



EAST LANSING AGENDA

Commission on the Environment Meeting

6:30 PM - Monday, May 18, 2026

Hannah Community Center - 819 Abbot Road, East Lansing, MI 48823

Public Comment - Email: cwalls@cityofeastlansing.com

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<i>Public comment is limited to 3 minutes per speaker. Commissioners give full attention to every speaker; while direct responses during the meeting are not customary, all input informs the Commission's work.</i>	
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MINUTES

Commission on the Environment Meeting

6:30 PM - Monday, April 20, 2026

Hannah Community Center - 819 Abbot Road, East Lansing, MI 48823

The Commission on the Environment of the City of East Lansing was called to order on Monday, April 20, 2026, at 6:30 PM, in the Hannah Community Center - 819 Abbot Road, East Lansing, MI 48823, with the following members present:

PRESENT: Helana Nelson, Commissioner Jamie Krueger, Commissioner Robert Cukier, Danielle Beard, Jill Steiner, Barb Andersen, Commissioner Eileen Lederle, Commissioner Cullen O'Brien, and Commissioner Michael David Holt

EXCUSED:

1. OPENING

Roll Call

Approval of the agenda

Moved by Jill Steiner, seconded by Barb Andersen, to approve.

Approval of the minutes

Moved by Barb Andersen, seconded by Danielle Beard, to approve as presented.

2. PUBLIC COMMENT

Public comment is limited to 3 minutes per speaker. Commissioners give full attention to every speaker; while direct responses during the meeting are not customary, all input informs the Commission's work.

3. WRITTEN COMMUNICATIONS

Written Communications

4. NEW BUSINESS

New Commissioner Welcome/Orientation

Commissioner Beard presented a welcome overview for incoming members. Each Commissioner provided a brief introduction and shared their areas of interest.

7:21 pm The Commission took a short recess.

5. OLD BUSINESS

Commission Goals and Committee Assignments

Commissioner Beard asked new members to communicate their subcommittee interests to the Chair. Chair Nelson indicated that formal subcommittee assignments would be taken up at the following meeting.

6. COMMITTEE REPORTS

Mr. Walls announced that the East Lansing Public Library will host a No Mow May Retirement Party on April 30, 2026, from 6:00 to 8:00 p.m., with local experts and resources available for residents interested in native landscaping. Commissioner Lederle reported that the Recycling Subcommittee conducted a site review of the location under consideration for a multi-family recycling installation. She noted the review identified several viable locations for private containers and that the Condo Board has expressed enthusiasm for the project moving forward.

7. COUNCIL LIAISON REPORT

8. STAFF REPORTS

Mr. Walls reminded Commissioners that he is available as a resource and encouraged them to reach out with any questions about city programs, initiatives, or related topics of interest.

9. COMMISSIONER ANNOUNCEMENTS

Commissioner Beard reminded the Commission that Recyclerama is scheduled for the upcoming weekend, where residents may drop off e-waste and other hard-to-recycle items.

10. ADJOURNMENT

As a courtesy to members and the public, the Commission works toward an 8:00 p.m. adjournment. This is not a hard rule or limit, but a shared commitment to efficient and respectful use of everyone's time. Items requiring additional time will be accommodated as needed.

Adjourned at 8:00 pm.



Commission on the Environment **AGENDA ITEM REPORT**

To: Commission on the Environment

Subject: Consideration of Ordinance 1564, an amendment to Chapter 50 of the City Code to rezone approximately forty properties north of Lake Lansing Road, west of Chandler Road, and east of US-127, from their current DeWitt Township zoning to East Lansing zone districts, and consideration of Ordinance 1570, which would rezone 3859 Stoll Road from East Lansing B4 to East Lansing R1 to match the zoning of properties affected by Ordinance 1564.

Meeting: Commission on the Environment - 18 May 2026

Department: Planning, Building, and Housing

Staff Contact: Landon Bartley, Principal Planner

BACKGROUND INFORMATION:

Ordinances 1564 would rezone all East Lansing properties with DeWitt Township zoning to appropriate East Lansing zoning. Ordinance 1570 would rezone 3859 Stoll Rd. to match the zoning of surrounding properties, of which the zoning will change as a result of Ordinance 1564.

The Commission on the Environment is requested to consider the proposed rezonings and provide comments to the Planning Commission (who will consider the ordinances again on May 27, 2026) and City Council, who will make the final decision following its own public hearing.

The subject properties were transferred from DeWitt Township as part of 425 agreements which were executed in 1998 and 2001.

East Lansing's ordinances and the terms of the 425 agreements stipulate that a parcel may be developed only if it has East Lansing zoning, as an East Lansing planner cannot administer a DeWitt Township (zoning) ordinance.

Staff regularly receives inquiries from interested buyers or sellers of properties in this area, but has seen little turnover. We are not sure if the existing DeWitt Township zoning, or the process to change it, is the primary factor that is limiting property sales or just one. Regardless, changing the zoning to appropriate East Lansing zone districts will allow for continued use of these properties by making their land uses conforming, or more conforming. It will also facilitate sale of these properties for future development.

Rezoning does not establish any land use approval (but certainly would facilitate certain land uses over others).

Staff presented an **initial recommendation** at the Planning Commission's April 8, 2026 public hearing for this item.

[Video of Planning Commission discussion \(April 22 2026;Agenda Items 7.3 & 7.4\)](#)

The Planning Commission considered the proposed rezonings again at its April 22, 2026 meeting, and heard more comments, particularly from residents of Hawks Nest concerned about properties immediately west of that neighborhood.

[Video of Planning Commission discussion \(April 22 2026;Agenda Items 8.1 & 8.2\)](#)

Following the public hearing and in line with comments from property owners, staff's recommendation changed.

Here is staff's **final recommendation**:

Properties	Current DeWitt Twp zoning	Initial Recommendation	Modified Staff Recommendation (bolded if different from initial)
Parcels near I-69 and Chandler, as well as 3859 Stoll Rd., contemplated under Ordinance 1570	BC* Business	B2 Retail Sales Business	R1 (Low-Density Single-Family Residential)
Parcels on the N side of Coleman Rd. between West and Coolidge	R3* (Single-Family Residential)	RM14 (Low-Density Multiple-Family Residential)	RM14 (Low-Density Multiple-Family Residential)
Parcels on the N side of Coleman east of Coolidge	R3* (Single-Family Residential)	RM14 (Low-Density Multiple-Family Residential)	RM14 (Low-Density Multiple-Family Residential)
Parcels just W of Hawks Nest subdivision (3203-3303 Coleman)	R3* (Single-Family Residential)	RM14 (Low-Density Multiple-Family Residential)	RA Residential-Agricultural
Large parcel on S side of State (3070 State Rd.)	A* Agricultural	R2 (Medium-Density Single-Family Residential)	RA Residential-Agricultural
Smaller parcel on S side of State Rd. (2870 State Rd.)	A* Agricultural	B4 (Restricted Office Business)	B4 (Restricted Office Business)
Parcel on N side State between DPW & US-127 (no address)	M4* (Multiple Family)	RM22 (Medium-Density Multiple-Family Residential)	RM22 (Medium Density Multiple Family Residential)

Considered specifically by parcel, the **final staff recommendation** is as follows (changes from initial staff recommendation are bolded):

PARCEL NUMBER	STREET ADDRESS	CURRENT (DEWITT TWP) ZONING* Note 1	PROPOSED NEW (E. LANSING) ZONING
19-20-50-35-100-030	2870 E STATE RD.	A* (Agricultural)	B4 (Restricted Office Business)
19-20-50-35-200-005	3070 E STATE RD.	A*	RA (Residential Agricultural)
19-20-50-36-200-020	0 E COLEMAN RD.	A*	RA
19-20-50-36-300-005	3303 E COLEMAN RD.	A*	
19-20-50-36-300-010	3151 E COLEMAN RD.	A*	RM14 (Low Density Multiple Family Residential)
19-20-50-36-300-015	3203 E COLEMAN RD.	A*	RA (Residential

PARCEL NUMBER	STREET ADDRESS	CURRENT (DEWITT TWP) ZONING* Note 1	PROPOSED NEW (E. LANSING) ZONING
19-20-50-36-300-018	3255 E COLEMAN RD.	A*	Agricultural RA
19-20-50-36-300-019	0 E COLEMAN RD.	A*	RA
19-20-50-36-300-031	0 E COLEMAN RD.	A*	RM14
19-20-50-24-400-015	0 STOLL RD.	BC* (Business)	R1 (Low-Density Single-Family Residential)
19-20-50-25-100-013	0 STOLL RD.	BC*	R1
19-20-50-35-400-090	0 E COLEMAN RD.	BC*	RM14 (Low Density Multiple Family Residential)
19-20-50-35-400-095	0 E COLEMAN RD.	BC*	RM14
19-20-50-36-300-022	3321 E COLEMAN RD.	BC*	RM14
19-20-50-36-303-101	3341 E COLEMAN RD.	BC*	RM14
19-20-50-36-303-102	0 E COLEMAN RD.	BC*	RM14
19-20-50-26-400-026	0 STATE RD.	M4* (Multiple Family)	RM22 (Medium-Density Multiple Family Residential)
19-20-50-35-400-045	2773 E COLEMAN RD.	R3* (Single-Family Residential)	RM14 (Low-Density Multiple Family Residential)
19-20-50-35-400-055	2817 E COLEMAN RD.	R3*	RM14
19-20-50-35-400-060	2839 E COLEMAN RD.	R3*	RM14
19-20-50-35-400-065	2855 E COLEMAN RD.	R3*	RM14
19-20-50-35-400-100	0 E COLEMAN RD.	R3*	RM14
19-20-50-35-400-105	0 E COLEMAN RD.	R3*	RM14
19-20-50-35-400-110	16757 WEST RD.	R3*	RM14
19-20-50-35-400-115	16785 WEST RD.	R3*	RM14
19-20-50-35-400-120	2842 E COLEMAN RD.	R3*	RM14
19-20-50-35-400-125	2860 E COLEMAN RD.	R3*	RM14
19-20-50-35-400-130	2870 E COLEMAN RD.	R3*	RM14
19-20-50-35-400-135	2900 E COLEMAN RD Note 2	R3*	RM14
19-20-50-35-400-155	16825 WEST RD.	R3*	B4 (Restricted Office Business)
19-20-50-35-400-160	16851 WEST RD.	R3*	B4
19-20-50-35-400-165	16877 WEST RD.	R3*	B4

Notes:

1DeWitt Township zones are denoted with an asterisk (*), while East Lansing zones are not.

2 **2900 E Coleman Rd.** (19-20-50-35-400-135) was proposed by Ordinance 1563 for a rezoning to B5 (in accordance with the recommendations of the adopted 2018 Future Land Use map), but is contemplated for rezoning to RM14 by this Ordinance. The applicant for that property seeks an ultimate outcome of RM14 zoning for the property.

Community Engagement & Public Hearing

Staff hosted a neighborhood meeting on the evening of February 23, 2026 at MSUFCU HQ2 (3899 Coolidge Rd.). Roughly twenty people were in attendance, all owners of properties proposed to be rezoned. We asked them to tell us which property(ies) they own or control, and to tell us their desired future land use. In general, the recommendations from property owners match those of staff’s initial recommendation, *except*:

- The owner of the parcel at **3070 E. State Rd.** currently farms the property and would prefer their zoning be changed to RA Residential-Agricultural. **Staff's modified recommendation DOES support this request.**
- The owner of **2855 Coleman Rd.** would prefer their property to be rezoned to B5, rather than RM14 as proposed by this draft ordinance. **Staff's modified recommendation does NOT support this request, since this would result in a single property being zoned unlike adjacent properties.**
- Owners of properties on the **SE corner of the West/Coleman intersection** were interested in a retail zone district, such as B1 or B2, instead of B4, which is the existing zoning of most adjacent properties. **Staff's modified recommendation does NOT support this request, as this would create a single corner of an intersection with retail zoning which would be inconsistent with the other corners. Additional planning is needed to determine if this intersection is appropriate for a retail business district.**
- Owners of the properties **along West Rd. and south of the properties at the SE corner** wish to maintain residential zoning. **Staff's modified recommendation does NOT support this request and would instead make the zoning B4, consistent with other properties to the east, west, and south.**

If the Planning Commission recommends residential, staff recommends these properties to be RM14, which would be consistent with adjacent properties to the north, and would result in existing single-family houses on both properties no longer being nonconforming.

Staff spoke on the phone with a representative of the Hawks Nest subdivision, which is east of several properties on the north side of Coleman proposed for rezoning. On the phone, the representative expressed a feeling of general neighborhood opposition to affordable housing on any of the parcels proposed for rezoning.

After this agenda packet was first published, staff received a petition with 23 signatures from various Hawks Nest residents protesting the whole rezoning, but specifically expressing concern about rezoning **3303 Coleman Rd.** from A* (DeWitt Township - Agricultural) to RM14 (East Lansing - Low-Density Multiple-Family Residential). We received two other emails opposing the rezoning of this specific property to residential, and a third since the public hearing.

Some comments expressed concern about loss of wetland or other sensitive environmental areas resulting from a rezoning. The act of rezoning a property has no impact on any existing features of a site, but future development does. [Chapter 49 of East Lansing City Code, Wetland Protection](#), contains provisions that regulate and protect wetlands and similar environmental features when development is proposed.

Following this correspondence and other comments made at the April 8 public hearing and April 22 meeting, staff's modified recommendation is for 3303 Coleman and the properties immediately to the west to be changed from (previously recommended) RM-14 to **RA, Residential Agricultural**. This is consistent with the current DeWitt Township A* zoning of the properties.

Process & next steps

The Commission on the Environment is requested to provide any comments on the proposed rezonings to the Planning Commission and City Council.

The Planning Commission will be requested to vote at their May 27 meeting to recommend action on the Ordinances by Council. The item will then return to Council to schedule another public hearing (by Council) for the request. Council typically makes a decision at the meeting following their public hearing for the item.

FINANCIAL IMPACT:

The proposed rezonings are anticipated to have little to no financial impact on the City. Changes to a property's zoning and subsequent land use may affect the amount of tax received, which is shared with DeWitt Township in accordance with the terms of the executed 425 agreement. The rezonings would facilitate the continued enjoyment of the subject properties by current owners, as well as future reuse by other parties.

STRATEGIC PRIORITIES:

This effort supports Goal 3: Remain a responsive municipality by ensuring local laws and policies are relevant and increase input from all stakeholders.

RECOMMENDATION:

Sample Motion

The following motion is provided for the Commission's convenience, and can be modified as needed. Bolded text is meant to be read aloud. Highlighted text represents a choice, with the first choice meant to support adoption, and the second meant to not.

I move to recommend that East Lansing City Council (adopt or not adopt) proposed Ordinance 1564, an amendment to Chapter 50 of the City Code, to rezone approximately forty properties north of Lake Lansing Road, west of Chandler Road, and east of US-127, from their current DeWitt Township zoning to East Lansing zone districts, and further recommend that East Lansing City Council (adopt or not adopt) proposed Ordinance 1570, an amendment to Chapter 50 of the City Code, to rezone 3859 Stoll Rd. (19-20-50-24-400-045) from its present B4 zoning to proposed R1 zoning.

BE IT FURTHER RESOLVED that the Commission on the Environment recommends the following modifications to Ordinance 1564 in the form in which was introduced:

1. 3070 State Rd (19-20-50-35-200-005) and 0 E Coleman Rd (19-20-50-36-200-020) shall be rezoned to RA Residential-Agricultural.

2. 3303 E Coleman Rd (19-20-50-36-300-005), 3203 E Coleman Rd (19-20-50-36-300-015), 3255 E Coleman Rd (19-20-50-36-300-018), and 0 E Coleman Rd (19-20-50-36-300-019) shall be rezoned to RA Residential-Agricultural.

3. Unaddressed parcels 0 Stoll Rd (19-20-50-24-400-015) and 0 Stoll Rd (19-20-50-25-100-013) shall be rezoned to R1 Low-Density Single-Family Residential.

IF recommended for adoption AND proposing modifications to the ordinance as introduced to rezone properties on West Road south of Coleman to RM14 rather than B4 (which is NOT CONSISTENT with staff's MODIFIED recommendation but does not result in nonconformity), please also read the following:

4. 16825 West Road (19-20-50-35-400-155), 16851 West Road (19-20-50-35-400-160), and 16877 West Road (19-20-50-35-400-165) shall be rezoned to RM14 Low-Density Multiple-Family Residential.

If any other modifications to Ordinance 1564 or Ordinance 1560 from their form as introduced are proposed, please add and read those here:

5. _____

ATTACHMENTS:

- [DRAFT Ordinance No. 1564 for PC Public Hearing](#)
- [CURRENT DeWitt Township zoning designations](#)
- [PROPOSED Modified Staff Recommendation](#)
- [INITIAL Staff Recommendation, no longer proposed](#)
- [Future Land Use Map \(2018\)](#)
- [Zone District Comparison Handout from 2-23 meeting](#)
- [2-23-2026 Meeting Invitation Mailer](#)
- [Example Feedback Form from 2-23-2026 meeting](#)
- [Future Land Use Excerpt - Area In Question](#)
- [425 Agreement dated 6-11-2001 signed by E.L. and DeWitt filed in Ingham and Clinton Co](#)
- [Hawks Nest Residents Opposition to 3303 E Coleman rezone](#)
- [Webster Email opposed to 3303 E Coleman Rezoning](#)
- [Miskiewicz Email opposed to 3303 E Coleman Rezoning](#)
- [Herdus Email Opposed](#)

Introduced: March 3, 2026
 Public Hearing:
 Adopted:
 Effective:

CITY OF EAST LANSING, MICHIGAN

ORDINANCE NO. 1564

AN ORDINANCE, PURSUANT TO CHAPTER 50 – ZONING – OF THE CODE OF THE CITY OF EAST LANSING, TO REZONE PROPERTIES WITH DEWITT TOWNSHIP ZONING AND TO AMEND THE ZONING USE DISTRICT MAP OF CHAPTER 50 - ZONING - OF THE CODE OF THE CITY OF EAST LANSING FOR SUCH PURPOSES.

THE CITY OF EAST LANSING ORDAINS:

Section 1 of Ordinance

The Zoning Use District Map of the City of East Lansing, adopted under Chapter 50, Section 50-2 of the Code of the City of East Lansing, is hereby amended to rezone the following East Lansing properties from Dewitt Township zoning to East Lansing zoning, as follows:

PARCEL NUMBER	STREET ADDRESS	CURRENT (DEWITT TWP) ZONING*	NEW (E. LANSING) ZONING
19-20-50-35-100-030	2870 E STATE RD.	A* (Agricultural)	B4 (Restricted Office Business)
19-20-50-35-200-005	3070 E STATE RD.	A*	R2 (Medium Density Single-Family Residential)
19-20-50-36-200-020	0 E COLEMAN RD.	A*	RM14 (Low Density Multiple Family Residential)
19-20-50-36-300-005	3303 E COLEMAN RD.	A*	RM14
19-20-50-36-300-010	3151 E COLEMAN RD.	A*	RM14
19-20-50-36-300-015	3203 E COLEMAN RD.	A*	RM14
19-20-50-36-300-018	3255 E COLEMAN RD.	A*	RM14
19-20-50-36-300-019	0 E COLEMAN RD.	A*	RM14
19-20-50-36-300-031	0 E COLEMAN RD.	A*	RM14
19-20-50-24-400-015	0 STOLL RD.	BC* (Business)	B2 (Retail Sales Business)
19-20-50-25-100-013	0 STOLL RD.	BC*	B2
19-20-50-35-400-090	0 E COLEMAN RD.	BC*	RM14 (Low Density Multiple Family Residential)

PARCEL NUMBER	STREET ADDRESS	CURRENT (DEWITT TWP) ZONING*	NEW (E. LANSING) ZONING
19-20-50-35-400-095	0 E COLEMAN RD.	BC*	RM14
19-20-50-36-300-022	3321 E COLEMAN RD.	BC*	RM14
19-20-50-36-303-101	3341 E COLEMAN RD.	BC*	RM14
19-20-50-36-303-102	0 E COLEMAN RD.	BC*	RM14
19-20-50-26-400-026	0 STATE RD.	M4* (Multiple Family)	RM22 (Medium Density Multiple Family Residential)
19-20-50-35-400-045	2773 E COLEMAN RD.	R3* (Single-Family Residential)	RM14 (Low Density Multiple Family Residential)
19-20-50-35-400-055	2817 E COLEMAN RD.	R3*	RM14
19-20-50-35-400-060	2839 E COLEMAN RD.	R3*	RM14
19-20-50-35-400-065	2855 E COLEMAN RD.	R3*	RM14
19-20-50-35-400-100	0 E COLEMAN RD.	R3*	RM14
19-20-50-35-400-105	0 E COLEMAN RD.	R3*	RM14
19-20-50-35-400-110	16757 WEST RD.	R3*	RM14
19-20-50-35-400-115	16785 WEST RD.	R3*	RM14
19-20-50-35-400-120	2842 E COLEMAN RD.	R3*	RM14
19-20-50-35-400-125	2860 E COLEMAN RD.	R3*	RM14
19-20-50-35-400-130	2870 E COLEMAN RD.	R3*	RM14
19-20-50-35-400-155	16825 WEST RD.	R3*	B4 (Restricted Office Business)
19-20-50-35-400-160	16851 WEST RD.	R3*	B4
19-20-50-35-400-165	16877 WEST RD.	R3*	B4

Chapter 50 – Zoning, Section 50-777 of the Code of the City of East Lansing shall be amended to include the above amendment to the Zoning Use District Map.

Section 2 of Ordinance. Repealer.

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect, and the City of East Lansing Code of Ordinances shall remain in full force and effect, amended only as specified above.

Section 3 of Ordinance. Savings.

All proceedings pending and all rights and liabilities existing, acquired, or incurred at the time this Ordinance takes effect are saved and may be consummated according to the law in force when they were commenced.

Section 4 of Ordinance. Severability.

