


# AGENDA ITEM

TO: Tim Vandall, City Administrator  
FROM: Joshua Gentzler   
DATE: May 16, 2024  
SUBJECT: Ordinance No. 1109 – Unified Development Ordinance Amendment - Section 4.02, Table 4-1: General Development Standards

**Overview:** At the February 29<sup>th</sup> work session, Staff was tasked with reviewing the Unified Development Ordinance (UDO) to recommend revisions that would open up opportunity for development within the City. Staff reviewed the UDO and returned with the following three revisions to promote Residential and Commercial property development within the City. The first revision addresses Lansing's capacity for residential development within the City. This revision to the UDO involves amending the allowed lot sizes within the R-1 and R-2 zoning districts. The proposed Minimum Size are:

- R-1 zoning district- 6,000 s.f.; and
- R-2 zoning district- 4,000 s.f.

As a result of these changes, the minimum setback of the R-1 and R-2 districts are also adjusted to allow a building envelope that would allow construction on these lots. The changes are outlined below.

Table 4-1: General Development Standards						
ELIGIBLE ZONING DISTRICT	HEIGHT, AREA AND BULK STANDARDS					
	LOT STANDARDS			MINIMUM SETBACK		
	MIN. SIZE	MIN. WIDTH	HEIGHT	FRONT	INTERIOR SIDE	REAR
A-1	1 acre	160 ft.	2.5 stories / 35 ft.	40 ft.	16 ft.	40 ft.
R-1	<del>10,000</del> 6,000 s.f.	<del>75</del> 50 ft.	2.5 stories / 35 ft.	<del>30</del> 20 ft.	10 ft.	<del>30</del> 20 ft.
R-2	<del>6,000</del> 4,000 s.f.	<del>60</del> 40 ft.	2.5 stories / 35 ft.	<del>30</del> 15 ft.	10 ft.	<del>15</del> 30 ft.
R-3	See Article 5 development standards specific to R-3 Walkable Neighborhood District.					
R-4	10,000 s.f.	60 ft.	3 stories / 45 ft.	25 ft.	10 ft.	30 ft.
R-5	See Article 5 for development standards specific to Residential Manufactured Home Planned District.					
B-1	6,000 s.f.	50 ft.	3 stories / 45 ft.	Sec. 5.03*	0 ft. **	25 ft.
B-2	6,000 s.f.	50 ft.	3 stories / 45 ft.	Sec. 5.03*	0 ft. **	None.
B-3	10,000 s.f.	60 ft.	3 stories / 45 ft.	Sec. 5.03*	0 ft. **	20 ft.
I-1	6,000 s.f.	50 ft.	3 stories / 45 ft.	20 ft.	N/A**	25 ft.
I-2	10,000 s.f.	80 ft.	3 stories / 45 ft.	20 ft.	N/A**	N/A**
*Front setbacks for commercial districts are based on street contexts and allowed Frontage Types defined in 5.03.						
**If abutting residential district, setback shall be a minimum of 10 ft.						

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For full review, please see the attached report.

*Policy Consideration:* n/a

*Financial Consideration:* n/a

*Action:* Staff recommends a motion to adopt Ordinance No. 1109 to amend the City of Lansing Unified Development Ordinance.

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## AGENDA ITEM #

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## ORDINANCE NO. 1109

### AN ORDINANCE OF THE CITY OF LANSING, KANSAS, AMENDING THE UNIFIED DEVELOPMENT ORDINANCE, AS ADOPTED BY REFERENCE.

WHEREAS, the Planning Commission of the city of Lansing has recommended to amend the adopted Unified Development Ordinance, Section 4.02 General Development Standards, Table 4-1: General Development Standards on Page 4-2. The official Unified Development Ordinance is adopted by reference in Lansing City Code, Section 17-101; and,

WHEREAS, after proper legal publication and notice pursuant to the statutes of the State of Kansas, a public hearing was held by the Planning Commission on April 17, 2024, at 7:00 p.m. at the Lansing City Hall, Lansing, Kansas.

