

## **AGENDA**

### **CALL TO ORDER**

### **ROLL CALL / QUORUM ANNOUNCEMENT**

### **OLD BUSINESS**

- 1. Approval of Minutes, November 20th, 2024, Regular Meeting**

### **NEW BUSINESS**

- 2. Case 2024-UDO-003 Setback and Easement Amendment**

This amendment to the side setback and easement regulation is proposed to enable developers to make full use of the minimum lot size as approved and adopted in April 2024. The proposals within this text amendment are written to reflect the need for reduced side setbacks to create building envelopes for R-1 and R-2 lots that allow for development at the minimum lot frontage

### **NOTICES AND COMMUNICATIONS**

### **REPORTS - Commission and Staff Members**

- Commission Members
- Director, Community & Economic Development
- Director, Public Works / City Engineer
- Director, Wastewater Utility
- Building Inspector, Community & Economic Development

### **ADJOURNMENT**

For information on how to view prior meetings, please visit our website at <https://www.lansingks.org>. If you require any special assistance, please notify the Community and Economic Development Director prior to the meeting.



**PLANNING COMMISSION NOVEMBER  
REGULAR MEETING**  
Lansing Library, 730 1st Terrace, Lansing, KS 66043  
Wednesday, November 20, 2024, at 7:00 PM

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## MINUTES

### CALL TO ORDER

The November regular meeting of the Lansing Planning Commission was called to order by Chairman Jerry Gies at 6:59 p.m.

### ROLL CALL / QUORUM ANNOUNCEMENT-

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

### OLD BUSINESS-

**1. Approval of Minutes, June 19<sup>th</sup>, 2024, Regular Meeting**

A motion was made by Commissioner Labbee-Holdeman to approve the minutes as written, and it was seconded by Commissioner McDougal. Motion passed 5-0, with Commissioner Payne abstaining due to his absence in the June meeting.

### NEW BUSINESS-

**2. Planning Commission Election: Vice-Chairman**

In July 2024, Jake Kowalewski was appointed as City Council Member to fill a vacancy on the Council. His appointment created a vacancy in the Planning Commission. Jerry Geis will, as the Vice-Chairman role, assume the Chairman role for the remainder of the term (until April 2025). The Planning Commission needs to fill the vacancy of Vice-Chairman.

Discussion began with possible nominees, and Commissioner McDougal made a motion to nominate Brian Payne for the Vice-Chairman vacancy and Commissioner Labbe-Holdeman seconded it. Nominations were closed and with no further discussion, the motion passed 5-0, with Commissioner Payne abstaining.

**3. Case 2024-UDO-002 Short Term Rental**

This Short-Term Rental (STR) regulation is proposed to balance the interests of homeowners, STR operators, and the community's traditional residential neighborhoods. STRs are increasingly popular but can introduce unique challenges, such as noise, increased traffic, and property upkeep issues. By adding this section, the City aims to protect neighborhood character and resident quality of life while allowing STRs to operate responsibly and safely. The new regulation establishes requirements for the STR operation, including building inspections for safety, maintaining residential appearance, and ensuring the presence of local contacts for accountability. The inclusion of these requirements aims to mitigate potential negative impacts of STRs and foster a safe, harmonious environment for both permanent residents and short-term visitors.

Discussion began with Mr. Gentzler, Director of Community and Economic development giving a brief overview for how this would be beneficial for the City of Lansing. It was stated that there are events within the next couple of years that would benefit from having short term rentals available. Currently there is only one Airbnb in the City, and we want to provide places to stay for the people traveling to and from events nearby. The city will also receive transient guest tax off of short-term rentals, should this be approved. We are purposing a conditional use permit as well as a business license for any short-term rentals, with this change. Mr. Gentzler stated that we had to amend the table of uses, to allow for short term rentals. The text also includes a definition and requirements for short term rentals.

Commissioner McDougal asked how the city plans to enforce the requirements listed. Mr. Gentzler stated that we can search the VRBO/Airbnb websites for properties listed. It will be something checked likely quarterly. The conditional use permit (CUP) and/or business license will allow us to have contact information for the owner or a local representative for the property, should any issues arise. Commissioner Riddle inquired about HOA's that prohibit rentals shorter than a year, and it was stated that HOA's can and will enforce their regulations, and it will have to be worked out civilly between the owner and the HOA. Commissioner Hannon asked about HOA's being able to enforce their own regulations and that the HOA can always require something greater or different than the city requirements. Chairman Gies asked if rental properties are required to be registered, Mr. Gentzler replied that it is not required. Mr. Gentzler stated that the CUP and the business license are easy to acquire, and if there are issues regarding the requirements, nuisances, etc., the owner can have their licenses pulled, and the city can remove their ability to rent out the property. Mr. Robinson, city attorney, then inquired about people wanting to rent out rooms while still living at the residence and Mr. Gentzler stated that short term rentals include if the owner resides there or not.