If any section, clause, or provision of this Ordinance shall be declared to be unconstitutional, void, illegal, or ineffective by any court of competent jurisdiction, such section, clause, or provision declared to be unconstitutional, void, or illegal shall thereby cease to be a part of this Ordinance, but the remainder of this Ordinance shall stand and be in full force and effect.

Section 5 of Ordinance. Effective Date.

The provisions of this Ordinance are hereby ordered to take effect on the date provided by applicable law following publication.

Section 6 of Ordinance. Enactment.

This Ordinance is declared to have been enacted by the City Council of the City of East Lansing at a meeting called and held on the ____ day of _____, 2026, and ordered to be given publication in the manner prescribed by law.

Moved by Council member: _____

Supported by Council member: _____

ADOPTED: Yeas:
Nays:
Absent:

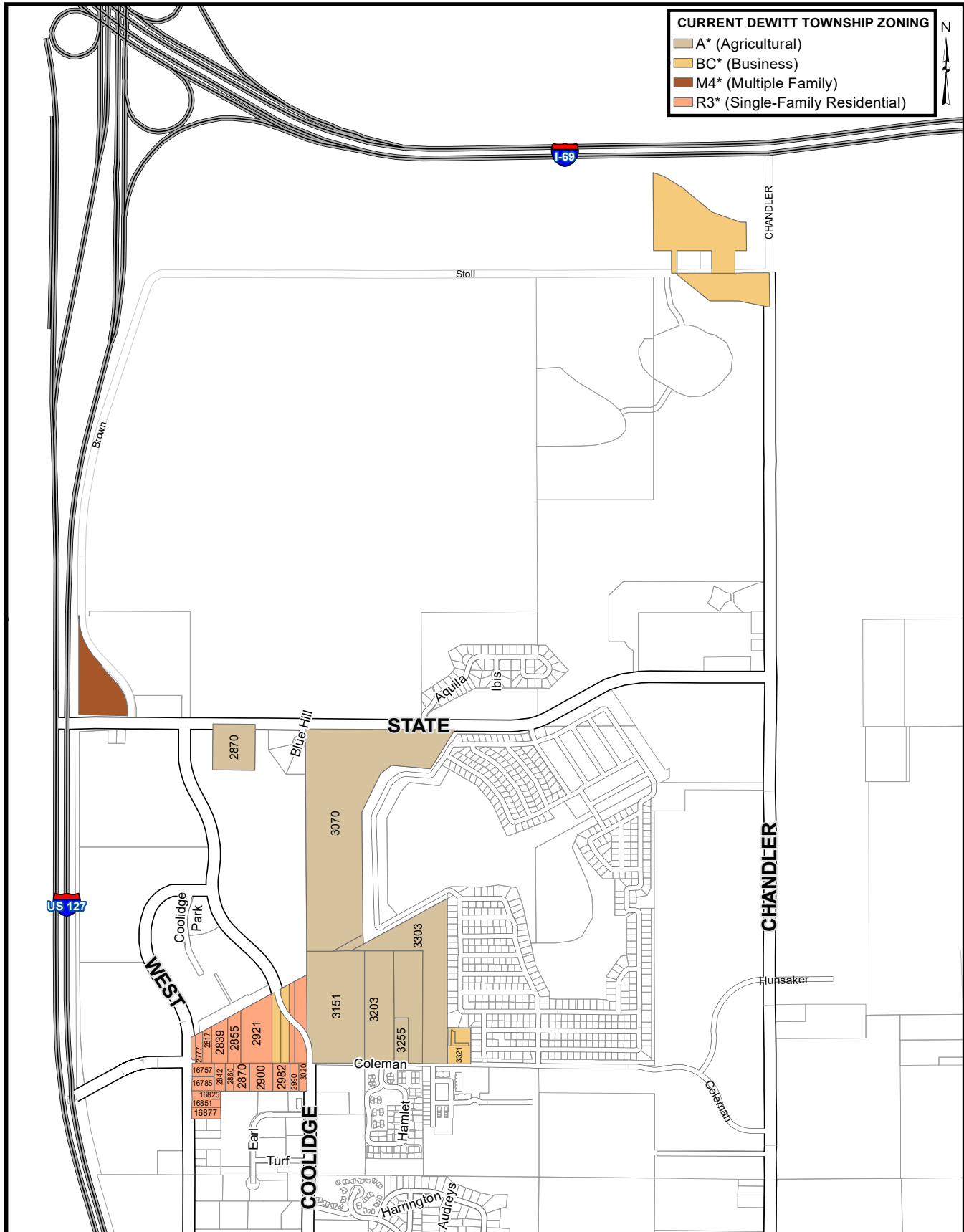
Mayor Erik Altmann
Dated:

CLERKS CERTIFICATION: I hereby certify that the foregoing is a true and complete copy of an Ordinance that was introduced at the East Lansing City Council meeting held on Tuesday, March 3, 2026, and adopted by the East Lansing City Council at its meeting held on Tuesday, _____, 2026, the original of which is part of the Council's minutes.

Emily Gordon, City Clerk
City of East Lansing
Ingham and Clinton Counties, Michigan

Approved as to form:

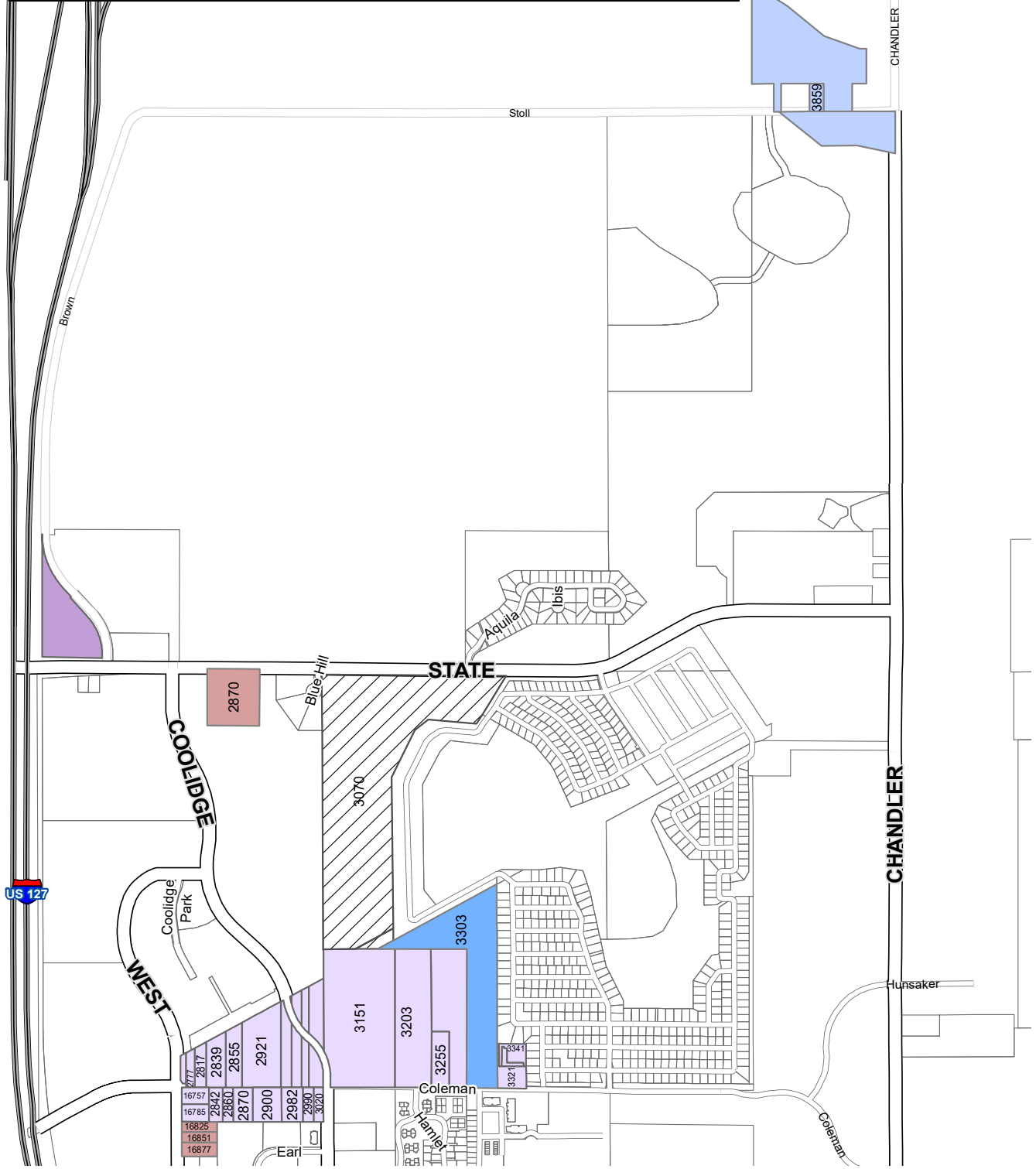
Bradley J. Mendelsohn, Esq.
East Lansing Assistant City Attorney

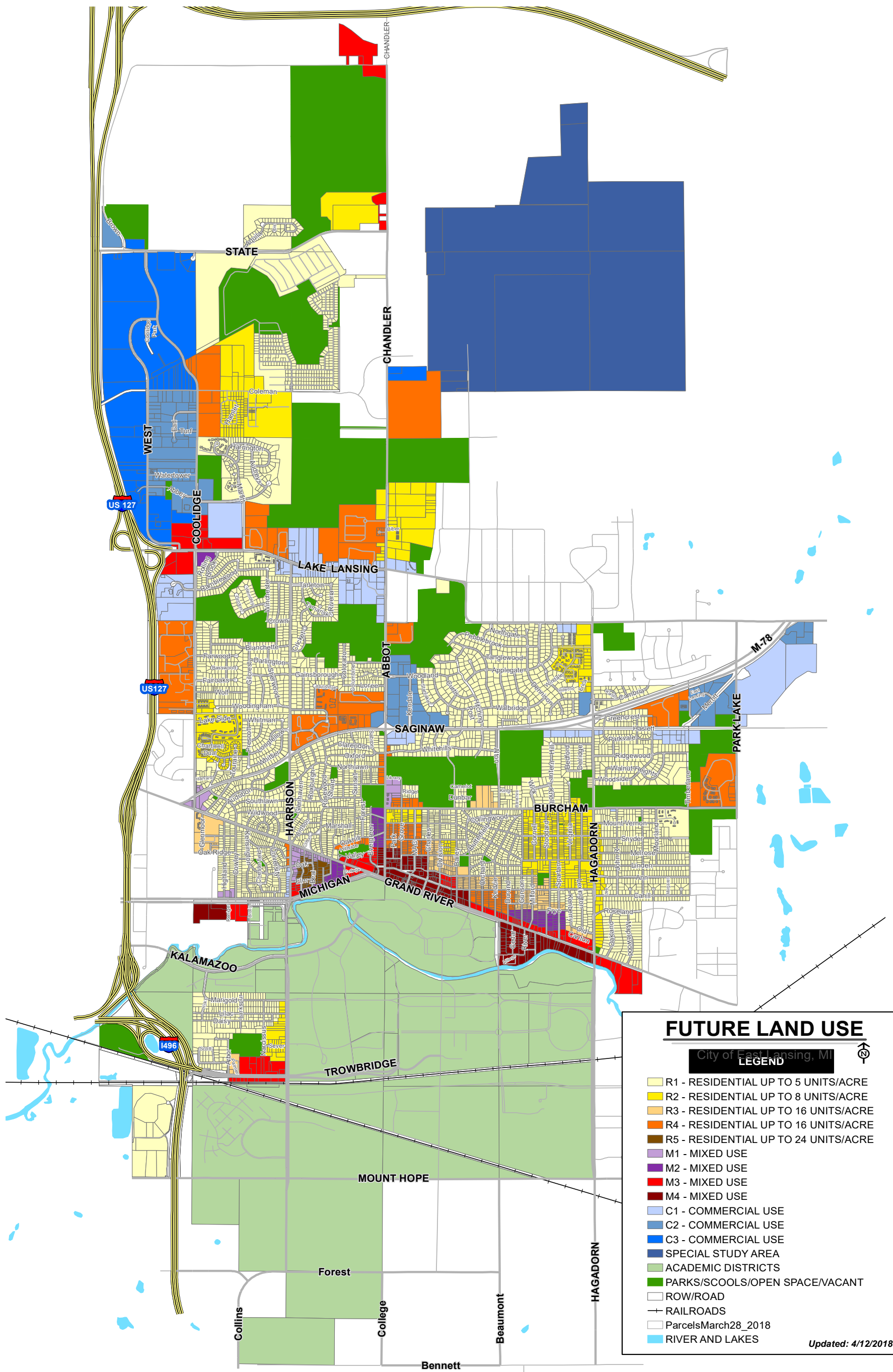


STAFF MODIFIED ZONING RECOMMENDATION

- B4 (Restricted Office Business)
- B5 (Community Retail Sales Business)
- R1 (Low Density Single-Family Residential)
- R2 (Medium Density Single-Family Residential)
- RA (Residential-Agricultural)
- RM14 (Low-Density Multiple Family)
- RM22 (Medium Density Multiple Family)

N
↑
4/16/2026





FUTURE LAND USE

City of East Lansing, MI
LEGEND

- R1 - RESIDENTIAL UP TO 5 UNITS/ACRE
- R2 - RESIDENTIAL UP TO 8 UNITS/ACRE
- R3 - RESIDENTIAL UP TO 16 UNITS/ACRE
- R4 - RESIDENTIAL UP TO 16 UNITS/ACRE
- R5 - RESIDENTIAL UP TO 24 UNITS/ACRE
- M1 - MIXED USE
- M2 - MIXED USE
- M3 - MIXED USE
- M4 - MIXED USE
- C1 - COMMERCIAL USE
- C2 - COMMERCIAL USE
- C3 - COMMERCIAL USE
- SPECIAL STUDY AREA
- ACADEMIC DISTRICTS
- PARKS/SCHOOLS/OPEN SPACE/VACANT
- ROW/ROAD
- RAILROADS
- ParcelsMarch28_2018
- RIVER AND LAKES

Updated: 4/12/2018

ZONE DISTRICT COMPARISONS

Produced by East Lansing Planning & Zoning, Feb. 2026

Zone	Name	1F House	2F House	Home Occ	MF <4B	MF upper	Office	Retail	Agricultural
DeWitt A*	<i>Agricultural</i>	<i>P</i>	<i>x</i>	<i>P</i>	<i>x</i>	<i>x</i>	<i>x</i>	<i>Farmstand</i>	<i>P</i>
DeWitt BC*	<i>Community Business</i>	<i>x</i>	<i>x</i>	<i>x</i>	<i>x</i>	<i>S</i>	<i>P</i>	<i>P</i>	<i>x</i>
DeWitt M4*	<i>Multiple Family (12-24 units/acre)</i>	<i>x</i>	<i>P</i>	<i>x</i>	<i>P</i>	<i>P</i>	<i>x</i>	<i>x</i>	<i>x</i>
DeWitt R3*	<i>Single-Family Residential (20,000 sq. ft./unit)</i>	<i>P</i>	<i>x</i>	<i>P</i>	<i>x</i>	<i>x</i>	<i>S</i>	<i>x</i>	<i>x</i>
East Lansing R2	Medium-Density Single Family Residential	P	x	P	x	x	x	x	x
East Lansing RM14	Low-Density Multiple Family Residential	P	P	P	P	P	x	x	x
East Lansing RM22	Medium-Density Multiple Family Residential	x	x	P	P	P	S	x	x
East Lansing B2	Retail Sales Business	x	x	x	S	P	P	P	x
East Lansing B4	Restricted Office Business	x	x	x	x	P	P	x	x
East Lansing B5	Community Retail Sales Business	x	x	x	x	P	P	P	x



**NOTICE OF NEIGHBORHOOD MEETING
EAST LANSING PLANNING & ZONING DIVISION**

**Monday, February 23, 2026
5:30 – 6:30 pm
MSUFCU HQ2 Community Room
3899 Coolidge Rd., East Lansing MI 48823**

In 1998 and 2001, many properties were transferred from DeWitt Township to the City of East Lansing through a “425 agreement” process. Following the transfer, the zoning of many of those properties was *not* changed to an equivalent East Lansing zone district, and they still have DeWitt Township zoning.

An owner of such a property - located in the City of East Lansing but having DeWitt Township zoning - is quite limited as to how they can legally use the property. Essentially, the current land use can remain in place indefinitely, but cannot be changed to another land use nor expanded without changing the zoning. The rezoning process can often take 8-12 weeks or longer, requires public hearings by both the Planning Commission and City Council, and has an associated application fee of \$1,200 plus \$200 per acre, regardless of the outcome of the rezoning request.

The East Lansing Planning & Zoning division is very interested in rectifying what we view as a potentially significant inconvenience to current and future owners of these properties. We intend to introduce a “batch rezoning,” to change the zoning of all properties within East Lansing but with DeWitt Township zoning, so that they will all have appropriate East Lansing zoning. **We are mailing this invitation to all owners of those affected properties.**

We want to hear from you before bringing forth this rezoning request.

Please join us for a neighborhood meeting on Monday, February 23, 2026 at 5:30 p.m. The meeting will take place in the **Community Room at HQ2 of MSU Federal Credit Union**, located at **3899 Coolidge Road, East Lansing, MI, 48823**. Ample parking is available onsite. The nearest CATA bus stops (Route 25) are located about ½ mile south of this location, near the intersection of Coolidge and Coleman Roads.

Unfortunately, we are unable to provide a virtual option for this meeting, nor will we be able to record it. At the meeting we will also discuss a related rezoning request at 2900 Coleman Road. We look forward to seeing you there! Thank you in advance for your thoughtful participation.

For questions, concerns, or to RSVP (not required but appreciated), please contact:

Landon Bartley, AICP, Principal Planner
410 Abbot Road, East Lansing, MI 48823
517.319.6930 or lbartley@cityofeastlansing.com

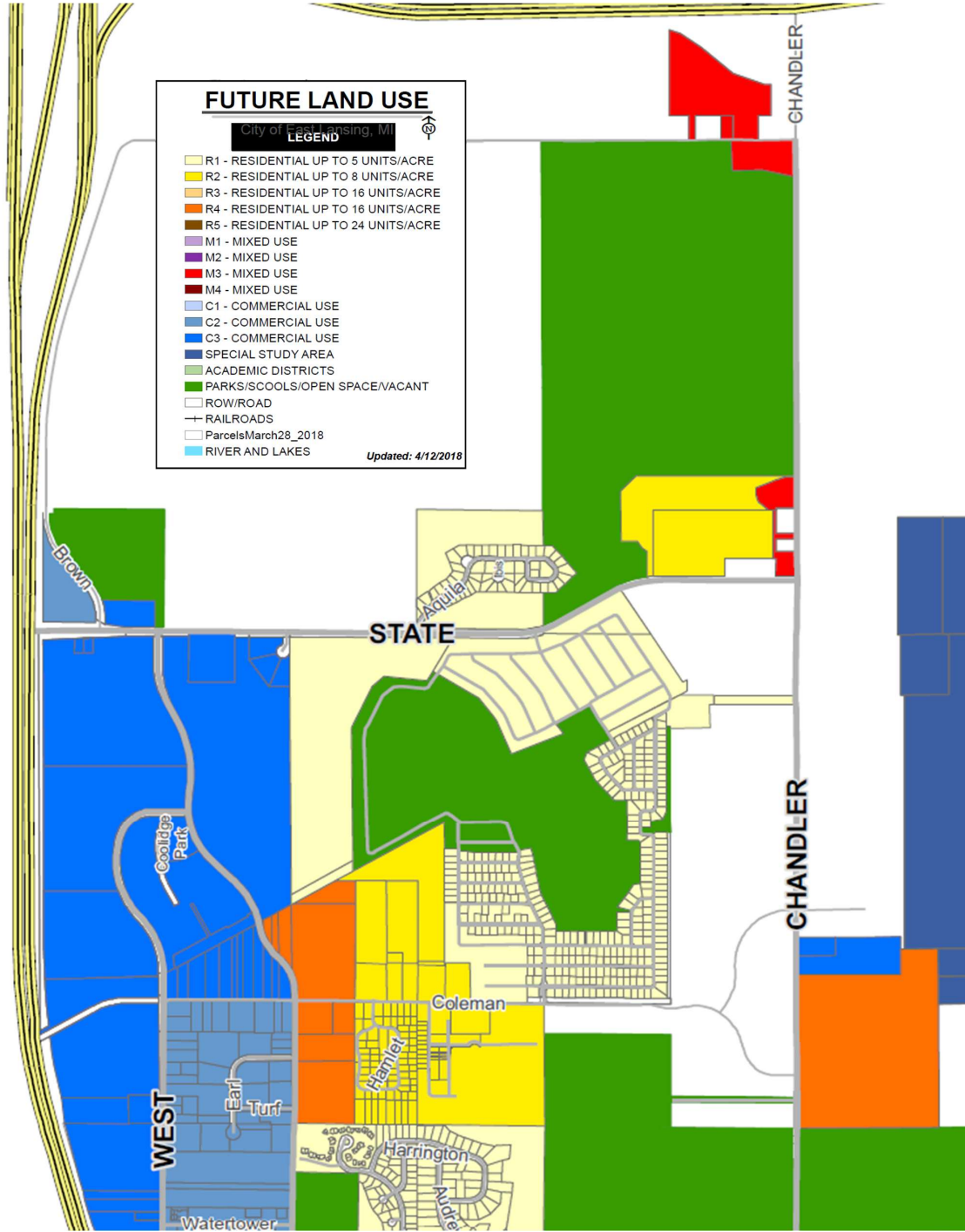


COMMUNITY MEETING FEEDBACK FORM
2/23/2026 | MSUFCU HQ2 | DEWITT TWP > CITY OF EL REZONING

Please return to City staff before you leave!