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF LANSING, KANSAS:

**SECTION 1.** Unified Development Ordinance, Section 4.02 General Development Standards Table 4-1: General Development Standards on Page 4-2 is hereby amended to be as follows:

**Table 4-1: General Development Standards**

ELIGIBLE ZONING DISTRICT	HEIGHT, AREA AND BULK STANDARDS					
	MIN. SIZE	LOT STANDARDS MIN. WIDTH	HEIGHT	FRONT	MINIMUM SETBACK INTERIOR SIDE	REAR
A-1	1 acre	160 ft.	2.5 stories / 35 ft.	40 ft.	16 ft.	40 ft.
R-1	6,000 s.f.	50 ft.	2.5 stories / 35 ft.	20 ft.	10 ft.	20 ft.
R-2	4,000 s.f.	40 ft.	2.5 stories / 35 ft.	15 ft.	10 ft.	15 ft.
R-3	See Article 5 development standards specific to R-3 Walkable Neighborhood District.					
R-4	10,000 s.f.	60 ft.	3 stories / 45 ft.	25 ft.	10 ft.	30 ft.
R-5	See Article 5 for development standards specific to Residential Manufactured Home Planned District.					
B-1	6,000 s.f.	50 ft.	3 stories / 45 ft.	Sec. 5.03*	0 ft. **	25 ft.
B-2	6,000 s.f.	50 ft.	3 stories / 45 ft.	Sec. 5.03*	0 ft. **	None.
B-3	10,000 s.f.	60 ft.	3 stories / 45 ft.	Sec. 5.03*	0 ft. **	20 ft.
I-1	6,000 s.f.	50 ft.	3 stories / 45 ft.	20 ft.	N/A**	25 ft.
I-2	10,000 s.f.	80 ft.	3 stories / 45 ft.	20 ft.	N/A**	N/A**

*\*Front setbacks for commercial districts are based on street contexts and allowed Frontage Types defined in 5.03. \*\*If abutting residential district, setback shall be a minimum of 10 ft.*

**SECTION 2. SEVERABILITY.** If any section, clause, sentence, or phrase of this ordinance is found to be unconstitutional or is otherwise held invalid by a court of competent jurisdiction, it shall not affect the validity of any remaining parts of this ordinance.

**SECTION 3. EFFECTIVE DATE.** This ordinance shall take effect from and after its passage, approval, and publication by summary in the official city newspaper.

**PASSED AND APPROVED** by the governing body of the city of Lansing, Kansas, this 16th day of May, 2024.

\_\_\_\_\_  
Anthony R. McNeill, Mayor

ATTEST

\_\_\_\_\_  
Tish Sims, City Clerk

(SEAL)

Publication Date: \_\_\_\_\_

Published: The Leavenworth Times

**CITY OF LANSING**  
**FORM OF SUMMARY FOR PUBLICATION OF ORDINANCE**

**Ordinance No. 1109: An Ordinance amending the Unified Development Ordinance of the City of Lansing, Kansas.**

Pursuant to the general laws of the State, a general summary of the subject matter contained in this ordinance shall be published in the official City newspaper in substantially the following form:

**Ordinance No. 1109 Summary:**

On May 16<sup>th</sup> 2024, the City of Lansing, Kansas, adopted Ordinance No. 1109, an ordinance amending the Unified Development Ordinance of the City of Lansing, Kansas, Section 4.02 General Development Standards, Table 4-1: General Development Standards on Page 4-2. A complete copy of this ordinance is available at [www.lansingks.org](http://www.lansingks.org) or at City Hall, 800 First Terrace, Lansing, KS 66043. This summary certified by Gregory C. Robinson, City Attorney.

This Summary is hereby certified to be legally accurate and sufficient pursuant to the laws of the State of Kansas.

DATED: May 16, 2024

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Gregory C. Robinson, City Attorney

## Summary

Staff was tasked with reviewing the Unified Development Ordinance (UDO) to recommend revisions that would open up opportunity for development within the City. Staff reviewed the UDO and returned with the following three revisions to promote Residential and Commercial property development within the City. The three revisions are:

- 1) Reduce the minimum lot size for the R-1 and R-2 zoning districts (**UDO Section 4.02**);
- 2) Open Accessory Dwelling Unit development (**UDO Section 4.03 & 4.04**); and
- 3) Amend the Required Parking ordinance (**UDO Section 7.03**).

The Planning Commission divided the question into three separate parts, based on the revisions as listed above.