The public hearing was open at 7:16 pm and with no comments or discussion from the public, the hearing was closed at 7:16 pm.

With no further discussion, a motion was made by Commissioner Labbee-Holdeman to approve the staff's proposed text amendments and recommend adoption of Case 2024-UDO-002, as amended to the City Council. It was seconded by Commissioner Hannon. Motion passed 5-1.

#### **NOTICES AND COMMUNICATIONS-**

Mr. Gentzler, Director of Community & Economic Development, mentioned that there will be a 30-minute UDO training immediately following the planning commission meeting. There was also mention of an agenda item, possibly for December's meeting, regarding lot frontage and setbacks.

#### **REPORTS- Commission and Staff Members- None**

#### **ADJOURNMENT-**

The meeting was adjourned by acclamation at 7:21 pm.

Respectfully submitted,  
Melissa Baker, Secretary

Reviewed by,  
Joshua Gentzler, Community and Economic Development Director



## Summary

This UDO amendment is proposed to ensure the building envelope of residential lots do not preclude the development of homes. After the April 2024 amendments, which started to right-size the minimum lot size for current market development trends, discussions with the development community led to this amendment which better supports the initial amendment by reducing setbacks. This will enable home building on skinnier lots within Lansing, without developers resorting to planned developments or other discretionary review processes.

## Community & Economic Development Comments

### Introduction

The proposals within this text amendment are written to reflect the need for reduced side setbacks to create building envelopes for R-1 and R-2 lots that allow for development at the minimum lot frontage.

### Summary of Changes

#### Article 3. Subdivision Standards

**Paragraph 3.04 K. Other Utilities** is amended to reduce the utility easement width on side lot lines from 7.5 feet to 5 feet.

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

**Table 4-1: General Development Standards** is amended to reduce the Minimum Interior Side setback from 10 feet to 5 feet.

## 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 Case 2024-UDO-003 Easements.

## Action Options

### Motion verbiage:

"I move that we... (add below statement to finish motion)"

1. Approve the text amendments as proposed and recommend adoption of Case 2024-UDO-003 to the City Council"; or
2. Amend Staff's proposed text amendments by \_\_\_\_\_ (state the amendment) and recommend adoption of Case 2024-UDO-003, as amended, to the City Council"; or
3. Deny Case 2024-UDO-003 for specified reasons"; or
4. Table the case to another date, time and place.

## Attachments

1. Redline of **UDO Articles 3 & 4**
2. Proposed amendment of **UDO Articles 3 & 4**

- I. **Upsizing.** Whenever any portions of the required public improvements are part of a planned future facility for the City, serving an area larger than the subdivision and its impact, the City and applicant will enter into an upsizing agreement. The City and the applicant shall negotiate the following aspects of the agreement prior to approval of the plat:
  1. The applicant shall construct the facilities as planned by the City for future capacity as part of the subdivision and development process.
  2. The applicant shall be responsible for the portion of the costs required to serve the proposed subdivision based on actual total cost to build the facilities absent any upsizing agreement.
  3. The City shall be responsible for any incremental costs to expand the facility to the planned capacity, beyond the capacity to serve the subdivision. The City's participation may be based by the applicant bidding the project with bid alternates, one alternate to build the minimum required facility to serve the subdivision or development and the second bid alternate being for the upsized facility planned by the City.
  4. The agreement shall be subject to approval by the City Attorney.
  
- J. **Lighting.** The applicant shall install street lighting in accordance with the current edition of the City of Lansing Technical Specifications and Design Criteria for Public Improvement Projects. All street light locations shall be shown on the construction drawings for the development. The cost of installation for such street lighting shall be paid by the applicant.
  
- K. **Other Utilities.** Where alleys are not provided, permanent easements of not less than ten (10) feet in width shall be provided on each side of all rear lot lines, and ~~seven and one-half~~ five (7.55) feet on each side of side lot lines, where necessary, for utility poles, wires, conduits, underground conductors, storm and sanitary sewers, gas, water and heat mains, and other public utilities. These easements shall provide for a continuous right-of-way. Where the utility company or agency has the need for a wider easement than required above for a specific location, this easement shall be shown on the plat. Utility easements shall not be obstructed by structures, retaining walls or trees. A property owner may install fences and landscape the easement with grass and shrubs at his or her own risk.

*"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**

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.	<del>10</del> 5 ft.	20 ft.
R-2	4,000 s.f.	40 ft.	2.5 stories / 35 ft.	15 ft.	<del>10</del> 5 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.

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