CONTACT INFORMATION		
Name		
Email	Preferred <input type="checkbox"/>	
Phone	Preferred <input type="checkbox"/>	Mobile () Office ()
PROPERTY INFORMATION		
Property Address(es)	<hr/> <hr/> <hr/> <hr/>	
Preferred Land Use(s)	<hr/> <hr/> <hr/> <hr/> <hr/> <hr/>	
Comments	<hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>	

EXCERPT FROM 2018 FUTURE LAND USE MAP FOCUSED ON AREA IN QUESTION



CITY OF EAST LANSING - CHARTER TOWNSHIP OF DeWITT
AGREEMENT TO FURTHER AMEND THE
CONTRACT FOR CONDITIONAL TRANSFER OF PROPERTY
PURSUANT TO 1984 PA 425

OFFICE OF THE CLERK
CITY OF EAST LANSING, MICHIGAN
OFFICE OF THE GREAT SEAL

THIS AGREEMENT is made this 11th day of June, ²⁰⁰¹~~2000~~, by and between the CITY OF EAST LANSING, a Michigan municipal corporation with principal offices at 410 Abbott Road, East Lansing, MI 48823 (hereinafter referred to as the "City") and the CHARTER TOWNSHIP OF DeWITT, a Michigan municipal corporation, with principal offices at 1401 W. Herbison Road, DeWitt, MI 48820 hereinafter referred to as the "Township").

WITNESSETH:

WHEREAS, the City is a municipal corporation organized and existing pursuant to the Home Rule Cities Act, 1909 PA 279, as amended, (MCL 117.1, et seq; MSA 5.2071, et seq, (hereinafter referred to as "Act 279") and exercising all of the powers provided for therein and in its Charter adopted pursuant thereto; and

WHEREAS, the Township is a public body corporate organized and existing pursuant to Article VII, §17 of the Michigan Constitution of 1963, and the Charter Township Act, 1947 PA 359, as amended (MCL 42.1, et seq), and exercising all of the powers provided for therein; and

WHEREAS, the City and the Township have heretofore entered into a certain Contract for Conditional Transfer of Property pursuant to 1984 PA 425 dated the 5th day of May, 1998 ("hereinafter "the Agreement"), whereby certain territory of the Township described therein has been conditionally transferred to the City for economic development purposes to be held, administered, and developed pursuant to the terms of the Agreement; and

WHEREAS, the City and the Township have retained the right at §2.03 of the Agreement

to amend the Agreement in the form and manner as provided by Section 2 of Act 425 and §8.02 of the Agreement; and

WHEREAS, the parties have previously amended Article 2, §2.02, Article 3, §3.02, and Article 4, §§402A and B, and §406A of the Agreement by an "Agreement to Amend" executed between the parties on the 20th day of April, 1999; and

WHEREAS, the City is obligated pursuant to §§4.02A and B and §4.06A of the Agreement to construct certain public infrastructure and capital improvements necessary for economic development within the transferred area including the extension of water and sanitary sewer mains and roads along designated routes by stipulated dates; and WHEREAS, a substantial new development is now planned within the westerly portion of the transferred area, which will require the realignment and extension of the roads and utilities through additional areas of the Township south of State Road which are not currently described in the Agreement; and

WHEREAS, the parties believe that it would be in the best interests of the City, the Township, and affected residents and property owners if that portion of the Township lying south of State Road between the easterly and westerly portions of the transferred area were to be added to the territory to be conditionally transferred to the City in order that the City might better plan and provide for the probable future needs for public utilities and municipal services for the economic development of the area and the protection of the environment; and

WHEREAS, the City and the Township wish to minimize the expenses and negative impacts on the current residents and owners of additional property to be conditionally transferred to the City, while making available to such residents and property owners the municipal infrastructure and services necessary for economic development of the property and the protection of the environment,

and wish to properly plan and coordinate the orderly development of the property as development shall occur according to the needs and desires of the current residents; and

WHEREAS, the City and the Township now wish to further amend and modify the Agreement to adjust the route, alignment, and completion dates for the roads and public utilities described in §§4.02 and 4.03 of the Agreement, and to include additional property of the Township located south of State Road within the area conditionally transferred to the City; and

WHEREAS, the City and Township wish to extend the term of the Agreement and to increase the amount of the tax millage from the entire transferred area to be shared with the Township during the term of the Agreement by amending §3.02 thereof;

NOW, THEREFORE, it is hereby agreed by the City and the Township, acting pursuant to the authority of 1984 PA 425, by and through their duly authorized representatives, that the contract for conditional transfer of property pursuant to Act 425 dated the 5th day of May, 1998, be hereby further amended at Article I, §1.02, Article II, §2.02, Article III, §3.02, Article IV, by amending §4.02A, §4.02B, and §4.06A and Article V, §5.04, and by adding §4.08 which amended and added Sections shall read as follows:

**ARTICLE I
TRANSFER OF PROPERTY**

1.02 District Boundaries. The territory of the Township to be conditionally transferred from the Township to the City pursuant to Act 425 shall be those areas north of the Ingham/Clinton County line, east of the US-127 right-of-way, west of Chandler Road and south of the I-69 right-of-way which are legally described as follows:

A parcel of land in Sections 24, 25, and 36, T5N, R2W, DeWitt Township, Clinton County, Michigan, described as; Beginning at the South 1/4 corner of said Section 24; thence N89 deg. 45'54"E along the South line of said Section 24 a distance of 1537.51 feet; thence N00 deg. 14'06"W perpendicular to said South line 264.00 feet; thence S89 deg. 45'54"W parallel with said South line 206.73 feet to the West line of the East 1/2 of the Southeast 1/4 of said Section 24; thence N00 deg. 00'45"W along said West line 916.93 feet to the Southerly right of way line of Highway I-69; thence along said Southerly right of way the following five courses; S70 deg. 40'59"E 118.41 feet; S57 deg. 08'32"E 260.01 feet; S50 deg. 10'10"E 437.63 feet; S69 deg. 47'37"E 350.21 feet; N89 deg. 59'50"E 71.09 feet; thence S00 deg. 00'09"E parallel with the East line of said Section 24 a distance of 331.05 feet; thence S89 deg. 45'54"W parallel with the South line of said Section 24 a distance of 132.00 feet; thence S00 deg. 00'09"E parallel with the East line of said Section 24 a distance of 264.00 feet to the South line of said Section 24; thence N89 deg. 45'54"E along said South line 396.00 feet to the Southeast corner of said Section 24, also being the Northeast corner of said Section 25; thence S00 deg. 06'53"E along the East line of said Section 25 a distance of 2656.58 feet to the East 1/4 corner of said Section 25; thence S00 deg. 04'58"E continuing along said East line 1304.12 feet; thence S89 deg. 55'02"W perpendicular to said East line 213.00 feet; thence S00 deg. 04'58"E parallel with said East line 264.00 feet; thence N89 deg. 55'02"E perpendicular to said East line 213.00 feet to said East line; thence S00 deg. 04'58"E along said East line 66.00 feet; thence S89 deg. 55'02"W perpendicular to said East line 213.00 feet; thence S00 deg. 04'58"E parallel with said East line 132.00 feet; thence N89 deg. 55'02"E perpendicular to said East line 213.00 feet to said East line; thence S00 deg. 04'58"E along said East line 264.17 feet to the Northerly right of way line of State Road as recorded in Liber 333 of Deeds, Page 57 of the Clinton County Records; thence N89 deg. 47'56"W along said Northerly right of way line 207.99 feet; thence N00 deg. 04'58"W parallel with said East line 185.33 feet; thence N89 deg. 32'28"W 150.00 feet; thence S00 deg. 04'58"E parallel with said East line 186.00 feet to said Northerly right of way line; thence N89 deg. 47'56"W along said Northerly right of way line 27.00 feet; thence N00 deg. 04'58"W parallel with said East line 186.13 feet; thence N89 deg. 32'28"W 382.55 feet; thence S00 deg. 04'58"E parallel with said East line 187.85 feet to said Northerly right of way line; thence N89 deg. 47'56"W along said Northerly right of way line 671.63 feet; thence Southwesterly 456.86 feet along a curve to the left, said curve having a radius of 1004.93 feet, a delta angle of 26 deg. 02'52", and a chord of 452.94 feet, bearing S77 deg. 10'38"W to the centerline of the Remy Chandler Drain; thence S33 deg. 06'35"E along said centerline 1249.90 feet to the Northerly right of way line of the abandoned Railroad; thence N60 deg. 58'25"E along said Northerly right of way line 52.16 feet; thence S00 deg. 08'37"E 114.21 feet to the Southerly right of way line of said abandoned Railroad; thence S60 deg. 58'25"W along said Southerly right of way line 106.41 feet

to the North line of the South 1/2 of the Northeast 1/4 of the Northeast 1/4 of said Section 36; thence S89 deg. 44'28"E along said North line 1246.78 feet to the East line of said Section 36; thence S00 deg. 03'33"E along said East line 83.36 feet to the South line of the North 1/2 of the North 1/2 of the North 1/2 of the South 1/2 of the Northeast 1/4 of the Northeast 1/4 of said Section 36; thence N89 deg. 43'54"W along said South line 977.19 feet; thence S00 deg. 06'38"E parallel with the East line of the West 1/2 of the Northeast 1/4 of said Section 36 a distance of 249.61 feet to the South line of the North 1/2 of the South 1/2 of the Northeast 1/4 of the Northeast 1/4 of said Section 36; thence N89 deg. 42'15"W along said South line 352.00 feet to the East line of the West 1/2 of the Northeast 1/4 of said Section 36; thence S00 deg. 06'38"E along said East line 1662.91 feet; thence S00 deg. 06'33"E along the East line of the Northwest 1/4 of the Southeast 1/4 of said Section 36 a distance of 1319.39 feet; thence N89 deg. 28'54"W along the South line of the Northwest 1/4 of the Southeast 1/4 of said Section 36 a distance of 1326.31 feet to the North-South 1/4 line of said Section 36; thence S00 deg. 09'43"E along said North-South 1/4 line 1318.55 feet to the South 1/4 corner of said Section 36; thence N89 deg. 27'29"W along the South line of said Section 36 a distance of 1325.09 feet to the West line of the Southeast 1/4 of the Southwest 1/4 of said Section 36; thence N00 deg. 17'43"W along said West line 1317.88 feet to the North line of the Southeast 1/4 of the Southwest 1/4 of said Section 36; thence S89 deg. 29'19"E along said North line 552.15 feet; thence N00 deg. 09'43"W parallel with the North-South 1/4 line of said Section 36 a distance of 421.00 feet; thence N89 deg. 29'19"W parallel with the South line of the North 1/2 of the Southwest 1/4 of said Section 36 a distance of 268.00 feet; thence N00 deg. 09'43"W parallel with the North-South 1/4 line of said Section 36 a distance of 1511.66 feet to the Southerly right of way line of the abandoned Railroad; thence S60 deg. 58'25"W along said Southerly right of way line 1096.64 feet; thence N00 deg. 40'09"W 1545.51 feet to the centerline of Branch No. 1 of the Melvin Drain; thence along said centerline the following four courses: N25 deg. 54'17"E 496.84 feet; N50 deg. 47'01"E 162.74 feet; S84 deg. 39'40"E 451.18 feet; and N30 deg. 46'43"E 532.88 feet; thence N00 deg. 11'06"E perpendicular to the North line of said Section 35 a distance of 54.46 feet to said North line; thence N89 deg. 48'54"W along said North line 379.73 feet to the West line of the Southeast 1/4 of the Southwest 1/4 of said Section 25; thence N00 deg. 05'54"W along said West line 1319.51 feet to the North line of the Southeast 1/4 of the Southwest 1/4 of said Section 25; thence S89 deg. 54'30"E along said North line 1329.67 feet to the North-South 1/4 line of said Section 25; thence N00 deg. 05'49"W along said North-South 1/4 line 1321.67 feet to the Center of said Section 25; thence N00 deg. 05'49"W continuing along said North-South 1/4 line 2645.73 feet to the point of beginning; except commencing at the South 1/4 corner of said Section 24; thence N89 deg. 45'54"E along the South line of said Section 24 a distance of 1603.51 feet to the point of beginning of this exception; thence N00 deg. 14'06"W perpendicular to said South line 264.00 feet; thence N89 deg. 45'54"E parallel with said South line 264.00 feet; thence S00 deg. 14'06"E perpendicular to said South line 264.00 feet to

said South line; thence S89 deg. 45'54"W along said South line 264.00 feet to the point of beginning; said parcel containing 649.80 acres, more or less; said parcel subject to all easements and restrictions if any.

Tax Parcel Number:

ALSO

AREA 2

A parcel of land in Sections 26 and 35, T5N, R2W, DeWitt Township, Clinton County, Michigan, described as; Beginning at the East 1/4 corner of said Section 35; thence S00 deg. 25'44"E along the East line of said Section 35 a distance of 294.80 feet to the Southerly right of way line of the abandoned Railroad; thence S60 deg. 58'25"W along said Southerly right of way 229.02 feet; thence S00 deg. 24'18"E, 905.47 feet to the centerline on Coleman Road; thence S89 deg. 35'42"W along said centerline 193.00 feet; thence N00 deg. 24'18"W 800.15 feet to said Southerly right of way line of the abandoned Railroad; thence S60 deg. 58'25"W along said Southerly right of way 1054.04 feet; thence S00 deg. 09'06"W 1328.52 feet; thence N89 deg. 49'49"W parallel with the South line of said Section 35 a distance of 371.50 feet; thence S00 deg. 09'06"W 281.00 feet to said South line of Section 35; thence N89 deg. 49'49"W along said South line 640.27 feet to the Easterly right of way line of Highway U.S. 127; thence Northerly along said Easterly right of way line 1952.08 feet on a curve to the right, said curve having a radius of 7430.44 feet, a delta angle of 15 deg. 03'09", and a chord of 1946.47 feet, bearing N07 deg. 39'11"W; thence N00 deg. 07'37"W continuing along said Easterly right of way line 3357.74 feet to North line of said Section 35; thence N00 deg. 07'46"W continuing along said Easterly right of way line 1314.87 feet to the North line of the Southwest 1/4 of the Southeast 1/4 of said Section 26; thence S89 deg. 41'39"E along said North line 1275.72 feet to the East line of the Southwest 1/4 of the Southeast 1/4 of said Section 26; thence S00 deg. 02'59"W along said East line 1316.07 feet to the South line of said Section 26, also being the North line of said Section 35; thence S89 deg. 38'21"E along said North line 259.36 feet; thence S00 deg. 21'39"W perpendicular to said North line 538.89 feet; thence S89 deg. 38'21"E parallel with said North line 485.00 feet; thence N00 deg. 21'39"E perpendicular to said North line 538.89 feet to said North line; thence S89 deg. 38'21"E along said North line 149.69 feet; thence S00 deg. 05'49"E parallel with the East line of said Section 35 a distance of 295.48 feet; thence S35 deg. 33'24"E 351.37 feet; thence S89 deg. 38'21"E parallel with the North line of said Section 35 a distance of 220.72 feet to the East line of said Section 35; thence S00 deg. 05'49"E along said East line 2059.96 feet to the point of beginning; except commencing at the North 1/4 corner of said Section 35; thence S89 deg. 38'21"E along the North line of said Section 35 a distance of 378.77 feet; thence S00 deg. 20'10"W 80.51 feet to the Southerly right of way line of State Road and the point of beginning of this exception; thence N86 deg. 59'28"E along said Southerly right of way line 519.10 feet; thence S89 deg. 38'21"E continuing along said

Southerly line 9.29 feet; thence S00 deg. 20'10"W 383.00 feet; thence N89 deg. 38'21"W parallel with the North line of said Section 35 a distance of 327.50 feet; thence N00 deg. 20'10"E 200.00 feet; thence N89 deg. 38'21"W parallel with said North line 200.00 feet; thence N00 deg. 20'10"E 152.49 feet to the point of beginning; said parcel containing 275.77 acres, more or less; said parcel subject to all easements and restrictions if any.

Tax Parcel Number:

AND

AREA 3

A parcel of land in the Northeast 1/4 of Section 35, T5N, R2W, DeWitt Township, Clinton County, Michigan, commencing at the North 1/4 corner of said Section 35; thence S89 deg. 38'21"E along the North line of said Section 35 a distance of 378.77 feet; thence S00 deg. 20'10"W 80.51 feet to the Southerly right of way line of State Road and the point of the beginning; thence N86 deg. 59'28"E along said Southerly right of way line 519.10 feet; thence S89 deg. 38'21"E continuing along said Southerly line 9.29 feet; thence S00 deg. 20'10"W 383.0 feet; thence N89 deg. 38'21"W parallel with the North line of said Section 35 a distance of 327.50 feet; thence N00 deg. 20'10"E 200.0 feet; thence N89 deg. 38'21"W parallel with said North line 200.0 feet; thence N00 deg. 20'10"E 152.49 feet to the point of beginning; said parcel containing 4.22 acres, more or less; said parcel subject to all easements and restrictions if any.

Tax Parcel Numbers: 050-035-100-010-00, 050-035-100-015-00, 050-035-100-020-00, 050-035-100-025-00,

AND

AREA 4

A parcel of land of the East 1/2 of the Northeast 1/4 of Section 35, T5N, R2W, DeWitt Township, Clinton County, Michigan, beginning at a point 259.36 feet East of the North 1/8 post of the Northeast 1/4 of Section 35; thence South 538.89 feet, thence East 485.0 feet, thence North 538.89 feet, thence West 485.0 feet to the point of beginning; said parcel containing 5.00 acres, more or less; said parcel subject to all easements and restrictions if any.

Tax Parcel Number: 050-035-100-030-00,

AND

AREA 5

A parcel of land in Sections 35 and 36, T5N, R2W, DeWitt Township, Clinton County, Michigan, described as; beginning at a point 424.28 feet West of the Northeast corner of Section 35; thence East 2165.86 feet along the North line of

Sections 35 and 36; thence S30 deg. 35'37" W 596.15 feet; thence N84 deg. 50'46" W 451.18 feet; thence S50 deg. 35'55" W 162.74 feet; thence S25 deg. 43'11" W 496.84 feet; thence S00 deg. 51'15" E 1537.53 feet to the South line of the old Penn Central Railroad right of way N60 deg. 58'25" E along said Southerly right of way line 1096.64 feet; thence S00 deg. 09'43" E 1511.66 feet; thence S89 deg. 29'19" E 268.00 feet; thence S00 deg. 09'43" E 421.00 feet; thence N89 deg. 29'19" W 552.15 feet; thence S00 deg. 17'43" E 1317.88 feet to the South line of Section 36; thence West along said South line of Sections 36 and 35 3011.50 feet; thence N00 deg. 09'06" E 281.00; thence S89 deg. 49'49" E parallel with the South line of Section 35 a distance of 371.50 feet; thence N00 deg. 09'06" E 1328.52 feet to the South line of the old Penn Central Railroad right of way; thence N60 deg. 58'25" E along said Southerly right of way line 1054.04 feet; thence S00 deg. 24'18" E 800.15 feet to the centerline of Coleman Road; thence N89 deg. 35'42" E along said centerline 193.00 feet; thence N00 deg. 24'18" W 905.47 feet to the South line of the old Penn Central Railroad right of way; thence N60 deg. 58'25" E along said Southerly right of way line 229.02 feet to the East line of Section 35; thence N00 deg. 05'49" W along the East line of Section 35 a distance of 2354.76 feet; thence N89 deg. 38'21" W parallel with the North line of Section 35 220.72 feet; thence N35 deg. 33'24" W 351.37 feet; thence N00 deg. 05'49" W parallel with the East line of Section 35 a distance of 295.48 feet to the point of beginning; said parcel containing 211.16 acres, more or less; said parcel subject to all easements and restrictions if any.

Tax Parcel Numbers: 050-035-100-040-00, 050-035-100-045-00, 050-035-100-050-00, 050-035-100-060-00, 050-035-400-005-00, 050-035-400-010-00, 050-035-400-015-00, 050-035-400-020-00, 050-035-400-025-00, 050-035-400-030-00, 050-035-400-035-00, 050-035-400-045-00, 050-035-400-050-00, 050-035-400-055-00, 050-035-400-060-00, 050-035-400-065-00, 050-035-400-070-00, 050-035-400-075-00, 050-035-400-080-00, 050-035-400-085-00, 050-035-400-100-00, 050-035-400-105-00, 050-035-400-110-00, 050-035-400-115-00, 050-035-400-120-00, 050-035-400-125-00, 050-035-400-130-00, 050-035-400-135-00, 050-035-400-140-00, 050-035-400-145-00, 050-035-400-150-00, 050-035-400-155-00, 050-035-400-160-00, 050-035-400-165-00, 050-035-400-170-00, 050-035-400-175-00, 050-035-400-180-00, 050-036-200-005-00, 050-036-200-020-00, 050-036-300-005-00, 050-036-300-010-00, 050-036-300-015-00, 050-036-300-018-00, 050-036-300-019-00, 050-036-300-021-00, 050-036-300-030-00, 050-036-300-035-00,

ARTICLE II

GENERAL PROVISIONS

2.02 Term. This Agreement shall become effective immediately upon signing by authorized officials of the City and the Township and filing with the Ingham County Clerk and

Michigan Secretary of State in the manner required by MCL 124.30, and shall continue for a term of thirty (30) years beginning on the first day of the calendar year next following the year of the execution and filing of the Agreement to Further Amend.

ARTICLE III

TAX AND REVENUE COLLECTION AND SHARING

3.01 Tax Rate Levy. Commencing with the first tax year following the date of the execution of this Agreement, all non-exempt real and personal property, within the transferred area shall be assessed and taxed by the City at the combined ad valorem property tax rates which the City of East Lansing levies on City property for the City and all other taxing jurisdictions from year to year.