## Community & Economic Development Comments

### Introduction

The proposals within this text amendment are written to reflect the changing nature of development across the country. The development community is faced with a challenging environment with higher interest rates, labor costs and availability, and acquisition costs for development. These amendments can enable developers to spread out the cost of developments across a broader population. In addition, these amendments certain homeowners within the City to have more control over their property through subdivision and opening the opportunity for to build accessory dwelling units (ADUs). Homeowners are currently required to receive a conditional use permit in order to build ADUs. The purpose of these amendments are to encourage more creativity through freedom to explore new housing options that support Lansing's current and future population.

### UDO Purpose

The stated purposes of Lansing's UDO are:

1. To promote the health, safety, and welfare of the City and its residents;
2. To implement the City of Lansing's Comprehensive Plan;
3. Promote planning and urban design that emphasizes distinct places and unique elements of community character documented throughout Lansing;
4. Divide the city into zones and districts that promote the character, compatibility, scale and transitions of land use patterns;
5. To conserve and protect property values throughout the City; and
6. Regulate and restrict the development and use of buildings and land within each zoning district to create a compatible scale and range of building types within districts, and to promote the appropriate relationship of development to the public realm and to adjacent property.

The purpose of the proposed amendments meets these purposes.

### Comprehensive Plan

Staff finds that numerous Comprehensive Plan goals that align with the proposed subdivision ordinance. These goals are:

- 1) Provide a range of residential facilities that includes single family dwelling and multi-family structures which accommodate a diverse community
- 2) Pursue and promote commercial services that are easily and safely accessible and attract residents and visitors to the area.
- 3) Provide a range of commercial services that satisfies the full spectrum of consumer requirements.

The following implementation strategies are also met through the text amendments proposed.

- 1) Commercial & Residential - Encourage the rezoning and redevelopment of properties to be consistent with the Future Land Use Plan and evaluated future rezoning applications for consistency with the Future Land Use Plan as well as the goals contained within this plan.
- 2) Develop neighborhood revitalization strategies that take an integrated approach to housing rehabilitation, infrastructure improvements, and community involvement.

## Summary of Changes

### Article 4. Zoning Districts & Use Standard Amendments

The R-1 and R-2 zoning districts are amended to lower the Height, Area, and Bulk standards as outlined in **Table 4-1: General Development Standards**. The Minimum Size for:

- R-1 zoning district is reduced to 6,000 s.f.; and
- R-2 zoning district is reduced to 4,000 s.f.

As a result of these changes, the minimum setback of the R-1 and R-2 districts are also adjusted to allow a building envelope that would allow construction on these lots.

## Acknowledgments

The following City of Lansing staff members reviewed this project and provided information for this report:

- Joshua Gentzler, AICP – Director, Community & Economic Development

## Recommendation

Staff recommends approval of amendments to Table 4-1: General Development Standards as outlined in Case 2024-UDO-001, Minimum Lot Size, Accessory Dwelling Units & Parking Requirements.

## Action Options

1. Approve the Code Amendment as proposed and adopt **Table 4-1** as written in Ordinance 1109 (Case 2024-UDO-001); or
2. Deny the Code Amendment to **Table 4-1** as written in Ordinance 1109 (Case 2024-UDO-001) for specified reasons with 2/3rds vote;
3. Return the proposed amendment to the Planning Commission with statement of basis for the Governing Body's failure to approve or disapprove; or
4. Table the case to another date, time and place.

## Attachments

1. Redline of **UDO Article 4**
2. Proposed amendment of **UDO Article 4**

**"B-3" Regional Business District.** The intent of the B-3 district is to provide for those commercial uses which are intensive in nature and require larger lots and direct access to major streets. The B-3 district is most appropriate for automobile oriented, regional commercial and office development. Within this area, pedestrian links shall be provided to connect the local streets located on each side of K-7 that serve to connect the residential neighborhoods, schools and parks.

**"I-1" Light Industrial District.** The intent of the I-1 district is to permit industrial uses that are not obnoxious due to appearance, noise, dust, or odor; that do not require intensive land coverage; and that can be compatibly developed with adjacent districts.

**"I-2" Heavy Industrial District.** The intent of the I-2 district is to allow basic or primary industries which are generally incompatible with residential or commercial uses.

