is conforming in use but which does not conform to all of the other requirements of the zoning ordinance for the district in which said structure is located shall not be considered to be nonconforming with the meaning of [section 50-853](#) and [section 50-855](#). However, no permit shall be issued and no changes shall be made on the structure or the land on which such structure is located that will result in the increase of any such nonconformity.

(Ord. No. 1287, 6-18-2013)

#### Sec. 50-855. - Restoration of damaged structures.

Whenever any structure legally nonconforming in use is damaged or destroyed by fire, explosion, wind, flood, or other catastrophe to an extent greater than its state equalized value as determined by the city assessor, then any future use of the structure and land on which the structure is located shall be in conformity with the regulations of the district in which such

structure is located.

- (1) Where such a structure is damaged to an extent less than its assessed value, it may be rebuilt and the use continued, but not to any greater extent than in the previously existing structure; but where such rebuilding can feasibly be done in greater conformity with this chapter in the opinion of the East Lansing Building Official, he/she shall so require in any building permit, provided, that any such structure licensed as a rental on November 8, 1995, may be rebuilt to the extent necessary to retain the occupancy permitted by license on November 8, 1995.
- (2) Whenever a legally nonconforming structure which was licensed as a rental on November 8, 1995, is damaged to an extent greater than its state equalized value, such structure may be rebuilt and the use continued to the extent necessary to retain the maximum occupancy permitted by license on November 8, 1995; but the East Lansing Building Official shall require in any building permit that such rebuilding shall otherwise be done so as to obtain the maximum conformity with this chapter which may be feasible for the permitted occupancy.

(Ord. No. 1287, 6-18-2013)

Sec. 50-856. - Registration of nonconforming use of land or structures.

Any nonconforming use of land or structures may be registered in the office of the East Lansing Building Official within one year after the adoption of the ordinance from which this chapter is derived. Such registration shall include the identification of the premises, a description of the nature and extent of the nonconforming use, and if necessary to the description, a plot plan, drawn to scale, showing property lines, all structures, and any other pertinent information, and an affidavit by the owner as to the date since which such nonconforming use has existed. Failure to so register shall place the burden of proof on the property owner that any alleged nonconforming use of land or structures legally existed at the time this chapter or any amendment thereto became effective.

(Ord. No. 1287, 6-18-2013)

Sec. 50-857. - Small lots owned separately.

Nothing in the area requirements of this chapter relating to lot width or area per family shall prohibit the erection of a one-family dwelling on a lot held under a separate and distinct ownership from contiguous lots and which has been under such separate and distinct ownership since a date prior to the 1960 zoning ordinance, even though such lot has less width or less area than the lot area per family requirement of this chapter for the district in which such lot is located, provided that all other regulations of the district are complied with.

(Ord. No. 1287, 6-18-2013)