A. Exception for Non-Benefitted Real Property. Any real property within the Act 425 District boundaries initially established by the Agreement dated May 5, 1998, which is not receiving the benefit of the infrastructure and capital improvements for which such Act 425 Districts are established as hereinafter described at paragraphs 4.02 and 4.03 shall not be taxed at the City of East Lansing tax rate as levied from year to year, but shall continue to be taxed at the millage rate then established by the Township for township operations until there is a change in ownership or use. All of the real property within the additional territory transferred by this amendment in Areas 3, 4, and 5 shall not be taxed at the City of East Lansing tax rate as levied from year to year, but shall continue to be taxed at the millage rate established by the Township for township operations until there is both (a) a change in ownership or use and (b) water or sewer utility services are available to the property. An exempt transfer as described in MCL 211.27a(7)(a-m) shall not be deemed a change in ownership for purposes of this section and Section 5.4.

3.02 Tax Allocation. Each year during the thirty (30) year period commencing with the year following the year in which this amended Agreement is effective, the City shall annually remit to the Township from the taxes collected by the City the equivalent of 4.0 mills on the taxable value of all real and personal property within the Districts described in Section 1.02 and the City shall retain the balance of the property taxes collected by the City.

The specific tax collected from within the area transferred pursuant to MCL 125.1041; MSA 5.278(1) shall be remitted to the City Treasurer and be allocated among the various taxing units in the same manner as are general property taxes collected by the City as provided by law. The City portion of said specific tax shall not be apportioned between the City and the Township but shall be retained all by the City.

ARTICLE IV INFRASTRUCTURE AND CAPITAL IMPROVEMENTS

4.02 Sanitary Sewers. Sanitary sewers to serve the Property shall be constructed as follows:

- A. The City will construct a 24 inch sanitary sewer main extending north along the Sanderson Drain from the Abbott Park trunkline sewer to a point in line with Coleman Road extended; will construct a lift station in the vicinity of Coleman Road; will construct a trunkline sewer extending northerly from the lift station to State Road; and will construct a sanitary sewer main west along or parallel to State Road to a point approximately 100 feet east of Brown Road and thence south from State Road through a portion of transferred area no. 2 designated as Parcel No. 5 provided all the necessary right-of-way for sewers is available to the City without cost; but if

such right-of-way is not available to the City, the sewer shall be constructed along such alternate routes and completed by such date as the City and a majority of the benefitting property owners liable for special assessment shall mutually agree. The exact distance of the extension south from State Road will be determined by the City's ability to construct the sewer as a gravity main based upon existing contour elevations and sewer depth considerations.

- B. The City will construct a sanitary sewer main northerly through that portion of transferred area no. 2 designated as Parcel 5 from Coleman Road northerly towards State Road with a diameter of up to 15 inches, provided all the necessary right-of-way for sewers is available to the City without cost; but if such right-of-way is not available to the City, the sewer shall be constructed along such alternate routes and completed by such date as the City and a majority of the benefitting property owners liable for special assessment shall mutually agree. The exact distance of the sewer extension north from Coleman Road will be determined by the City's ability to construct the sewer as a gravity main based upon existing contour elevations and sewer depth considerations.

4.03 Water Mains.

- A. The City will construct a 12 inch municipal water main extending from the City's water distribution system at Abbott Parkside Subdivision northerly to State Road; thence construct or connect to facilities extending westerly along State Road to a point adjacent to the portion of the transferred area described as Parcel No. 5; thence southerly through Parcel No. 5 connecting to the existing City water main located at

the County line.

4.06 Public Roadways.

- A. The City will construct a three (3) lane public roadway extending from Coolidge Road at the County line northerly through that portion of transferred area no. 2 designated as Parcel No. 5 to State Road, provided all necessary rights-of-way are available at no cost to the City. The road construction will include storm drainage facilities for roadway purposes only and curb and gutter. The City shall bear ten percent (10%) of the cost of this road improvement. Any sidewalks required by the City or desired by the owners shall be installed or paid for at the owner's expense.
- B. The parties understand that the Michigan Department of Transportation has planned and designed for the construction of an interchange at I-69 and Chandler Road and that the necessary right-of-way for the interchange has been acquired and graded by MDOT. The City agrees to use its best efforts to persuade MDOT to complete the Chandler Road/I-69 interchange at the earliest possible date. The parties understand and agree that no commitment to participate in the project through local funds is made by the City with respect to the Chandler Road/I-69 interchange improvements. The City's efforts to persuade MDOT to complete the interchange will, at a minimum, include the transmittal of a letter authorized by the East Lansing City Council to MDOT in the form attached as "EXHIBIT C" to the original Agreement dated May 5, 1998.
- C. The cost of all road improvements provided in subsection A of this section shall be borne by the owners of the benefitting property through the sale of bonds secured

first by special assessments by the City against the properties benefitted and by the limited full faith and credit of the City, or by the City utilizing Act 51 gas and weight tax revenues which may become available to the City if one or both of the proposed roadways qualify for Act 51 funds, or through any combination of special assessment and Act 51 funds, as determined by the City.

4.08 Connection to Public Utilities. Those structures within the transferred areas which are occupied on the effective date of this agreement shall be deemed to be not within the limits of the city for purposes of MCL 333.12753; MSA 14.15(12753) and the City agrees not to enforce against the current owners any ordinance or regulation requiring connection to the city sanitary sewer treatment system and/or the city water distribution system unless or until there is a change in ownership or use of the property.

ARTICLE V

MUNICIPAL SERVICES

5.04 Protective Covenants, Zoning and Code Enforcement. The City shall be solely responsible for the enforcement of, and shall strictly enforce, all protective covenants, zoning and building code restrictions with respect to the Property, and the costs of providing such enforcement activities shall be the sole responsibility of the City.

The Township existing Zoning Ordinance Land Use classifications shall apply to the land uses within the area transferred immediately upon transfer until such time as a rezoning request may be approved by the City Council under the procedures of the City Zoning Ordinance. The Township acknowledges that Parcel No. 1 through No. 7 of the property, as shown on the zoning map attached as EXHIBIT "A" to the original Agreement dated May 5, 1998, shall, upon execution of this

Agreement be unconditionally classified by the City for zoning purposes with the zoning classifications set forth in said EXHIBIT "A", and shall enjoy all those rights, privileges, and uses growing therefrom, as defined by the DeWitt Charter Township Zoning Ordinance as of the date of this Agreement, and that Parcel No. 8, except the south 200 feet thereof, shall be classified as "RM-8 under the City's Zoning Ordinance as of the date of this Agreement. The City Planning Commission and City Zoning and Building Boards of Appeals shall be designated as the review bodies to hear and decide all discretionary land use decisions or appeals from the provisions of application of the Township zoning and land use regulations, as applied by the City. The usual City permit, application, and filing fees shall be collected and retained by the City.

The parties further stipulate and agree that all of the properties within the additional areas transferred by amendment to this Agreement as described as Areas 3, 4, and 5 shall retain their existing township zoning classifications following transfer and shall continue to be regulated under the township zoning regulations in effect on the date of transfer until such properties are rezoned by the City. Provided further that, upon rezoning by the City, any lawful use then existing under the township zoning regulations shall thereafter be deemed a lawful nonconforming use under the City zoning ordinance and use district regulations. Upon filing of this Agreement, the City shall provide each property owner within Areas 3, 4, and 5 with a letter advising them of their right to continue nonconforming uses under the East Lansing Zoning Ordinance and will provide each property owner with a copy of this Agreement.

The East Lansing Fire Prevention Code Shall be enforced by the City within the transferred area, except that the City's local amendment to Chapter 3, Section 3-4.1 of the National Fire Prevention Code shall not be applicable to any property within the transferred area until there is a

change in ownership or use of such property.

Provided further that the City's noxious weed ordinance, Chapter 106, Sections 9.41 through 9.46, shall not be applicable to any property within the transferred area until change in ownership or use of such property.

IT IS FURTHER AGREED that all other provisions of the Agreement, except as expressly modified herein, shall remain in full force and effect as written.

IT IS FURTHER AGREED that this Agreement to Amend Contract for Conditional Transfer of Property shall be effective as of the day and date first above written upon satisfaction of all of the following conditions:

A. This Agreement to Amend shall have been duly approved by the legislative bodies of the City and the Township and duly executed by their authorized representatives; and

B. This Agreement to Amend shall have been approved by a majority of the voters within the Township voting at a special referendum, in the event such is required by Section 5 of Act 425; and

C. Fully executed duplicate originals of this Agreement to further amend shall have been filed with the County Clerk for the counties of Ingham and Clinton and the Secretary of State for the State of Michigan.

IN WITNESS WHEREOF, the City of East Lansing and the Charter Township of DeWitt, by and through their duly authorized representatives, have executed this Agreement to Amend Contract for Conditional Transfer of Property as of the day and date first above written.

WITNESSES:

CITY OF EAST LANSING
A Michigan municipal corporation

Carol A. Parry
Carol A. Parry

By Mark S. Meadows
Mark S. Meadows, Mayor

Andrea Thomas
Andrea Thomas

By Susan Donnell
Susan Donnell, Clerk

CHARTER TOWNSHIP OF DeWITT
A Michigan municipal corporation

Matthew J. Kulhanek
Matthew J. Kulhanek

By Rick Galardi
Rick Galardi, Supervisor

Julie Coleman
Julie Coleman

By Diane K. Mosier
Diane K. Mosier, Clerk

Drafted by and approved as to form:

Approved as to form:

Dennis E. McGinty
Dennis E. McGinty (P17407)
East Lansing City Attorney
601 Abbott Road
East Lansing, MI 48823
(517) 351-0280

J. Richard Robinson
J. Richard Robinson (P19524)
DeWitt Charter Township Attorney
PO Box 1430
Okemos, MI 48806

We, property owners in Hawk Nest neighborhood would like to PROTEST Ordinance 1564, an amendment to Chapter 50 of the City Code to rezone property at 3303 E Coleman Rd. Our properties border with or are in proximity of 3303 E Coleman Rd., East Lansing, permanent parcel No. 19-20-50-36-300-005 as it is described in the Notice of Public Hearing issued by East Lansing Planning Commission (attached Exhibit 1). We do not wish the beforementioned property/parcel rezoned but rather remain as currently stated A* (Agricultural). We do not wish for any future changes to rezoneing status of that property.

PRINTED NAME	SIGNATURE	ADDRESS	DATE
Julia Miszkiewicz	<i>Julia Miszkiewicz</i>	3721 Parula Dr., East Lansing, MI 48823	3/26/2026
Gustavo FLORES	<i>[Signature]</i>	3721 PARULA DR, EAST LANSING	3/26/26
Melanie Seal	<i>Melanie Seal</i>	3681 Parula Dr East Lansing	3/26/26
Dave Seal	<i>[Signature]</i>	3681 Parula East Lansing	3/24/26
JASON JAROS	<i>[Signature]</i>	3711 Parula E. Lansing	3/26/26
Ryan Smith	<i>[Signature]</i>	3705 Parula Dr	3/26/26
Lauren Barringer	<i>[Signature]</i>	3695 Parula Dr	3/26/26
Sumita Oulker	<i>[Signature]</i>	3691, Parula Pt.	3/26/26
SARAH HOOVER	<i>[Signature]</i>	3687 PARULA DRIVE	3/26/26
Lynette La	<i>[Signature]</i>	715 Buteo Dr	3/26/26
Mary Jo Pedaw	<i>[Signature]</i>	3735 Parula Dr	3/26/26
Barbara Herdus	<i>[Signature]</i>	3731 Parula Dr. E. Lansing	3/26/26
Michael Herdus	<i>[Signature]</i>	3731 Parula Dr. E. Lansing	3/26/26
Andy Rubsa	<i>[Signature]</i>	7225 Parula Dr. East Lansing	3/26/26
CYNTHIA KENTON	<i>[Signature]</i>	3755 PARULA DR. EAST LANSING	3/27/26
Emily Pedaw	<i>[Signature]</i>	555 Buteo Dr. East Lansing	3/27/26
Evonne Pedaw	<i>[Signature]</i>	695 Buteo Pr. East Lansing	3/27/26
Rozanne Pedaw	<i>[Signature]</i>	631 Ashinga Dr. E1	3/27

EXHIBIT 1

[To be published in the March 18, 2026 issue of the City Pulse]

NOTICE OF PUBLIC HEARING EAST LANSING PLANNING COMMISSION

Notice is hereby given of the following public hearings to be held by the East Lansing Planning Commission on **Wednesday, April 8, 2026 at 6:30 p.m.** at the **East Lansing Hannah Community Center, 819 Abbot Road, East Lansing, MI, 48823.**

1. A public hearing to receive comments on a request from 246 Equities LLC for a Site Plan Approval located at 601 Abbot Rd. The applicant request is to convert the existing office building to a nine-unit apartment building. A previous public hearing was scheduled on March 25, 2026 for the same request, but with eight units. Nine units are proposed. The property is zoned RM32, City Center Multiple-Family Residential District.

2. A public hearing to receive comments on Ordinance 1568, an amendment to Chapter 50 of the City Code – Zoning – to rezone 1049 Cresenwood Road (33-20-01-13-122-001) from R2 (Medium Density Single-Family Residential) to C (Community Facilities) for a new public park.

3. A public hearing to receive comments on Ordinance 1564, an amendment to Chapter 50 of the City Code to rezone several properties within the City of East Lansing but with DeWitt Township zoning to an appropriate and equivalent East Lansing zone district. The properties, parcel numbers, current DeWitt Township zoning, and initially proposed East Lansing zoning are as follows:

Property Address, if available	Permanent parcel #	Current DeWitt Township zone	Proposed City of East Lansing zone
STOLL RD VACANT	19-20-50-24-400-015	BC* (Business)	B2 (Retail Sales Business)
CHANDLER RD VACANT	19-20-50-25-100-013	BC* (Business)	B2 (Retail Sales Business)
E STATE RD VACANT	19-20-50-26-400-026	M4* (Multiple Family)	RM22 (Medium Density Multiple Family)
2870 E STATE RD	19-20-50-35-100-030	A* (Agricultural)	B4 (Restricted Office Business)
2773 COLEMAN RD	19-20-50-35-400-046	R3* (Single-Family Residential)	RM14 (Low-Density Multiple Family)
2777 COLEMAN RD	19-20-50-35-400-050	R3* (Single-Family Residential)	RM14 (Low-Density Multiple Family)
2817 E COLEMAN RD	19-20-50-35-400-055	R3* (Single-Family Residential)	RM14 (Low-Density Multiple Family)

EXHIBIT 1

Property Address, if available	Permanent parcel #	Current DeWitt Township zone	Proposed City of East Lansing zone
2839 E COLEMAN RD	19-20-50-35-400-060	R3* (Single-Family Residential)	RM14 (Low-Density Multiple Family)
2855 E COLEMAN RD	19-20-50-35-400-065	R3* (Single-Family Residential)	RM14 (Low-Density Multiple Family)
2921 E COLEMAN RD	19-20-60-35-400-086	R3* (Single-Family Residential)	RM14 (Low-Density Multiple Family)
E COLEMAN RD VACANT	19-20-50-35-400-090	BC* (Business)	RM14 (Low-Density Multiple Family)
E COLEMAN RD VACANT	19-20-50-35-400-095	BC* (Business)	RM14 (Low-Density Multiple Family)
E COLEMAN RD VACANT	19-20-50-35-400-100	R3* (Single-Family Residential)	RM14 (Low-Density Multiple Family)
E COLEMAN RD VACANT	19-20-50-35-400-105	R3* (Single-Family Residential)	RM14 (Low-Density Multiple Family)
16757 WEST RD	19-20-50-35-400-110	R3* (Single-Family Residential)	RM14 (Low-Density Multiple Family)
16785 WEST RD	19-20-50-35-400-115	R3* (Single-Family Residential)	RM14 (Low-Density Multiple Family)
2842 E COLEMAN RD	19-20-50-35-400-120	R3* (Single-Family Residential)	RM14 (Low-Density Multiple Family)
2860 E COLEMAN RD	19-20-50-35-400-125	R3* (Single-Family Residential)	RM14 (Low-Density Multiple Family)
2870 E COLEMAN RD	19-20-50-35-400-130	R3* (Single-Family Residential)	RM14 (Low-Density Multiple Family)
2982 E COLEMAN RD	19-20-50-35-400-140	R3* (Single-Family Residential)	RM14 (Low-Density Multiple Family)
2900 E COLEMAN RD	19-20-50-35-400-135	R3* (Single-Family Residential)	RM14 (Low-Density Multiple Family)
3020 E COLEMAN RD	19-20-50-35-400-145	R3* (Single-Family Residential)	RM14 (Low-Density Multiple Family)
2990 E COLEMAN RD	19-20-50-35-400-150	R3* (Single-Family Residential)	RM14 (Low-Density Multiple Family)
16825 WEST RD	19-20-50-35-400-155	R3* (Single-Family Residential)	B4 (Restricted Office Business)
16851 WEST RD	19-20-50-35-400-160	R3* (Single-Family Residential)	B4 (Restricted Office Business)
16877 WEST RD	19-20-50-35-400-165	R3* (Single-Family Residential)	B4 (Restricted Office Business)
3070 E STATE RD	19-20-50-36-200-005	A* (Agricultural)	R2 (Medium Density Single-Family Residential)
LANDLOCKED COLEMAN RD	19-20-50-36-200-020	A* (Agricultural)	R2 (Medium Density Single-Family Residential)
3303 E COLEMAN RD	19-20-50-36-300-005	A* (Agricultural)	RM14 (Low-Density Multiple Family)
3151 E COLEMAN RD	19-20-50-36-300-010	A* (Agricultural)	RM14 (Low-Density Multiple Family)
3203 E COLEMAN RD VACANT	19-20-50-36-300-015	A* (Agricultural)	RM14 (Low-Density Multiple Family)
3255 E COLEMAN RD	19-20-50-36-300-018	A* (Agricultural)	RM14 (Low-Density Multiple Family)
E COLEMAN RD VACANT	19-20-50-36-300-019	A* (Agricultural)	RM14 (Low-Density Multiple Family)

EXHIBIT 1

Property Address, if available	Permanent parcel #	Current DeWitt Township zone	Proposed City of East Lansing zone
3321 E COLEMAN RD	19-20-50-36-300-022	BC* (Business)	RM14 (Low-Density Multiple Family)
3341 E COLEMAN RD	19-20-50-36-303-101	BC* (Business)	RM14 (Low-Density Multiple Family)
E COLEMAN RD VACANT	19-20-50-36-303-102	BC* (Business)	RM14 (Low-Density Multiple Family)

4. A public hearing to receive comments on Ordinance 1570, an amendment to Chapter 50 of the City Code to rezone 3859 Stoll Road (19-20-50-24-400-045) from B4 (Restricted Office Business) to B2 (Retail Sales Business). This property is surrounded by properties with current DeWitt Township zoning, which are proposed to be rezoned to appropriate City of East Lansing zone districts. The proposed rezoning of 3859 Stoll is intended to align its zoning with the new zoning of those adjacent properties, which may ultimately be a district other than the currently proposed B2 (Retail Sales Business).

5. A public hearing to receive comments on a request from Evan Williams on behalf of Harbor Bay Ventures for approval of a Special Use Permit for a new building with height exceeding eight stories at 401, 421, & 427 E. Grand River Avenue. The applicant's request is to construct a 12-story mixed use development consisting of one-, two-, three- and four-bedroom multi-family dwellings and ground floor commercial space. A similar request by the same applicant for a 15-story mixed-use building at this location has been withdrawn. The property is zoned B3 City Center Commercial Business District.

The public may attend and participate in all meetings in person. Members of the public may participate electronically in all meetings. Please visit the City's public meeting portal for electronic meeting access information or contact staff for more information:

Landon Bartley, AICP, Principal Planner
 410 Abbot Road, East Lansing, MI 48823
 517.319.6930 or lbartley@cityofeastlansing.com
<https://cityofeastlansing.civicweb.net/Portal/>

A staff report (Agenda Item Report) for each public hearing will be published on the City's website the Friday before the meeting. To locate staff reports, please visit the City's public meeting portal at <https://cityofeastlansing.civicweb.net/Portal/> and select the meeting date.

EXHIBIT 1

Materials related to the request are available for viewing at the Department of Planning, Building, and Development, East Lansing City Hall, 410 Abbot Road, East Lansing, MI, 48823 between the hours of 8:00 am and 5:00 pm or on the City's website located at www.cityofeastlansing.com/currentapplications. Written comments may be sent prior to the public hearing to the Planning Commission, City of East Lansing, 410 Abbot Road, East Lansing, Michigan, 48823, or by email to coelplanningcommission@cityofeastlansing.com.