## 4.02 GENERAL DEVELOPMENT STANDARDS

- A. **Generally.** The height, area, and bulk requirements for the various districts are established by Table 4-1. The Development Standards for each district are dependent on the provisions in Article 5 and Article 6.

**Table 4-1: General Development Standards**

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# PLANNING COMMISSION APRIL WORK SESSION MEETING

Council Chambers, 800 1st Terrace, Lansing, KS 66043  
Wednesday, April 17, 2024, at 7:00 PM

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## MINUTES

### CALL TO ORDER

The April work session meeting of the Lansing Planning Commission was called to order by Chairman Jake Kowalewski at 7:02 p.m.

### ROLL CALL / QUORUM ANNOUNCEMENT-

In attendance were Chairman Jake Kowalewski, Commissioners Janette Labbee-Holdeman, Jerry Gies, Richard Hannon and Mike Suozzo. Commissioners Brian Payne and Nancy McDougal were not in attendance. Chairman Jake Kowalewski noted that there was a quorum present.

### OLD BUSINESS-

**1. Approval of Minutes, January 17<sup>th</sup>, 2024, Regular Meeting**

Motion was made by Commissioner Labbe-Holdeman to approve the minutes as written, and it was seconded by Commissioner Gies. Motion passed 5-0.

### NEW BUSINESS-

**2. Case 2024-UDO-001: Minimum Lot Size, Accessory Dwelling Units & Parking Requirements**

Staff was tasked with reviewing the Unified Development Ordinance (UDO) to recommend revisions that would open up opportunity for development within the City. Staff reviewed the UDO and returned with the following three revisions to promote Residential and Commercial property development within the City. The three revisions are: 1) Reduce the minimum lot size for the R-1 and R-2 zoning districts (UDO Section 4.02); 2) Open Accessory Dwelling Unit development (UDO Section 4.03 & 4.04); and 3) Amend the Required Parking ordinance (UDO Section 7.03)

The open hearing was opened at 7:04 pm. There was no public present and no discussion for the public hearing. The public hearing was closed at 7:05 pm.

1. Discussion started with Commissioner Labbe-Holding expressing her concerns about reducing the minimum of lot sizes. Commissioner Geis stated that there are no limited space issues in Lansing. Commissioner Hannon asked why we would need to limit size. Various discussions occurred about these issues among the Planning Commission members as well as the potential and options that could occur in the future. There was also discussion about what has worked in the past for other counties/cities and what would work best for the citizens of Lansing.

Motion was made by Commissioner Hannon for approval of reduction of the minimum Lot size requirement (R-1 and R-2) as presented and it was seconded by Commissioner Suozzo. Motion passed 4-1.

2. Discussion then began about Accessory Dwelling Units with Commissioner Geis, regarding shed sizes and garages, stating there can be no more than one per lot with the exception of ADU. It was stated that we should allow people to do, within reason, what they want on their property. Mr. Gentzler explained that we are keeping the requirement the rear coverage of thirty percent of your lot area, as is. There was then discussion about the size of the unit vs the percentage of lot space that it takes up, and which one should be allowed. There was further discussion on the different types and sizes of ADU's and what should or should not be allowed.

Motion was made by Commissioner Hannon to approve Accessory Dwelling Unit development ordinance and it was seconded by Commissioner Labbee-Holdeman. Motion passed 4-1.

3. Discussion was held about parking requirements for different zoning areas, and what the needs are vs. what we require for the use of those properties. The purposed amendment changes that the minimum parking requirements would become suggested parking requirements. Which allows businesses to dictate how much parking is needed to meet their customer demands. In this, we would establish maximum parking, just not requiring a minimum parking.

Motion was made by Commissioner Labbee-Holdeman to approve the amendment of required parking ordinances and it was seconded by Commissioner Suozzo. Motion passed 5-0.

**NOTICES AND COMMUNICATIONS- None**

**REPORTS-**

**ADJOURNMENT-**

Commissioner Hannon made a motion to adjourn the meeting, the motion was seconded by Commissioner Labbee-Holdeman and the meeting was adjourned by acclamation at 8:21 pm.

Respectfully submitted,  
Melissa Baker, Secretary

Reviewed by,  
Joshua Gentzler, Community and Economic Development Director