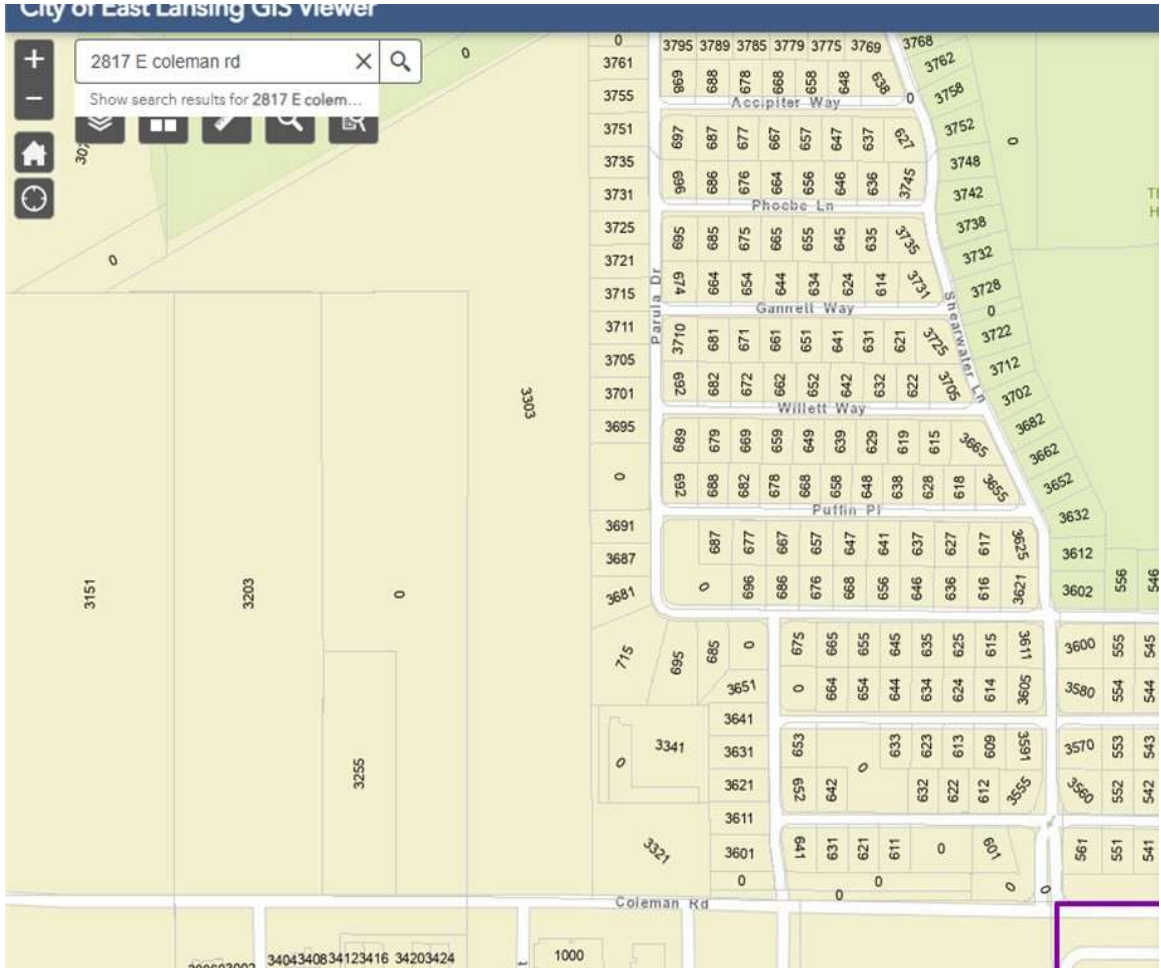
The City of East Lansing will provide reasonable auxiliary aids and services, such as interpreters for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities upon request received by the City seven (7) calendar days prior to the meeting. Individuals with disabilities requiring aids or services must contact the Planning, Building and Development Office, (517) 319-6930 (TDD Number: 1-800-649-3777) or via email at ldegarmo@cityofeastlansing.com.

This notice is posted in compliance with PA 267 of 1976 as amended (Open Meetings Act) and the Americans with Disabilities Act (ADA) and published in compliance with the Michigan Zoning Enabling Act, 2006 P.A. 110.

Emily Gordon
City Clerk

Dated: March 12, 2026
East Lansing, MI 48823

EXHIBIT 2





[Draft] Rezoning 3303 East Coleman Rd - Commission for 4/8/26 Hearing

From lbartley@cityofeastlansing.com
Draft saved Mon 4/6/2026 3:11 PM

-----Original Message-----

From: Mark Webster <[REDACTED]@gmail.com>
Sent: Sunday, April 5, 2026 8:20 PM
To: Planning Commission <coelplanningcommission@cityofeastlansing.com>
Subject: Rezoning 3303 East Coleman Rd - Commission for 4/8/26 Hearing

To the Planning Commission:

Regarding the rezoning of 3303 E Coleman.

Residents of the Hawk Nest HOA which neighbors the 3303 lot have great concern regarding the rezoning including traffic concerns, flooding problems and construction impacts that will adversely affect the existing residential area.

Parula Dr which neighbors this area is already congested with vehicles and is not sufficiently maintained by the city for pavement repair or snow/ice removal during the winter. It cannot accommodate more traffic from added development and construction. The city blocks off of Parula are quiet secluded blocks where children play and traffic is light. A change to this would negatively impact the Hawk Nest neighborhood.

I recently called the city regarding pothole repairs and the public works representative stated they had a limited budget for 2026 and that no large scale road repairs would be done in the Hawk Nest neighborhood. The road conditions will only be further eroded by any new construction projects and it's clear the city does not have necessary funds to maintain the existing roadways. The recent harsh winter did major damage to the asphalt and it is crumbling in numerous areas. I asked about tar for patching cracked areas and the response was "maybe 2027". More traffic and even worse construction equipment will wreck the roadways.

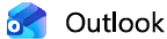
In regards to the flooding concerns, the area is already experiencing increased flooding after just the early spring rain. Neighbors yards are submerged and nearby ponds are at the highest levels in a decade. The area of 3303 Coleman cannot be built upon and further contribute to the flooding issues. The City is well aware of the overall drainage issues in East Lansing and is looking into those concerns. This drainage concern alone should halt a rezoning. This is an annual concern and the commission should consider that the entire area is next to a protected wetland.

As a resident of the Hawk Nest and homeowner on 668 Accipiter, a connecting roadway from Coolidge to the corner of Parula/Shearwater would be very disruptive to a quiet and calm neighborhood. The neighbors here do not want added traffic and a "cut through" for drivers from Coolidge. Street Racing on Coleman/Coolidge/State roads is an ongoing problem the city has been unable to tackle. Connecting that to a family neighborhood would be detrimental.

I'd ask that my comments be considered for the Public Hearing meeting on 4/8. I support my HOA neighbors that are greatly concerned living on Parula who would be most heavily impacted by this.

Thank you,

Mark Webster
[REDACTED]



FW: Opposing Rezoning , Ordinance 1564, Public Hearing on April 8

From Planning Commission <coelplanningcommission@cityofeastlansing.com>

Date Mon 4/6/2026 10:42 AM

To Landon Bartley <lbartley@cityofeastlansing.com>; Grace Whitney <gwhitney@cityofeastlansing.com>; Alycia Reiten <areiten@cityofeastlansing.com>

2 attachments (2 MB)

Exhibit 1 EL Notice of Public Hearing 2026-03-16 18-20.pdf; Exhibit 2 - Picture of the west side neighborhood.docx;

-----Original Message-----

From: jmiszkiewicz [REDACTED] >

Sent: Thursday, April 2, 2026 11:22 PM

To: Planning Commission <coelplanningcommission@cityofeastlansing.com>

Cc: City Clerk <cityclerk@cityofeastlansing.com>

Subject: Opposing Rezoning , Ordinance 1564, Public Hearing on April 8

[You don't often get email from [REDACTED]. Learn why this is important at <https://aka.ms/LearnAboutSenderIdentification>]

CAUTION: This message originated from an email address outside of the organization. Please use caution before clicking any links or responding. Verify that you know and trust this sender prior to proceeding.

To The East Lansing Planning Commission:

I am writing in regards to the attached Notice of Public Hearing of the East Lansing Planning Commission that is to take place on April 8. I am referring specifically to point 3 of the document, Ordinance 1564, an amendment to Chapter 50 of the City Code to rezone properties within the City of East Lansing, in particular Property Address: 3303 E Coleman Rd., Permanent Parcel 19-20-50-36-300-005. I would very much like to be present at the meeting next Wednesday, April 8, but the meeting takes place during our spring break. Numerous of our households in Hawk Nest Neighborhood are on spring break and out of town during that time. I feel this is really inopportune time to organize the meeting that affects us all and is truly important to us Hawk Nest residents. I am protesting the decision to rezone Parcel 19-20-50-36-300-005 from A* (Agricultural) to RM 14 (Low-Density Multiple Family) lot. I do not agree with this plan and so don't my neighbors that directly border that parcel. There are the following reasons to oppose rezoning:

-Our family purchased the house because it did not back into another residence, but instead we had wildlife, old trees, and nature in the back of our property. We had an opportunity to purchase other, bigger and newer houses in the neighborhood, and we chose specifically this lot for privacy, quiet and natural surroundings. We chose that area DESPITE the fact that the street was not in East Lansing or

Haslett school district. I know many of our neighbors had same motives to build their house here or purchase it. The houses on the corner of Buteo and Parula that border directly with parcel 19-20-50-36-300-005 paid PREMIUM for their lots to enjoy a quiet area and nature in their back yard. Some of these families that paid premium moved from the east side to the west side of the neighborhood for these reasons.

-Builders and home inspectors told us, residents on Parula, that the City could not wipe out natural habitat at the back for rezoning and construction as there is a pipeline/utility lines running thru that area. We, residents, feel deceived by the City with misinformation that was communicated to us. We all, on Parula, had similar experience being misinformed.

-This area is home to many rare and even endangered birds and other animals, among others: White-Crowned Sparrow, Golden-Wing Warbler, Great Horned Owl, Red-Shouldered Hawk. Our neighborhood enjoys the sight of Indiana bats every summer evening that we believe have roosts among the trees. We are aware of the fact that bat roosts are protected by federal and state law. These are only a few of many wild inhabitants of that area including honeybees, frogs, and turtles that we all observe and admire in the wetlands behind. It is truly a miracle that although the area is still in the city, it is abundant with wildlife much needed here. There are also many mature, tall trees in that area, and we do not want them removed. East Lansing has been cutting many trees in the city and not replacing them. Numerous trees planted in the residential areas are small and easily defeated by storms.

-Our quality of life at home (and many of us work from home now) would significantly worsen due to having construction and then residential area behind our properties, where we so far enjoy privacy, peace, and nature. I would not want to stay around if that happen but rather move out. Also, our properties would decrease in value due to rezoning and further deforestation and construction in that area.

-Due to future potential residential area at 3303 E Coleman, we-residents feel that our safety would also be impacted. Since there are many apartment buildings to the west of our neighborhood, thefts and other petty crime happen regularly and impact that side of Hawk Nest. We have enjoyed relative peace and safety.

To summarize the above, my neighbors and I oppose rezoning of that area from Agricultural to Residential due to decrease in property value, decrease in quality of life and safety in the neighborhood, loss of biodiversity, potential urban heat effect, and possible increase in future taxes for new developing infrastructure.

I would also like to mention that I feel tricked by the City which agreed last Fall, October 2025, to clear the area between Coleman Street, along Parula Dr. to Shearwater Lane and the Golf Course to the north. If the City did not provide any plans for development of that parcel, why would Eyde Land Holding, LLC bulldozed thru that very area of 3303 E. Coleman Rd that is to be discussed at the Public Hearing Meeting now? The area was wiped out without notifying residents ahead of time and any clarification what was being done directly behind our properties.

Again, I would like to present all of these arguments at the meeting on August 8; however, I am out of town with my family since this is our long-awaited spring break. Therefore, I am sending this email to you ahead of time, and I ask for your consideration in regards to your rezoning plans. Thank you for your attention to the matter.

Best Regards
Julia Miskiewicz


Ph. [REDACTED]

Email: [REDACTED]

Address: 3721 Parula Dr.
East Lansing

[Draft] Fw: Opposition to Ordinance 1564

From lbartley@cityofeastlansing.com

 2 attachments (13 MB)
picture 1.jpg; picture 2.jpg;

From: Herdus, Michael <[REDACTED]>
Sent: Thursday, April 16, 2026 5:09 PM
To: Landon Bartley <lbartley@cityofeastlansing.com>
Subject: Opposition to Ordinance 1564

You don't often get email from [REDACTED]. [Learn why this is important](#)

Dear Mr. Bartley

My name is Mike Herdus and I live at 3731 Parula Drive. My family and I have been the sole residents since the house was newly built in 2005. I was at the East City Council Planning Commission meeting on April 8, 2026, that was considering ordinance 1564, the rezoning of the area North of Lake Lansing Road. I support Melanie Seal who lives at 3681 Parula Drive, who spoke at the meeting in opposition to the rezoning of 3303 and 3255 East Coleman Road and the adjacent parcel from agricultural to RM 14 low density multiple families. She listed several environmental and water control concerns at that meeting. While I was not as prepared to speak at the meeting as Ms. Seal was, I can attest everything that she said is true.

First the environment. I was not aware of the term vernal pool, but I have noticed an ecologically distinct and pristine environment that I have not witnessed before moving to the Hawk Nest's Neighborhood. I began to suspect something was different about this piece of land when I saw all the different types of wildlife throughout my over 20 years of living here. It is impressive, unique and precious piece of East Lansing. I will not repeat the long list of wildlife that Ms. Seal has observed but it is sufficient to say that I have also observed the same. Only someone who regularly visits the neighborhood in the springtime can appreciate what Ms. Seal referred to as a "cacophony of frogs" that can be heard. As winter ends and spring slowly approaches, the symphony of wood frogs and spring peepers is deafening and can make casual conversation difficult. Scientists refer to these as "big nights," that sometimes draw connoisseurs and admirers of nature. Both the plant and animal habitat are made possible by the value, quality and nutrients provided by the vernal pool. What impresses me most about vernal pools is their choreographed and timed life cycle that allows for such a biodiverse ecosystem. It is not just another pool of water that is there sometimes and not at others. Its wet and dry cycles are perfectly attuned to the sensitive needs of its environment that allows natural and ecological beauty to thrive. It is only something that God can make and once it is gone the consequences can be devastating. There are national efforts underway to preserve these areas that provide perfect union between the land and the life that inhabits it, including people. I'm particularly partial to its reduction of pest insects, especially mosquitoes. According to my research, by rezoning this area for building we would not only lose the vernal pool but the beauty of the natural habitat surrounding the area would also be compromised due to the regenerative nature that vernal pools provide for the biodiversity of their environment. While I cannot state that it is a scientific fact, from the disease control benefits I have learned that come from vernal pools, it wouldn't surprise me that the lush setting of pine trees across from the MSU Credit Union on the opposite side

of Coolidge Road is a result of the nearby vernal pool. Such a healthy grouping of pines is hard to find any more in Michigan due to diseases.

While I thoroughly enjoy this environment and consider myself very blessed to live next to it, I am open to sharing its natural qualities with others as Ms. Seal suggested by connecting it to the Northern Teir Trail and/or providing signage so that others can be educated and learn to appreciate this part of East Lansing. This would be in keeping with the nation-wide movement of preservation for vernal pools. Any kind of building development would not only remove an ecosystem that is irreplaceable but significantly reduce the diversity of the East Lansing community that is opposed to its mission statement of preserving a high-quality environment and being responsible stewards of our land. The East Lansing Council and its citizens have an exceptional opportunity to be leaders of a conservation movement that focuses on sustainable management and protection of natural resources, biodiversity, and ecosystems to combat industrial degradation that East Lansing has already suffered due urban sprawling.

Finally, I would like to address the flooding problem we have in the Hawk Nest's Subdivision. It is not uncommon for basements to flood in this area. As I walk my dog in the morning after a heavy rain, I am grateful not to be one of my neighbors who has a drain hose pumping water out of their house. During such times, the crock for my sump pump is a roaring waterfall. I also have a hydro backup sump pump that has been activated. The benefits that vernal ponds provide for drainage to surrounding areas have been well researched. My property does not border the vernal pond but benefits from it. Still however, it is not uncommon for my neighbor and I to have our backyards flooded to the extent it has attracted swimming ducks and geese in the past. I attached two pictures of my neighbor and I's backyards after the recent rains this week. Keep in mind this is just a fraction of what it was like after the April 4th flooding. I also have two videos however I will have to send them in a separate email otherwise the email is too large to deliver. Both videos (coming in a second email entitled Hawk Nest's Drainage Videos) show the water draining off of my neighbor's front yard.

I appreciate the time and openness you demonstrated at the meeting to consider the opposition to amendment 1564. Please share this with the City Council and Planning Committee and anyone who has to do with rezoning. Or if you think it would be best, I can speak at the next meeting. If I did, would you be able to display the short videos and pictures I've attached on a screen for the planning commission to see? The science regarding the benefits that vernal ponds provide to their environment as well as drainage to nearby residential developments is well established. I encourage you do some research in this area or at least look at the hyperlinks I provide.

[The Hidden Life of Vernal Pools | Smithsonian's National Zoo and Conservation Biology Institute](#)

[Explore How TNC is Working to Protect Vernal Pools](#)

[VERNAL POOL CONSERVATION AND MANAGEMENT](#)

Sincerely,

Michael Herdus





Commission on the Environment **AGENDA ITEM REPORT**

To: Commission on the Environment
Subject: Consideration of Ordinance 1575, amendments to Chapter 50 of the City Code, the Zoning Ordinance, and to Chapter 4 of the City Code to modify requirements related to electric vehicles and charging stations; parking ratios for automobiles and bicycles; landscaping, green space, & trees; and the keeping of bees and chickens.
Meeting: Commission on the Environment - 18 May 2026
Department: Planning, Building, and Housing
Staff Contact: Landon Bartley, Principal Planner

BACKGROUND INFORMATION:

This is a staff-led proposal to amend the City of East Lansing Code of Ordinances (the Zoning Ordinance). These amendments originated with recommendations made by the Green Code Study Committee. This Committee met during the summer of 2025.

If approved, the amendment would modify the requirements for electric vehicle charging spaces, parking ratios for automobiles and bike, landscaping and greenspace requirements, allow the keeping of bees and relocating the keeping of chickens to be part of the zoning ordinance.

The recommendations of the Green Code Study Committee were discussed at the December 16, 2025 Discussion Only City Council Meeting. A summary of the proposed changes presented at that meeting are attached to this report. A redline and clean copy of the proposed ordinance changes are also attached to this report.

The City Council introduce and referred the ordinance to Planning Commission and Commission on the Environment on May 12, 2026. The Planning Commission will hold a public hearing on June 10 and will provide a recommendation to City Council after that time. City Council will then schedule their own public hearing to review the Planning Commission's recommendation, then make a decision to adopt or not adopt.

FINANCIAL IMPACT:

None

STRATEGIC PRIORITIES:

This aligns with Goal 7: To be responsible stewards of the environment by reducing or eliminating reliance on carbon and reducing activities that adversely impact climate change.

RECOMMENDATION:

Move to recommend that the City Council (adopt or not adopt) Ordinance 1575.

If the Commission on the Environment recommends adoption with modifications, please list the recommended modifications here:

BE IT FURTHER RESOLVED that the Commission on the Environment recommends the following changes to Ordinance 1575 as introduced:

1. _____

ATTACHMENTS:

[Summary of Green Code Zoning Recommendations](#)

[Redline Ordinance Draft No. 1575 5.12.26](#)

[Clean Copy Ordinance Draft No. 1575 5.12.26](#)

Zoning

- **Landscaping Requirements:**

- Increase screening requirements to also include shrubs. Previously one shade tree per 40 linear feet. Update to one deciduous, ornamental, or evergreen tree and 4 shrubs planted for each 40 linear feet of side or rear yard.
- Add preservation of Landmark Trees as an important site design element in the standards for site plan review. Provide a definition of Landmark Trees that is consistent with the tree manual. A landmark tree's size varies depending on the species of tree,
- Require plantings to be consistent with species provided in the tree manual and limit the percent of one species/genus/family of plant material on one site to 10%/20%/30% to promote canopy diversity.
- Require a landscape bond to be held for 2 years following the completion of construction.
- Clearly define tree replacement standards and mirror the replacement standards in the tree ordinance. Additionally, clarify that trees required to meet replacement standards will not count towards other required landscaping.

- **Parking Requirements:**

- Lower some minimum parking requirements where applicable and appropriate.
- Provide a process for waivers to minimum parking requirements to be granted during approval processes. Smaller waivers (<25%) may be granted by the Zoning Administrator and larger waivers by the Planning Commission (>25%) based on a set of criteria evaluating incentivizing public or nonmotorized transportation, shared parking between uses, use of available public parking, and shared vehicle programs.
- Require sites requesting more than 10% in excess of the required parking to receive a waiver from the Planning Commission.
- Require a minimum of 50% of required bike parking be covered.

- **Electric Vehicles:**

- Require a mix of EV-Capable, EV-Ready, and EV-Installed spaces.
- Provide specific requirements for ratios of EV spaces to be provided based on use of the site.

- Allow a Level-3 charger to be installed as a substitute for 5 required Level-2 chargers.
- **Ground Coverage Requirements:**
 - Allow permeable pavers to count only partially against ground coverage.
 - Allow for a green roof to count partially against ground coverage.
- **Beekeeping**
 - Allow beekeeping as a permitted use in residential districts similar to chickens.
 - Require a license to be obtained for beekeeping similar to chickens.
 - Require minimum lot sizes and setbacks from other properties for hives.
 - Two (2) hives for properties with a lot that is not greater than eleven thousand (11,000) square feet in area.
 - Four (4) hives for properties with a lot area of greater than eleven thousand (11,000) square feet and not greater than twenty-two thousand (22,000) square feet in area.
 - Five (5) hives for properties with a lot area greater than twenty-two thousand (22,000) square feet and not greater than forty-three thousand five hundred sixty (43,560) square feet.
 - Eight (8) hives for properties with a lot area of greater than forty-three thousand five hundred sixty (43,560) square feet (one acre) in area.
 - One additional hive is allowed for each additional acre of land.
 - All hives shall be located at least six (6) feet from any property line, and where public sidewalk is present at least ten (10) feet distant from it.
 - Include additional best practices
 - A flyway barrier at least six (6) feet in height shall shield any part of a property line that is within twenty-five (25) feet of a hive.
 - A constant supply of water shall be provided for all hives.

Introduced: May 12, 2026
Public Hearing:
Adopted:
Effective:

CITY OF EAST LANSING, MICHIGAN

ORDINANCE 1575

AN ORDINANCE TO AMEND THE ZONING USE
DISTRICT MAP OF CHAPTER 50 - ZONING - OF
THE CODE OF THE CITY OF EAST LANSING

THE CITY OF EAST LANSING ORDAINS:

Section 1 of Ordinance

City of East Lansing City Code Chapter 4, *Animals* will be amended as follows:

Sec. 4-4 Keeping domestic animals and fowl; feeding stray cats; leashes for dogs

(a) Except for service animals as defined and regulated under the Americans with Disabilities Act, and except as provided in this section, no person shall keep or house any animal, bird, or reptile within the city except dogs, cats, canaries, or other animals which are commonly kept and housed inside dwellings as household pets, and in all cases with regard to dogs or cats no person or persons shall keep or house more than four dogs or four cats or a combination making a total of four of both within any dwelling within the city. No dog shall be kept, restrained, confined, or housed in the front yard unless attended by a person who is present in the front yard of any single-family or two-family residence. Horses may be kept for private use in those areas of the city zoned agricultural. No person, except for law enforcement officers acting in the course of their official duties or as otherwise authorized pursuant to a parade permit or as otherwise authorized by the city manager for horse and wagon rides, may ride or lead a horse on public property.

(b) No person shall place outdoors, or in any other place readily accessible by stray cats, more than one-half pound per day of cat food or food intended for consumption by cats.

(c) No person shall have at any time outdoors on their property or property leased by them, or in any other place readily accessible by stray cats, more than one-half pound of cat food or food intended for consumption by cats.

(d) No person owning or in control of any dog shall allow the dog to enter upon any public sidewalk, street, or any other public property unless the dog is being held by a responsible person with a physical leash that does not exceed eight feet in length.

(e) Notwithstanding subsection (a) of this section, persons may keep chickens if done so in conformity with Section 50-157 of the Zoning Ordinance, all of the following:

~~(1) Any person who keeps chickens in the city shall obtain a permit from the city prior to acquiring the chickens. Application shall be made to the city clerk with a fee as determined by council resolution.~~

~~(2) Permits expire and become invalid five years after the date of issuance. A person who wishes to continue keeping chickens shall obtain a new permit on or before the expiration date of the previous permit. Application for a new permit shall be pursuant to the procedures and requirements that are applicable at the time the person applies for a new permit.~~

~~(3) Notwithstanding the issuance of a permit by the city, private restrictions on the use of property shall remain enforceable and take precedence over a permit. Private restrictions include but are not limited to deed restrictions, condominium master deed restrictions, neighborhood association by laws, and covenant deeds. A permit issued to a person whose property is subject to private restrictions that prohibit the keeping of chickens is void. The interpretation and enforcement of the private restriction is the sole responsibility of the private parties involved.~~

~~(4) A person who keeps or houses chickens on his or her property shall comply with all of the following requirements:~~

~~a. Have been issued the permit required under subsection (1) of this section.~~

~~b. Keep no more than four chickens.~~

~~c. The principal use of the person's property is for a single-family dwelling.~~

~~d. No person shall keep any rooster.~~

~~e. No person shall slaughter any chickens.~~

~~f. The chickens shall be provided with a covered enclosure and must be kept in the covered enclosure or an adjoining fenced enclosure at all times. Fenced and covered enclosures are subject to all provisions of chapter 50 (zoning).~~

~~g. A person shall not keep chickens in any location on the property other than in the backyard as defined by the zoning code.~~

~~h. No covered enclosure or fenced enclosure shall be located closer than ten feet to any property line of an adjacent property.~~

~~i. All enclosures for the keeping of chickens shall be so constructed or repaired as to prevent rats, mice, or other rodents from being harbored~~

~~underneath, within, or within the walls of the enclosure. A covered enclosure or fenced enclosure shall not be located closer than 40 feet to any residential structure on an adjacent property.~~

~~j. All feed and other items associated with the keeping of chickens that are likely to attract or to become infested with or infected by rats, mice, or other rodents shall be protected so as to prevent rats, mice, or other rodents from gaining access to or coming into contact with them.~~

~~(5) If the above requirements are not complied with, the city may revoke any permit granted under this section and/or initiate prosecution for a civil infraction violation. Each day a violation exists shall constitute a separate offense.~~

~~(6) A person who has been issued a permit shall submit it for examination upon demand by any police officer or code enforcement officer.~~

~~(7) This section shall not regulate the keeping of chickens in those areas zoned residential agricultural district, RA, or agricultural A, where the raising of poultry is a permitted principal use when conducted in compliance with the Michigan Right to Farm Act and the Generally Accepted Agricultural and Management Practices promulgated thereunder.~~

City of East Lansing City Code Chapter 50, *Zoning*, will be amended as follows:

ARTICLE I. -IN GENERAL

...

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 at breast height (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 marijuana 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, eat, sleeping, cooking, and sanitation 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, and in 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, lodginghouses, boardinghouses, and all other dwellings similarly occupied, whether specifically enumerated herein or not.

Electric vehicles means

a fully electric automobile or hybrid gas and electric automobile

Electric Vehicle Capable (EV-C) means a parking space which has an installed electrical panel capacity with a dedicated branch circuit(s) and cable/raceway that is capped for future EV Parking Space(s). The dedicated branch circuit panel space shall be stenciled or marked legibly with the following text: Future Electric Vehicle Charging Circuit

Electric Vehicle Ready (EV-R) means a parking space which has an installed electrical panel capacity with a dedicated branch circuit(s) including conductor in a raceway or direct buried, terminated in an approved method in a junction box, for an EV Parking Space(s). The junction box shall be clearly marked and labeled with the following text: EV Ready Circuit.

Electric Vehicle Installed (EV-I) means a parking space which has an installed electrical panel capacity with a dedicated branch circuit(s) including conductor in a raceway or direct buried, and an Electric Vehicle Charging Station (EVCS) capable of providing charge energy to an EV Parking Space(s)

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.

Exterior site boundaries means the outer boundaries on one or more lots that have been identified on a plan for existing or proposed development.

Facade means the elevation or "face" of a building, from ground level to roof line.

Family means (a) one person or two related persons or two unrelated persons residing in a dwelling unit; (b) more than two persons residing in a dwelling unit who are related to each other as husband, wife, son, daughter, father, mother, brother, sister, grandfather, grandmother, grandson, granddaughter, aunt, uncle, niece, nephew, stepchildren, foster children, persons living with the dwelling unit owner under guardianship, or legally adopted children; or (c) 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. 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. 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.

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.

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.

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

modified

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. Permeable paving/pavers as defined in Sec 50-8 shall count towards ground coverage at a rate of 50% of their actual area.

Ground-mounted solar energy systems is a freestanding solar energy system that is not attached, and is separate from, any building on the parcel of land.

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.

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ARTICLE II. -ADMINISTRATION AND ENFORCEMENT

DIVISION 1. – GENERALLY

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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. Site design should consider Landmark Trees, as defined in Sec 50-840, as an important site design element and should only remove them if other alternatives are not feasible.

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 development; 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.

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ARTICLE III. - GENERAL DISTRICT REGULATIONS

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Sec. 50-157 **Bee Keeping**

No person shall keep honeybees unless they obtain a honeybee permit and comply with the following conditions:

1. The maximum number of hives permitted per property shall be as follows:

- a. Two (2) hives for properties with a lot that is not greater than eleven thousand (11,000) square feet in area.
- b. Four (4) hives for properties with a lot area of greater than eleven thousand (11,000) square feet and not greater than twenty-two thousand (22,000) square feet in area.
- c. Five (5) hives for properties with a lot area greater than twenty-two thousand (22,000) square feet and not greater than forty-three thousand five hundred sixty (43,560) square feet.
- d. Eight (8) hives for properties with a lot area of greater than forty-three thousand five

hundred sixty (43,560) square feet (one acre) in area.

e. One additional hive is allowed for each additional acre of land.

2. Each hive shall have a maximum size of twenty (20) cubic feet.

3. A flyway barrier at least six (6) feet in height shall shield any part of a property line that is within twenty-five (25) feet of a hive. Such flyway barrier must be at least four (4) feet in width. The flyway barrier shall consist of a wall, fence, dense vegetation or a combination thereof.

4. A constant supply of water shall be provided for all hives.

5. All hives shall be located at least six (6) feet from any property line, and where public sidewalk is present at least ten (10) feet distant from it.

6. The applicant shall pay the fee required by the fee resolution periodically adopted by the city council.

7. Applications for honeybee permits shall be submitted to, and permits shall be issued by, the City Clerk's Office.

8. An initial honeybee permit shall be valid indefinitely or until the property is sold or transferred to another owner, unless suspended or revoked due to noncompliance with this ordinance section.

Sec. 50-158 Keeping of fowl

(1) Any person who keeps chickens in the city shall obtain a permit from the City prior to acquiring the chickens. Application shall be made to the city clerk with a fee as determined by council resolution.

(2) Permits expire and become invalid five years after the date of issuance. A person who wishes to continue keeping chickens shall obtain a new permit on or before the expiration date of the previous permit. Application for a new permit shall be pursuant to the procedures and requirements that are applicable at the time the person applies for a new permit.

(3) Notwithstanding the issuance of a permit by the city, private restrictions on the use of property shall remain enforceable and take precedence over a permit. Private restrictions include but are not limited to deed restrictions, condominium master deed restrictions, neighborhood association by-laws, and covenant deeds. A permit issued to a person whose property is subject to private restrictions that prohibit the keeping of chickens is void. The interpretation and enforcement of the private restriction is the sole responsibility of the private parties involved.

(4) A person who keeps or houses chickens on his or her property shall comply with all of the

following requirements:

- a. Have been issued the permit required under subsection (1) of this section.
- b. Keep no more than four chickens.
- c. No person shall keep any rooster.
- d. No person shall slaughter any chickens.
- e. The chickens shall be provided with a covered enclosure and must be kept in the covered enclosure or an adjoining fenced enclosure at all times. Fenced and covered enclosures are subject to all provisions of chapter 50 (zoning).
- f. A person shall not keep chickens in any location on the property other than in the backyard as defined by the zoning code.
- g. No covered enclosure or fenced enclosure shall be located closer than ten feet to any property line of an adjacent property.
- h. All enclosures for the keeping of chickens shall be so constructed or repaired as to prevent rats, mice, or other rodents from being harbored underneath, within, or within the walls of the enclosure. A covered enclosure or fenced enclosure shall not be located closer than 40 feet to any residential structure on an adjacent property.
- i. All feed and other items associated with the keeping of chickens that are likely to attract or to become infested with or infected by rats, mice, or other rodents shall be protected so as to prevent rats, mice, or other rodents from gaining access to or coming into contact with them.

(5) If the above requirements are not complied with, the city may revoke any permit granted under this section and/or initiate prosecution for a civil infraction violation. Each day a violation exists shall constitute a separate offense.

(6) A person who has been issued a permit shall submit it for examination upon demand by any police officer or code enforcement officer.

(7) This section shall not regulate the keeping of chickens in those areas zoned residential agricultural district, RA, or agricultural-A, where the raising of poultry is a permitted principal

use when conducted in compliance with the Michigan Right to Farm Act and the Generally Accepted Agricultural and Management Practices promulgated thereunder.

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

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DIVISION 2. - RESIDENTIAL AGRICULTURAL DISTRICT, RA

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Sec. 50-222. - Permitted uses.

(1) Permitted principal uses.

- a. Foster family homes, foster family group homes, and family day care homes, subject to the requirements of Sec. 50-150(1).
- 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.
- c. Single-family dwellings.

(2) Permitted principal uses subject to an approved site plan as set forth in section 50-36 of this chapter.

- a. Commercial outdoor recreation establishment.
- b. Private or parochial schools.
- c. Public schools.
- d. Publicly owned parks and recreation areas.

(3) Permitted principal uses subject to an approved special use permit as provided for in article II, division 3 of this chapter.

- a. Child care centers, day care centers, and group day care homes, subject to the requirements of Sec. 50-150.
- b. 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.

c. Household pet daycare as defined in section 50-7 which is provided in conjunction with an owner occupied residential property.

d. Religious institutions.

e. Retail sale of related supplies and accessories in conjunction with a nursery or greenhouse, such as soil, fertilizer, mulch, ground cover materials, planters, gardening tools, and equipment.

f. Utility scale solar energy systems, subject to the regulations in section 50-155.

(4) Permitted accessory uses.

a. Class A home occupations.

b. Outdoor sheds and storage buildings.

c. Private garages, the capacity of which shall not exceed three automobiles, in conjunction with a single-family dwelling.

d. Retail sale of items grown upon the premises.

e. Roomer. 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 May 24, 1997, 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 owneroccupied 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.

f. Swimming pools, tennis courts, and other similar uses when used for noncommercial purposes.

e. Bee keeping, subject to the regulations in Section 50-157.

f. The keeping of fowl, subject to the regulations in Section 50-158

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

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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. Clustered development plan, in accordance with the provisions of division 7 of this article.
- b. Foster family homes, foster family group homes, and family day care homes, subject to the requirements of Sec. 50-150(1).
- c. Single-family dwellings.

(2) Permitted principal uses subject to an approved site plan as set forth in section 50-36 of this chapter.

- a. Private or parochial schools.
- b. Public parks.
- c. Public schools.

(3) Permitted principal uses subject to an approved special use permit as provided for in article II, division 3 of this chapter.

- a. Child care centers, day care centers, and group day care homes, subject to the requirements of Sec. 50-150(2).
- b. Religious institutions.

(4) Permitted accessory uses.

- a. Class A home occupations.
- b. Outdoor sheds and storage buildings.
- c. Private garages, the capacity of which shall not exceed three automobiles.
- d. Roomer. 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 May 24, 1997, 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 owneroccupied 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. Swimming pools, tennis courts, and other similar uses when not used for commercial purposes.
- f. [Bee keeping, subject to the regulations in Section 50-157.](#)
- g. [The keeping of fowl, subject to the regulations in Section 50-158](#)

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

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Sec. 50-262. - Permitted uses.

(1) Permitted principal uses.

- a. Clustered development plan, in accordance with the provisions of division 7 of this article.
- b. Foster family homes, foster family group homes, and family day care homes, subject to the requirements of Sec. 50-150(1).
- c. Neo-traditional neighborhood redevelopment plan, in accordance with the provisions of division 8 of this article.
- d. Single-family dwellings.

(2) Permitted principal uses subject to an approved site plan as set forth in section 50-36 of this chapter.

- a. Private or parochial schools.
- b. Public parks.
- c. Public schools.

(3) Permitted principal uses subject to an approved special use permit as provided for in article II, division 3 of this chapter.

- a. Religious institutions.
- b. Child care centers, day care centers, and group day care homes, subject to the requirements of Sec. 50-150(2).

(4) Permitted accessory uses.

- a. Class A home occupations.
- b. Outdoor sheds and storage buildings.
- c. Private garages, the capacity of which shall not exceed three automobiles.
- d. Roomer. 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 May 24, 1997, 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 owneroccupied 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. Swimming pools, tennis courts, and other similar uses when not used for commercial purposes.

f. Bee keeping, subject to the regulations in Section 50-157.

g. The keeping of fowl, subject to the regulations in Section 50-158

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

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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. Foster family homes, foster family group homes, and family day care homes, subject to the requirements of Sec. 50-150(1).
- b. Neo-traditional neighborhood redevelopment plan in accordance with the provisions of division 8 of this article.
- c. Single-family dwellings.
- d. Two-family dwellings.

(2) Permitted principal uses subject to an approved site plan as set forth in section 50-36 of this chapter.

- a. Private or parochial schools.
- b. Public parks.
- c. Public schools.

(3) Permitted principal uses subject to an approved special use permit as provided for in article II, division 3 of this chapter.

- a. Child care centers, day care centers, and group day care homes, subject to the requirements of Sec. 50-150(2).
- b. Religious institutions.

(4) Permitted accessory uses.

- a. Class A home occupations.
- b. Private garages, the capacity of which shall not exceed four automobiles.
- c. Outdoor sheds and storage buildings.
- d. Roomer in Single-Family Dwelling. The keeping of not more than one roomer by an owner residing in a single-family dwelling.
- e. Roomer in Two-Family Dwelling. 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. Swimming pools, tennis courts, and other similar uses when used for noncommercial purposes.

g. Bee keeping, subject to the regulations in Section 50-157.

h. The keeping of fowl, subject to the regulations in Section 50-158

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ARTICLE VIII. - OFF-STREET PARKING REQUIREMENTS

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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.
	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

			3.5 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 3.5 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 section 50-148).
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.

Use	Minimum Parking Ratio	Required EV Spaces
(1) Residential		
Single- and two-family structures	2 spaces per dwelling unit	100% EV-R for new buildings

<u>Multiple-family Structures</u>			-
-	<u>Class A Units</u>	<u>One (1) space per each efficiency. One and a half (1.5) spaces per 1 bedroom dwelling unit. Two (2) spaces per each unit with 2 or more bedrooms</u>	<u>65% EV-C Plus 25% EV-R Plus 10% EV-I</u>
-	<u>Class B Units</u>	<u>0.5 space per person</u>	<u>65% EV-C Plus 25% EV-R Plus 10% EV-I</u>
<u>(2) Nonresidential</u>			
<u>Elementary School/ Middle School</u>		<u>1 per classroom plus 4</u>	<u>25% EV-C plus 15% EV-R plus 10% EV-I</u>
<u>High School</u>		<u>5 per classroom</u>	<u>25% EV-C plus 15% EV-R plus 10% EV-I</u>
<u>Library</u>		<u>1 per 300 square feet of floor area</u>	<u>15% EV-C plus 10% EV-R plus 10% EV-I</u>
<u>Religious Assembly</u>		<u>1 per 6 seats in reading rooms or main assembly room</u>	<u>10% EV-R plus 10% EV-I</u>
<u>Hospital, extended care facility</u>		<u>1 per 2 beds or 2 residents.</u>	<u>25% EV-C plus 15% EV-R plus 10% EV-I</u>
<u>Funeral home</u>		<u>1 per 100 square feet of Floor Area used for viewing or services</u>	<u>None</u>
<u>Museum/art gallery</u>		<u>1 per 300 square feet of Floor Area</u>	<u>15% EV-C plus 10% EV-R plus 10% EV-I</u>
<u>Medical or dental office or clinic (no overnight facilities)</u>		<u>1 per examination room plus 1 per 100 square feet of patient waiting room.</u>	<u>15% EV-C plus 10% EV-R plus 10% EV-I</u>
<u>General business or professional office (excluding medical/dental office); financial institution</u>		<u>1 per 300 square feet net floor area.</u>	<u>25% EV-C plus 15% EV-R plus 10% EV-I</u>
<u>Private club or lodge, community center</u>		<u>1 per 100 square feet in main meeting or club room</u>	<u>15% EV-C plus 10% EV-R plus 10% EV-I</u>
<u>Automotive service center</u>		<u>1 per 200 square feet of Floor Area</u>	<u>10% EV-R plus 10% EV-I</u>
<u>Motor vehicle sales</u>		<u>1 per 300 square feet of Floor Area</u>	<u>15% EV-C plus 10% EV-R plus 10% EV-I</u>
<u>Theater, auditorium</u>		<u>1 per 4 seats.</u>	<u>25% EV-C plus 15% EV-R plus 10% EV-I</u>
<u>Bowling alley</u>		<u>5 per lane</u>	<u>15% EV-C plus 10% EV-R plus 10% EV-I</u>
<u>Regional or community shopping center</u>		<u>1 per 300 square feet of Floor Area</u>	<u>10% EV-R plus 10% EV-I</u>
<u>Hotel or motel (excluding restaurant)</u>		<u>1 per lodging or dwelling unit plus 1 per 100 square feet of</u>	<u>25% EC-C plus 50% EV-R plus 25% EV-I</u>

	<u>meeting and banquet rooms</u>	
<u>Restaurant</u>	<u>1 space for each 100 sq. ft. of Floor Area</u>	<u>15% EV-C plus 10% EV-R plus 10% EV-I</u>
<u>Childcare facility</u>	<u>1 per employee plus 1 per each 10 children.</u>	<u>15% EV-C plus 10% EV-R plus 10% EV-I</u>
<u>Other nonresidential uses:</u>	<u>1 per 300 square feet gross floor area.</u>	<u>10% EV-R plus 10% EV-I</u>
<u>Carwash, drive-through auto service</u>	<u>1 per service bay or 1 per employee</u>	<u>10% EV-R plus 10% EV-I</u>
<u>Essential services</u>	<u>Determined by planning commission (see section 50-148).</u>	<u>Determined by planning commission (see section 50-148).</u>
<u>Commercial recreation uses:</u>		-
-	<u>Softball, baseball, soccer fields; skating rinks; swimming pools</u>	<u>25 spaces per field, rink or pool.</u>
		<u>15% EV-C plus 10% EV-R plus 10% EV-I</u>
-	<u>Tennis, pickleball, racquet or handball courts</u>	<u>4 spaces per court.</u>
		<u>15% EV-C plus 10% EV-R plus 10% EV-I</u>
-	<u>Golf courses</u>	<u>6 spaces per hole.</u>
		<u>15% EV-C plus 10% EV-R plus 10% EV-I</u>
-	<u>Golf, firearm or archery ranges</u>	<u>1 space per tee or target.</u>
		<u>15% EV-C plus 10% EV-R plus 10% EV-I</u>
-	<u>Health and fitness centers; gymnasiums</u>	<u>1 space per 200 gross square feet</u>
		<u>15% EV-C plus 10% EV-R plus 10% EV-I</u>
<u>College, university, business or trade school or similar education or training facilities</u>	<u>5 spaces per classroom</u>	<u>25% EV-C plus 15% EV-R plus 10% EV-I</u>

(3) Parking Reductions. The Zoning Administrator may grant a reduction of up to 25% of the required number of parking spaces. The Planning Commission may grant a reduction of the required number of parking spaces by over 25%. The reductions shall be based upon one or more of the following:

(a) Owner shall provide documentation such as a parking study or traffic count taken from developments of a similar size and use which demonstrates that the amount of parking provided will be sufficient to accommodate the needs of the proposed use(s) during peak demand. This shall include delivery needs, the number of employees in the largest shift, the number of residential units by bedroom count, and a projection of the maximum number of visitors to the site during its most active time. The City may require

the owner to submit a plan for providing additional parking, up to the required amount if the actual parking needed exceeds the parking provided.

(b) Owner demonstrates that there is available shared parking available, either in a municipal lot, parking structure, or shared with another property. For shared use of a private lot, the owner shall demonstrate that there will be sufficient parking available for all users during the time of peak shared demand.

(c) Owner provides incentives for employees to use public transit, bicycle or live within walking distance of the use. In such case the applicant shall provide information on the program that demonstrates effectiveness to the city. This could include priority on-site bicycle parking, stipends for use of transit, employee reward programs for non-single occupant vehicle commutes or similar incentives. The accepted parking reduction program would be a condition of zoning approval.

(d) The amount of required parking may be reduced if a shared car or program is provided. The amount of the reduction shall be determined by the Zoning Administrator, with input from the Director of Public Works, in consideration of the number of shared vehicles provided and the level of availability.

(e) The Planning Commission may permit a reduction for shared parking between two or more uses where the applicant can document that the amount of parking provided will meet the peak needs of the uses collectively.

(43) 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 shall not exceed an excess of 10% of 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. However, at 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 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.~~

(54) 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.

(65) 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.

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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 ~~bedroom 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.

d. A minimum of 50% of required bicycle storage spaces must be covered spaces. These spaces may either be located outdoors, covered by a canopy or overhang with a minimum clearance of 7 feet, or provided indoors.

(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.~~

Sec. 50-821. - Electric vehicle charging stations.

~~(1) 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. All residential, mixed-use, or non-residential properties shall provide Electric Vehicle Capable (EV-C), Electric Vehicle Ready (EV-R), and Electric Vehicle Installed (EV-I) at the ratios required by Section 50-812. These spaces shall be provided as a percentage of proposed total parking spaces to be provided. These chargers shall be a level 2 or better charging station installed in the parking lot. One (1) level 3 charger may be installed as a substitute for five (5) required level 2 chargers. 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 in operational condition at all times.~~

(2) 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.

(3) 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.

(4) 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.

(5) 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.

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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 ~~deciduous, ornamental, or evergreen-shade~~ tree of a minimum 3½-inch caliper and 4 shrubs of a minimum of two feet in height shall be planted for each 40 linear feet of side or rear yard.
7. At least one ~~deciduous or ornamental 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 consistent with the City of East Lansing Tree Manual. Other materials shall be approved by the planning and zoning administrator.

17. Proposed plant material should consist of no more than 10% of one species, 20% of one genus, 30% of one family to promote a diverse urban canopy.

(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 permits will not be issued~~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.~~

5. All landscaping materials planted per the approved site plan shall have a two (2) -year warranty following the issuance of the final certificate of occupancy. At the completion of this two-year period, the landscaping materials must be found to be in healthy condition in order for the bond to be released.

(4) Tree Replacement Standards. The standards below are intended to encourage the preservation of existing mature, healthy trees on private property which contribute to the character, welfare, and quality of life. The purpose of this division is to provide for the protection, preservation, and use of trees, shrubs, forest resources, and other forms of existing vegetation and to minimize adverse impacts and loss of resource value in the removal of vegetation and alteration of existing topography.

(a) These standards shall apply to any site subject to site plan approval. A tree removal/land clearing permit shall be obtained from the city engineer prior to removal in accordance with Section 48-94.

(b) For each tree permitted to be removed:

1. Trees with a Diameter at Breast Height (D.B.H) of less than 20-inches must be replaced on a 1:1 ratio (one tree replaced for each tree removed). Replacement trees must be a minimum of three (3) inches D.B.H at the time of planting.

2. The removal of landmark or significant trees (20-inch D.B.H. or greater) must be mitigated by planting three (3) replacement trees with a minimum D.B.H. of 3 inches, unless otherwise approved by the Planning Commission. Landmark trees are defined as follows:

<u>Landmark Tree List</u>		
<u>Common Name</u>	<u>Scientific Name</u>	<u>DBH</u>
<u>Ash</u>	<u>Fraxinus spp. (no cultivars)</u>	<u>18"</u>
<u>Basswood</u>	<u>Tilia spp.</u>	<u>18"</u>
<u>Beech</u>	<u>Fagust spp.</u>	<u>18"</u>
<u>Buckeye (Horsechestnut)</u>	<u>Aesculus spp.</u>	<u>18"</u>
<u>Cherry, Black</u>	<u>Prunus serotina</u>	<u>18"</u>
<u>Elm</u>	<u>Ulmus spp. (except pumila)</u>	<u>18"</u>
<u>Fir</u>	<u>Abies spp.</u>	<u>18"</u>
<u>Fir, Douglas</u>	<u>Pseudotsuga menziesii</u>	<u>18"</u>
<u>Kentucky Coffeetree</u>	<u>Gynocladus dioicus</u>	<u>18"</u>
<u>Maple, Silver</u>	<u>Acer saccharinum</u>	<u>18"</u>
<u>Pine</u>	<u>Pinus spp.</u>	<u>18"</u>

<u>Spruce</u>	<u>Picea spp.</u>	<u>18"</u>
<u>Sycamore; London Plane</u>	<u>Platanus spp.</u>	<u>18"</u>
<u>Tuliptree</u>	<u>Liriodendron tulipifera</u>	<u>18"</u>
<u>Walnut, Black</u>	<u>Juglans nigra</u>	<u>18"</u>
<u>Hickory</u>	<u>Carya spp.</u>	<u>16"</u>
<u>Honeylocust</u>	<u>Gleditsia triacanthos</u>	<u>16"</u>
<u>Maple</u>	<u>Acer spp. (unless otherwise noted)</u>	<u>16"</u>
<u>Oak</u>	<u>Quercus spp.</u>	<u>16"</u>
<u>Arborvitae</u>	<u>Thuja occidentalis</u>	<u>12"</u>
<u>Bald Cypress</u>	<u>Taxodium distichum</u>	<u>12"</u>
<u>Birch</u>	<u>Betula spp.</u>	<u>12"</u>
<u>Black Tupelo</u>	<u>Nyssa sylvatica</u>	<u>12"</u>
<u>Cherry, Flowering</u>	<u>Prunus spp.</u>	<u>12"</u>
<u>Crabapple (cultivar)</u>	<u>Malus spp.</u>	<u>12"</u>
<u>Dawn Redwood</u>	<u>Metasequoia glyptostroboides</u>	<u>12"</u>
<u>Eastern Hemlock</u>	<u>Tsuga canadensis</u>	<u>12"</u>
<u>Ginkgo</u>	<u>Ginkgo biloba</u>	<u>12"</u>
<u>Hackberry</u>	<u>Celtis occidentalis</u>	<u>12"</u>
<u>Hawthorn</u>	<u>Crataegus spp.</u>	<u>12"</u>
<u>Larch/Tamarack</u>	<u>Larix spp.</u>	<u>12"</u>
<u>Pear</u>	<u>Pyrus spp.</u>	<u>12"</u>
<u>Persimmon</u>	<u>Diospyros virginiana</u>	<u>12"</u>
<u>Populus</u>	<u>Populus (except deltoides, alba)</u>	<u>12"</u>
<u>Sassafras</u>	<u>Sassafras albidum</u>	<u>12"</u>
<u>Sweetgum</u>	<u>Liquidambar styraciflua</u>	<u>12"</u>
<u>Yellowwood</u>	<u>Cladrastis lutea</u>	<u>12"</u>
<u>American Chestnut</u>	<u>Castanea dentata</u>	<u>8"</u>
<u>Butternut</u>	<u>Juglans cinera</u>	<u>8"</u>
<u>Cedar</u>	<u>Juniperus spp & upright cultivars</u>	<u>8"</u>
<u>Cedar of Lebanon</u>	<u>Cedrus spp.</u>	<u>8"</u>
<u>Eastern Redbud</u>	<u>Cercis canadensis</u>	<u>8"</u>
<u>Dogwood, Flowering</u>	<u>Cornus florida</u>	<u>8"</u>
<u>Hornbeam, Blue Beech</u>	<u>Carpinus spp.</u>	<u>8"</u>
<u>Ironwood</u>	<u>Ostrya virginiana</u>	<u>8"</u>
<u>Maple, Mountain/Striped</u>	<u>Acer spicatum/pensylvanicum</u>	<u>8"</u>
<u>Pawpaw</u>	<u>Asimina triloba</u>	<u>8"</u>

3. If on-site planting is not feasible, applicants may seek payment in lieu as

defined in Section 48-96 to support canopy coverage efforts in other areas.

4. On-site planting of replacement trees shall not contribute towards other landscaping requirements provided in Section 50-840.

(c) The following shall be exempt from the tree replacement requirements:

1. Removal of trees or shrubs as necessary to survey or maintain public streets, sidewalks and rights-of-way, public utility services and easements, and public drains and easements, accomplished by or on behalf of the city, public utility companies, the Ingham County or Clinton County Road Commission, the Ingham County or Clinton County Drain Commissioners, the Michigan Department of Transportation.

2. Ongoing cultivation activities on the premises of an established nursery or orchard.

3. A farming operation as defined by the Michigan Right to Farm Act, MCL 286.472 which has been approved by the planning and zoning administrator in accordance with the provisions of chapter 50, Zoning.

4. Removal of trees or shrubs substantially damaged by insect infestations or disease, after written verification by the city engineer

5. Removal of any noxious tree, shrub, plant, or weed which is declared a nuisance and ordered to be abated by the city engineer or city manager pursuant to chapters 48 and 26 of this Code.

6. The clearing of paths as may be nominally necessary to survey the property, subject to approval of the city engineer.

7. Trees that are considered invasive after written verification by the city engineer.

8. Trees that the City Arborist or a recognized landscape professional has determined to be unhealthy.

(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.

Section 2 of Ordinance. Repealer.

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect, and the City of East Lansing Code of Ordinances shall remain in full force and effect, amended only as specified above.

Section 3 of Ordinance. Savings.

All proceedings pending and all rights and liabilities existing, acquired, or incurred at the time this Ordinance takes effect are saved and may be consummated according to the law in force when they were commenced.

Section 4 of Ordinance. Severability.

If any section, clause, or provision of this Ordinance shall be declared to be unconstitutional, void, illegal, or ineffective by any court of competent jurisdiction, such section, clause, or provision declared to be unconstitutional, void, or illegal shall thereby cease to be a part of this Ordinance, but the remainder of this Ordinance shall stand and be in full force and effect.

Section 5 of Ordinance. Effective Date.

The provisions of this Ordinance are hereby ordered to take effect immediately upon publication.

Section 6 of Ordinance. Enactment.

This Ordinance is declared to have been enacted by the City Council of the City of East Lansing at a meeting called and held on the ____ day of _____, 2026, and ordered to be given publication in the manner prescribed by law.

Moved by Council member:
Supported by Council member:

ADOPTED:
Yeas:
Nays:
Absent:

Mayor Erik Altmann

Dated: _____, 2026

CLERKS CERTIFICATION: I hereby certify that the foregoing is a true and complete copy of an Ordinance introduced at the East Lansing City Council meeting held on Tuesday, May 12, 2026, and adopted by the East Lansing City Council at its meeting held on _____, 2026, the original of which is part of the Council's minutes.

Emily Gordon, City Clerk
City of East Lansing
Ingham and Clinton Counties, Michigan

Approved as to form:

Steven P. Joppich, Esq.
East Lansing City Attorney

DRAFT

Introduced: May 12, 2026
Public Hearing:
Adopted:
Effective:

CITY OF EAST LANSING, MICHIGAN

ORDINANCE 1575

AN ORDINANCE TO AMEND THE ZONING USE
DISTRICT MAP OF CHAPTER 50 - ZONING - OF
THE CODE OF THE CITY OF EAST LANSING

THE CITY OF EAST LANSING ORDAINS:

Section 1 of Ordinance

City of East Lansing City Code Chapter 4, *Animals* will be amended as follows:

Sec. 4-4 Keeping domestic animals and fowl; feeding stray cats; leashes for dogs

(a) Except for service animals as defined and regulated under the Americans with Disabilities Act, and except as provided in this section, no person shall keep or house any animal, bird, or reptile within the city except dogs, cats, canaries, or other animals which are commonly kept and housed inside dwellings as household pets, and in all cases with regard to dogs or cats no person or persons shall keep or house more than four dogs or four cats or a combination making a total of four of both within any dwelling within the city. No dog shall be kept, restrained, confined, or housed in the front yard unless attended by a person who is present in the front yard of any single-family or two-family residence. Horses may be kept for private use in those areas of the city zoned agricultural. No person, except for law enforcement officers acting in the course of their official duties or as otherwise authorized pursuant to a parade permit or as otherwise authorized by the city manager for horse and wagon rides, may ride or lead a horse on public property.

(b) No person shall place outdoors, or in any other place readily accessible by stray cats, more than one-half pound per day of cat food or food intended for consumption by cats.

(c) No person shall have at any time outdoors on their property or property leased by them, or in any other place readily accessible by stray cats, more than one-half pound of cat food or food intended for consumption by cats.

(d) No person owning or in control of any dog shall allow the dog to enter upon any public sidewalk, street, or any other public property unless the dog is being held by a responsible person with a physical leash that does not exceed eight feet in length.

(e) Notwithstanding subsection (a) of this section, persons may keep chickens if done so in conformity with Section 50-157 of the Zoning Ordinance.

City of East Lansing City Code Chapter 50, *Zoning*, will be amended as follows:

ARTICLE I. -IN GENERAL

...

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 at breast height (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, eat, sleeping, cooking, and sanitation 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, and in 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, lodginghouses, boardinghouses, and all other dwellings similarly occupied, whether specifically enumerated herein or not.

Electric vehicles means

a fully electric automobile or hybrid gas and electric automobile

Electric Vehicle Capable (EV-C) means a parking space which has an installed electrical panel capacity with a dedicated branch circuit(s) and cable/raceway that is capped for future EV Parking Space(s). The dedicated branch circuit panel space shall be stenciled or marked legibly with the following text: Future Electric Vehicle Charging Circuit

Electric Vehicle Ready (EV-R) means a parking space which has an installed electrical panel capacity with a dedicated branch circuit(s) including conductor in a raceway or direct buried, terminated in an approved method in a junction box, for an EV Parking Space(s). The junction box shall be clearly marked and labeled with the following text: EV Ready Circuit.

Electric Vehicle Installed (EV-I) means a parking space which has an installed electrical panel capacity with a dedicated branch circuit(s) including conductor in a raceway or direct buried, and

an Electric Vehicle Charging Station (EVCS) capable of providing charge energy to an EV Parking Space(s)

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.

Exterior site boundaries means the outer boundaries on one or more lots that have been identified on a plan for existing or proposed development.

Facade means the elevation or "face" of a building, from ground level to roof line.

Family means (a) one person or two related persons or two unrelated persons residing in a dwelling unit; (b) more than two persons residing in a dwelling unit who are related to each other as husband, wife, son, daughter, father, mother, brother, sister, grandfather, grandmother, grandson, granddaughter, aunt, uncle, niece, nephew, stepchildren, foster children, persons living with the dwelling unit owner under guardianship, or legally adopted children; or (c) 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. 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. 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.

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.

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.

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

modified

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. Permeable paving/pavers as defined in Sec 50-8 shall count towards ground coverage at a rate of 50% of their actual area.

Ground-mounted solar energy systems is a freestanding solar energy system that is not attached, and is separate from, any building on the parcel of land.

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 marijuana 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 Marijuana Facilities Act, to cultivate, dry, trim, or cure and package marijuana for sale to a processor or provisioning center.

Medical marijuana 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 Marijuana Facilities Act, to purchase marijuana from a grower and extract resin from the marijuana or create a marijuana-infused product for sale and transfer in packaged form to a provisioning center.

Medical marijuana 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 Marijuana Facilities Act to purchase marijuana from a grower or processor and sell, supply, or provide marijuana to registered qualifying patients, directly or through the patients' primary caregivers. Provisioning center includes any commercial property where marijuana is sold at retail, under the Michigan Medical Marijuana 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 marijuana registration process in accordance with the Michigan Medical Marijuana Act are not provisioning centers.

Medical marijuana 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 Marijuana Facilities Act, to receive marijuana from a marijuana facility or primary caregiver, test it for contaminants and for tetrahydrocannabinol and other cannabinoids, return the test results and the marijuana to the marijuana facility.

Medical marijuana 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 Marijuana Facilities Act, to store marijuana and transport marijuana between marijuana facilities for a fee.

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

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

Michigan Regulation and Taxation of Marijuana Act means the Michigan Regulation and Taxation of Marijuana 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.

...

ARTICLE II. -ADMINISTRATION AND ENFORCEMENT

DIVISION 1. – GENERALLY

...

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. Site design should consider Landmark Trees, as defined in Sec 50-840, as an important site design element and should only remove them if other alternatives are not feasible.

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

Setbacks from preserved wetlands and other surface water features:	Minimum distance:
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 than 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 development; 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.

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ARTICLE III. - GENERAL DISTRICT REGULATIONS

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Sec. 50-157 Bee Keeping

No person shall keep honeybees unless they obtain a honeybee permit and comply with the following conditions:

1. The maximum number of hives permitted per property shall be as follows:
 - a. Two (2) hives for properties with a lot that is not greater than eleven thousand (11,000) square feet in area.
 - b. Four (4) hives for properties with a lot area of greater than eleven thousand (11,000) square feet and not greater than twenty-two thousand (22,000) square feet in area.
 - c. Five (5) hives for properties with a lot area greater than twenty-two thousand (22,000) square feet and not greater than forty-three thousand five hundred sixty (43,560) square feet.
 - d. Eight (8) hives for properties with a lot area of greater than forty-three thousand five hundred sixty (43,560) square feet (one acre) in area.
 - e. One additional hive is allowed for each additional acre of land.
2. Each hive shall have a maximum size of twenty (20) cubic feet.
3. A flyway barrier at least six (6) feet in height shall shield any part of a property line that is within twenty-five (25) feet of a hive. Such flyway barrier must be at least four (4) feet in width. The flyway barrier shall consist of a wall, fence, dense vegetation or a combination thereof.
4. A constant supply of water shall be provided for all hives.
5. All hives shall be located at least six (6) feet from any property line, and where public sidewalk is present at least ten (10) feet distant from it.
6. The applicant shall pay the fee required by the fee resolution periodically adopted by the city council.
7. Applications for honeybee permits shall be submitted to, and permits shall be issued by, the

City Clerk's Office.

8. An initial honeybee permit shall be valid indefinitely or until the property is sold or transferred to another owner, unless suspended or revoked due to noncompliance with this ordinance section.**Sec. 50-158 Keeping of fowl**

(1) Any person who keeps chickens in the city shall obtain a permit from the City prior to acquiring the chickens. Application shall be made to the city clerk with a fee as determined by council resolution.

(2) Permits expire and become invalid five years after the date of issuance. A person who wishes to continue keeping chickens shall obtain a new permit on or before the expiration date of the previous permit. Application for a new permit shall be pursuant to the procedures and requirements that are applicable at the time the person applies for a new permit.

(3) Notwithstanding the issuance of a permit by the city, private restrictions on the use of property shall remain enforceable and take precedence over a permit. Private restrictions include but are not limited to deed restrictions, condominium master deed restrictions, neighborhood association by-laws, and covenant deeds. A permit issued to a person whose property is subject to private restrictions that prohibit the keeping of chickens is void. The interpretation and enforcement of the private restriction is the sole responsibility of the private parties involved.

(4) A person who keeps or houses chickens on his or her property shall comply with all of the following requirements:

- a. Have been issued the permit required under subsection (1) of this section.
- b. Keep no more than four chickens.
- c. No person shall keep any rooster.
- d. No person shall slaughter any chickens.
- e. The chickens shall be provided with a covered enclosure and must be kept in the covered enclosure or an adjoining fenced enclosure at all times. Fenced and covered enclosures are subject to all provisions of [chapter 50](#) (zoning).
- f. A person shall not keep chickens in any location on the property other than in the backyard as defined by the zoning code.

g. No covered enclosure or fenced enclosure shall be located closer than ten feet to any property line of an adjacent property.

h. All enclosures for the keeping of chickens shall be so constructed or repaired as to prevent rats, mice, or other rodents from being harbored underneath, within, or within the walls of the enclosure. A covered enclosure or fenced enclosure shall not be located closer than 40 feet to any residential structure on an adjacent property.

i. All feed and other items associated with the keeping of chickens that are likely to attract or to become infested with or infected by rats, mice, or other rodents shall be protected so as to prevent rats, mice, or other rodents from gaining access to or coming into contact with them.

(5) If the above requirements are not complied with, the city may revoke any permit granted under this section and/or initiate prosecution for a civil infraction violation. Each day a violation exists shall constitute a separate offense.

(6) A person who has been issued a permit shall submit it for examination upon demand by any police officer or code enforcement officer.

(7) This section shall not regulate the keeping of chickens in those areas zoned residential agricultural district, RA, or agricultural-A, where the raising of poultry is a permitted principal use when conducted in compliance with the Michigan Right to Farm Act and the Generally Accepted Agricultural and Management Practices promulgated thereunder.

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

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DIVISION 2. - RESIDENTIAL AGRICULTURAL DISTRICT, RA

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Sec. 50-222. - Permitted uses.

(1) Permitted principal uses.

a. Foster family homes, foster family group homes, and family day care homes, subject to

the requirements of Sec. 50-150(1).

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.

c. Single-family dwellings.

(2) Permitted principal uses subject to an approved site plan as set forth in section 50-36 of this chapter.

a. Commercial outdoor recreation establishment.

b. Private or parochial schools.

c. Public schools.

d. Publicly owned parks and recreation areas.

(3) Permitted principal uses subject to an approved special use permit as provided for in article II, division 3 of this chapter.

a. Child care centers, day care centers, and group day care homes, subject to the requirements of Sec. 50-150.

b. 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.

c. Household pet daycare as defined in section 50-7 which is provided in conjunction with an owner occupied residential property.

d. Religious institutions.

e. Retail sale of related supplies and accessories in conjunction with a nursery or greenhouse, such as soil, fertilizer, mulch, ground cover materials, planters, gardening tools, and equipment.

f. Utility scale solar energy systems, subject to the regulations in section 50-155.

(4) Permitted accessory uses.

a. Class A home occupations.

b. Outdoor sheds and storage buildings.

c. Private garages, the capacity of which shall not exceed three automobiles, in conjunction with a single-family dwelling.

d. Retail sale of items grown upon the premises.

e. Roomer. 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 May 24, 1997, 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 owneroccupied 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.

f. Swimming pools, tennis courts, and other similar uses when used for noncommercial purposes.

e. Bee keeping, subject to the regulations in Section 50-157.

f. The keeping of fowl, subject to the regulations in Section 50-158

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

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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. Clustered development plan, in accordance with the provisions of division 7 of this article.

b. Foster family homes, foster family group homes, and family day care homes, subject to the requirements of Sec. 50-150(1).

c. Single-family dwellings.

(2) Permitted principal uses subject to an approved site plan as set forth in section 50-36 of this chapter.

a. Private or parochial schools.

b. Public parks.

c. Public schools.

(3) Permitted principal uses subject to an approved special use permit as provided for in article II, division 3 of this chapter.

a. Child care centers, day care centers, and group day care homes, subject to the requirements of Sec. 50-150(2).

b. Religious institutions.

(4) Permitted accessory uses.

a. Class A home occupations.

b. Outdoor sheds and storage buildings.

c. Private garages, the capacity of which shall not exceed three automobiles.

d. Roomer. 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 May 24, 1997, 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 owneroccupied 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. Swimming pools, tennis courts, and other similar uses when not used for commercial purposes.

f. Bee keeping, subject to the regulations in Section 50-157.

g. The keeping of fowl, subject to the regulations in Section 50-158

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

...

Sec. 50-262. - Permitted uses.

(1) Permitted principal uses.

a. Clustered development plan, in accordance with the provisions of division 7 of this article.

b. Foster family homes, foster family group homes, and family day care homes, subject to the requirements of Sec. 50-150(1).

c. Neo-traditional neighborhood redevelopment plan, in accordance with the provisions of division 8 of this article.

d. Single-family dwellings.

(2) Permitted principal uses subject to an approved site plan as set forth in section 50-36 of this chapter.

a. Private or parochial schools.

b. Public parks.

c. Public schools.

(3) Permitted principal uses subject to an approved special use permit as provided for in article II, division 3 of this chapter.

- a. Religious institutions.
- b. Child care centers, day care centers, and group day care homes, subject to the requirements of Sec. 50-150(2).

(4) Permitted accessory uses.

- a. Class A home occupations.
- b. Outdoor sheds and storage buildings.
- c. Private garages, the capacity of which shall not exceed three automobiles.
- d. Roomer. 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 May 24, 1997, 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 owneroccupied 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. Swimming pools, tennis courts, and other similar uses when not used for commercial purposes.
- f. Bee keeping, subject to the regulations in Section 50-157.
- g. The keeping of fowl, subject to the regulations in Section 50-158

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

...

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. Foster family homes, foster family group homes, and family day care homes, subject to the requirements of Sec. 50-150(1).
- b. Neo-traditional neighborhood redevelopment plan in accordance with the provisions of division 8 of this article.
- c. Single-family dwellings.

d. Two-family dwellings.

(2) Permitted principal uses subject to an approved site plan as set forth in section 50-36 of this chapter.

a. Private or parochial schools.

b. Public parks.

c. Public schools.

(3) Permitted principal uses subject to an approved special use permit as provided for in article II, division 3 of this chapter.

a. Child care centers, day care centers, and group day care homes, subject to the requirements of Sec. 50-150(2).

b. Religious institutions.

(4) Permitted accessory uses.

a. Class A home occupations.

b. Private garages, the capacity of which shall not exceed four automobiles.

c. Outdoor sheds and storage buildings.

d. Roomer in Single-Family Dwelling. The keeping of not more than one roomer by an owner residing in a single-family dwelling.

e. Roomer in Two-Family Dwelling. 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. Swimming pools, tennis courts, and other similar uses when used for noncommercial purposes.

g. Bee keeping, subject to the regulations in Section 50-157.

h. The keeping of fowl, subject to the regulations in Section 50-158

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ARTICLE VIII. - OFF-STREET PARKING REQUIREMENTS

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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.

Use	Minimum Parking Ratio	Required EV Spaces
(1) Residential		
Single- and two-family structures	2 spaces per dwelling unit	100% EV-R for new buildings
Multiple-family Structures		
	Class A Units	One (1) space per each efficiency. One and a half (1.5) spaces per 1 bedroom dwelling unit. Two (2) spaces per each unit with 2 or more bedrooms
	Class B Units	0.5 space per person
(2) Nonresidential		
Elementary School/ Middle School	1 per classroom plus 4	25% EV-C plus 15% EV-R plus 10% EV-I
High School	5 per classroom	25% EV-C plus 15% EV-R plus 10% EV-I
Library	1 per 300 square feet of floor area	15% EV-C plus 10% EV-R plus 10% EV-I
Religious Assembly	1 per 6 seats in reading rooms or main assembly room	10% EV-R plus 10% EV-I
Hospital, extended care facility	1 per 2 beds or 2 residents.	25% EV-C plus 15% EV-R plus 10% EV-I
Funeral home	1 per 100 square feet of Floor Area used for viewing or services	None

Museum/art gallery	1 per 300 square feet of Floor Area	15% EV-C plus 10% EV-R plus 10% EV-I
Medical or dental office or clinic (no overnight facilities)	1 per examination room plus 1 per 100 square feet of patient waiting room.	15% EV-C plus 10% EV-R plus 10% EV-I
General business or professional office (excluding medical/dental office); financial institution	1 per 300 square feet net floor area.	25% EV-C plus 15% EV-R plus 10% EV-I
Private club or lodge, community center	1 per 100 square feet in main meeting or club room	15% EV-C plus 10% EV-R plus 10% EV-I
Automotive service center	1 per 200 square feet of Floor Area	10% EV-R plus 10% EV-I
Motor vehicle sales	1 per 300 square feet of Floor Area	15% EV-C plus 10% EV-R plus 10% EV-I
Theater, auditorium	1 per 4 seats.	25% EV-C plus 15% EV-R plus 10% EV-I
Bowling alley	5 per lane	15% EV-C plus 10% EV-R plus 10% EV-I
Regional or community shopping center	1 per 300 square feet of Floor Area	10% EV-R plus 10% EV-I
Hotel or motel (excluding restaurant)	1 per lodging or dwelling unit plus 1 per 100 square feet of meeting and banquet rooms	25% EC-C plus 50% EV-R plus 25% EV-I
Restaurant	1 space for each 100 sq. ft. of Floor Area	15% EV-C plus 10% EV-R plus 10% EV-I
Childcare facility	1 per employee plus 1 per each 10 children.	15% EV-C plus 10% EV-R plus 10% EV-I
Other nonresidential uses:	1 per 300 square feet gross floor area.	10% EV-R plus 10% EV-I
Carwash, drive-through auto service	1 per service bay or 1 per employee	10% EV-R plus 10% EV-I
Essential services	Determined by planning commission (see section 50-148).	Determined by planning commission (see section 50-148).
Commercial recreation uses:		
	Softball, baseball, soccer fields; skating rinks; swimming pools	25 spaces per field, rink or pool. 15% EV-C plus 10% EV-R plus 10% EV-I
	Tennis, pickleball, racquet or handball courts	4 spaces per court. 15% EV-C plus 10% EV-R plus 10% EV-I
	Golf courses	6 spaces per hole. 15% EV-C plus 10% EV-R plus 10% EV-I

	Golf, firearm or archery ranges	1 space per tee or target.	15% EV-C plus 10% EV-R plus 10% EV-I
	Health and fitness centers; gymnasiums	1 space per 200 gross square feet	15% EV-C plus 10% EV-R plus 10% EV-I
College, university, business or trade school or similar education or training facilities		5 spaces per classroom	25% EV-C plus 15% EV-R plus 10% EV-I

(3) Parking Reductions. The Zoning Administrator may grant a reduction of up to 25% of the required number of parking spaces. The Planning Commission may grant a reduction of the required number of parking spaces by over 25%. The reductions shall be based upon one or more of the following:

(a) Owner shall provide documentation such as a parking study or traffic count taken from developments of a similar size and use which demonstrates that the amount of parking provided will be sufficient to accommodate the needs of the proposed use(s) during peak demand. This shall include delivery needs, the number of employees in the largest shift, the number of residential units by bedroom count, and a projection of the maximum number of visitors to the site during its most active time. The City may require the owner to submit a plan for providing additional parking, up to the required amount if the actual parking needed exceeds the parking provided.

(b) Owner demonstrates that there is available shared parking available, either in a municipal lot, parking structure, or shared with another property. For shared use of a private lot, the owner shall demonstrate that there will be sufficient parking available for all users during the time of peak shared demand.

(c) Owner provides incentives for employees to use public transit, bicycle or live within walking distance of the use. In such case the applicant shall provide information on the program that demonstrates effectiveness to the city. This could include priority on-site bicycle parking, stipends for use of transit, employee reward programs for non-single occupant vehicle commutes or similar incentives. The accepted parking reduction program would be a condition of zoning approval.

(d) The amount of required parking may be reduced if a shared car or program is provided. The amount of the reduction shall be determined by the Zoning Administrator, with input from the Director of Public Works, in consideration of the number of shared vehicles provided and the level of availability.

(e) The Planning Commission may permit a reduction for shared parking between two or

more uses where the applicant can document that the amount of parking provided will meet the peak needs of the uses collectively.

(4) 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 shall not exceed an excess of 10% of the minimum parking requirement determined from [50-812](#) of this chapter. However, at 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 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.

(5) 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.

(6) 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.

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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 bedroom 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.

d. A minimum of 50% of required bicycle storage spaces must be covered spaces. These spaces may either be located outdoors, covered by a canopy or overhang with a minimum clearance of 7 feet, or provided indoors.

(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.

Sec. 50-821. - Electric vehicle charging stations.

(1). All residential, mixed-use, or non-residential properties shall provide Electric Vehicle Capable (EV-C), Electric Vehicle Ready (EV-R), and Electric Vehicle Installed (EV-I) at the ratios required by Section 50-812. These spaces shall be provided as a percentage of proposed total parking spaces to be provided. These chargers shall be a level 2 or better charging station installed in the parking lot. One (1) level 3 charger may be installed as a substitute for five (5) required level 2 chargers. 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. All chargers required by this provision shall be maintained in operational condition at all times.

(2) 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.

(3) 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.

(4) 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.

(5) 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.

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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 deciduous, ornamental, or evergreen tree of a minimum 3½-inch caliper and 4 shrubs of a minimum of two feet in height shall be planted for each 40 linear feet of side or rear yard.
7. At least one deciduous or ornamental 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 consistent with the City of East Lansing Tree Manual. Other materials shall be approved by the planning and zoning administrator.

17. Proposed plant material should consist of no more than 10% of one species, 20% of one genus, 30% of one family to promote a diverse urban canopy.

(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 permits will not be issued until the bond is submitted.

4. The landscape installation must be complete in order to receive a final certificate of occupancy.

5. All landscaping materials planted per the approved site plan shall have a two (2) -year warranty following the issuance of the final certificate of occupancy. At the completion of this two-year period, the landscaping materials must be found to be in healthy condition in order for the bond to be released.

(4) *Tree Replacement Standards.* The standards below are intended to encourage the preservation of existing mature, healthy trees on private property which contribute to the character, welfare, and quality of life. The purpose of this division is to provide for the protection, preservation, and use of trees, shrubs, forest resources, and other forms of existing vegetation and to minimize adverse impacts and loss of resource value in the removal of vegetation and alteration of existing topography.

(a) These standards shall apply to any site subject to site plan approval. A tree removal/land clearing permit shall be obtained from the city engineer prior to removal in accordance with Section 48-94.

(b) For each tree permitted to be removed:

1. Trees with a Diameter at Breast Height (D.B.H) of less than 20-inches must be replaced on a **1:1** ratio (one tree replaced for each tree removed).

Replacement trees must be a minimum of three (3) inches D.B.H at the time of planting.

2. The removal of landmark or significant trees (20-inch D.B.H. or greater) must be mitigated by planting three (3) replacement trees with a minimum D.B.H. of 3 inches, unless otherwise approved by the Planning Commission. Landmark trees are defined as follows:

Landmark Tree List		
Common Name	Scientific Name	DBH
Ash	Fraxinus spp. (no cultivars)	18"
Basswood	Tilia spp.	18"
Beech	Fagust spp.	18"
Buckeye (Horsechestnut)	Aesculus spp.	18"
Cherry, Black	Prunus serotina	18"
Elm	Ulmus spp. (except pumila)	18"
Fir	Abies spp.	18"

Fir, Douglas	<i>Pseudotsuga menziesii</i>	18"
Kentucky Coffeetree	<i>Gynocladus dioicus</i>	18"
Maple, Silver	<i>Acer saccharinum</i>	18"
Pine	<i>Pinus</i> spp.	18"
Spruce	<i>Picea</i> spp.	18"
Sycamore; London Plane	<i>Platanus</i> spp.	18"
Tuliptree	<i>Liriodendron tulipifera</i>	18"
Walnut, Black	<i>Juglans nigra</i>	18"
Hickory	<i>Carya</i> spp.	16"
Honeylocust	<i>Gleditsia triacanthos</i>	16"
Maple	<i>Acer</i> spp. (unless otherwise noted)	16"
Oak	<i>Quercus</i> spp.	16"
Arborvitae	<i>Thuja occidentalis</i>	12"
Bald Cypress	<i>Taxodium distichum</i>	12"
Birch	<i>Betula</i> spp.	12"
Black Tupelo	<i>Nyssa sylvatica</i>	12"
Cherry, Flowering	<i>Prunus</i> spp.	12"
Crabapple (cultivar)	<i>Malus</i> spp.	12"
Dawn Redwood	<i>Metasequoia glyptostroboides</i>	12"
Eastern Hemlock	<i>Tsuga canadensis</i>	12"
Ginkgo	<i>Ginkgo biloba</i>	12"
Hackberry	<i>Celtis occidentalis</i>	12"
Hawthorn	<i>Crataegus</i> spp.	12"
Larch/Tamarack	<i>Larix</i> spp.	12"
Pear	<i>Pyrus</i> spp.	12"
Persimmon	<i>Diospyros virginiana</i>	12"
Populus	<i>Populus</i> (except <i>deltoides</i> , <i>alba</i>)	12"
Sassafras	<i>Sassafras albidum</i>	12"
Sweetgum	<i>Liquidambar styraciflua</i>	12"
Yellowwood	<i>Cladrastis lutea</i>	12"
American Chestnut	<i>Castanea dentata</i>	8"
Butternut	<i>Juglans cinera</i>	8"
Cedar	<i>Juniperus</i> spp & upright cultivars	8"
Cedar of Lebanon	<i>Cedrus</i> spp.	8"
Eastern Redbud	<i>Cercis canadensis</i>	8"
Dogwood, Flowering	<i>Cornus florida</i>	8"
Hornbeam, Blue Beech	<i>Carpinus</i> spp.	8"
Ironwood	<i>Ostrya virginiana</i>	8"
Maple, Mountain/Striped	<i>Acer spicatum/pensylvanicum</i>	8"

Pawpaw	Asimina triloba	8"
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3. If on-site planting is not feasible, applicants may seek payment in lieu as defined in Section 48-96 to support canopy coverage efforts in other areas.

4. On-site planting of replacement trees shall not contribute towards other landscaping requirements provided in Section 50-840.

(c) The following shall be exempt from the tree replacement requirements:

1. Removal of trees or shrubs as necessary to survey or maintain public streets, sidewalks and rights-of-way, public utility services and easements, and public drains and easements, accomplished by or on behalf of the city, public utility companies, the Ingham County or Clinton County Road Commission, the Ingham County or Clinton County Drain Commissioners, the Michigan Department of Transportation.

2. Ongoing cultivation activities on the premises of an established nursery or orchard.

3. A farming operation as defined by the Michigan Right to Farm Act, MCL 286.472 which has been approved by the planning and zoning administrator in accordance with the provisions of [chapter 50](#), Zoning.

4. Removal of trees or shrubs substantially damaged by insect infestations or disease, after written verification by the city engineer

5. Removal of any noxious tree, shrub, plant, or weed which is declared a nuisance and ordered to be abated by the city engineer or city manager pursuant to chapters 48 and 26 of this Code.

6. The clearing of paths as may be nominally necessary to survey the property, subject to approval of the city engineer.

7. Trees that are considered invasive after written verification by the city engineer.

8. Trees that the City Arborist or a recognized landscape professional has determined to be unhealthy.

(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.

Section 2 of Ordinance. Repealer.

All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed only to the extent necessary to give this Ordinance full force and effect, and the City of East Lansing Code of Ordinances shall remain in full force and effect, amended only as specified above.

Section 3 of Ordinance. Savings.

All proceedings pending and all rights and liabilities existing, acquired, or incurred at the time this Ordinance takes effect are saved and may be consummated according to the law in force when they were commenced.

Section 4 of Ordinance. Severability.

If any section, clause, or provision of this Ordinance shall be declared to be unconstitutional, void, illegal, or ineffective by any court of competent jurisdiction, such section, clause, or provision declared to be unconstitutional, void, or illegal shall thereby cease to be a part of this Ordinance, but the remainder of this Ordinance shall stand and be in full force and effect.

Section 5 of Ordinance. Effective Date.

The provisions of this Ordinance are hereby ordered to take effect immediately upon publication.

Section 6 of Ordinance. Enactment.

This Ordinance is declared to have been enacted by the City Council of the City of East Lansing at a meeting called and held on the ____ day of _____, 2026, and ordered to be given publication in the manner prescribed by law.

Moved by Council member:
Supported by Council member:

ADOPTED:
Yeas:
Nays:
Absent:

Mayor Erik Altmann

Dated: _____, 2026

CLERKS CERTIFICATION: I hereby certify that the foregoing is a true and complete copy of an Ordinance introduced at the East Lansing City Council meeting held on Tuesday, May 12, 2026, and adopted by the East Lansing City Council at its meeting held on _____, 2026, the original of which is part of the Council's minutes.

Emily Gordon, City Clerk
City of East Lansing
Ingham and Clinton Counties, Michigan

Approved as to form:

Steven P. Joppich, Esq.
East Lansing City Attorney

DRAFT



Commission on the Environment **AGENDA ITEM REPORT**

To: Commission on the Environment
Subject: Commission Goals and Committee Assignments
Meeting: Commission on the Environment - 18 May 2026
Department: Public Works
Staff Contact: Cliff Walls, Environmental Sustainability and Resiliency Manager

BACKGROUND INFORMATION:

The Commission maintains a framework of near-, medium-, and long-term priorities that guides subcommittee organization and current work. With the four newest members now oriented to the Commission's goals and working structure, this item invites the full Commission to finalize subcommittee assignments for the coming year. Members will be asked to confirm their areas of interest and reach consensus on subcommittee membership, including the potential formation of any new subcommittees where interest or need has emerged, and to flag any areas of emerging priority not captured in the original Goal Setting framework.



Commission on the Environment **AGENDA ITEM REPORT**

To: Commission on the Environment
Subject: Staff Report
Meeting: Commission on the Environment - 18 May 2026
Department: Public Works
Staff Contact: Cliff Walls, Environmental Sustainability and Resiliency Manager

BACKGROUND INFORMATION:

Sample of staff efforts/updates since our last meeting that may be of interest to the Commission:

- Published RFP for DPW Solar Array; proposals due in June with Council approval targeted for July 21, 2026
- Significant work on Wet Weather Resiliency Plan, including infrastructure project plan modification and finalization, EGLE grant extension processing, and scheduling of community focus groups for June; EastLansingFloodStudy.com virtual open house remains active
- Submitted Notice of Intent for FEMA BRIC (Building Resilient Infrastructure and Communities) grant, coordinating with vendors, internal staff, and State Police; seeking funding for two projects identified in the Wet Weather Resiliency Plan
- Presented East Lansing's wet weather resiliency work at the Ohio Stormwater Conference
- Participated in statewide MS4 Stormwater Workgroup Core Team kickoff meeting identifying shared challenges, opportunities, and permitting and funding alternatives.
- Hosted No Mow May Retirement Party at East Lansing Public Library on April 30; strong resident turnout
- Native garden and native lawn guidance documents finalized and published following Council adoption of Policy Resolution 2026-24
- Coordinated meeting with Operations, Parks, Environmental staff, and U.S. Fish and Wildlife Service to explore technical and financial assistance opportunities for native prairie restorations on public property, with goals of expanding habitat and reducing mowing routes on lesser used public parcels
- Navigated/presented wetland restoration project and associated tree removal permits through Planning Commission
- Received approvals for compost pilot project and initiated vendor on-boarding. Compost drop-off options should be in place for summer.
- Issued RFP/selected contractor/received approval for street tree planting contract.
- On-going oversight of Zone 3 block pruning activities.
- Downtown Tree Canopy Revitalization Project kickoff meeting held; ongoing coordination with Davey Resource Group and MSU underway
- Arbor Day tree planting with Green Elementary third graders/Mayor
- Onboarding of new tree inventory and urban forestry work order software

- Urban wood utilization project advancing; coordinating with Urban Ashes, vendors, and City of Lansing on Phase 3 implementation planning and establishment of regional lay-down yard
- Finalization and installation of new drop-off recycling educational signage; Q2 Recycling Infrastructure Grant reporting.
- Worked Recyclerama, held April 25 at Ingham County Health Department. Largest event yet.
- Planning meetings for regional EV charger federal highways grant project, also seeking state grant to cover EL/Lansing/Meridian match obligation. \$8M total for planning and implementation.
- Community Energy Management grant submittal for additional fleet-oriented EV chargers.
- Working with Electrification Coalition to perform municipal fleet analysis.
- Submitted Michigan Green Communities Challenge reporting
- Burcham Park Landfill regulatory coordination, including response to EGLE feedback on monitoring plan adjustments
- Installed a pilot native flower plot on DPW property to evaluate the minimum operational requirements for turf conversion to native vegetation
- Fiscal year-end budget activities and strategic priority development and reporting
- Media interviews
- Site plan reviews and permitting