

# City of Detroit

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**TO:** City Planning Commission

**FROM:** Roland Amarteifio, Staff City Planner

**RE:** A text amendment to amend Chapter 50 of the 2019 Detroit City Code, Zoning, by amending the M2 Restricted Industrial District maximum height dimensional standard

**DATE:** May 18, 2022

On May 19, 2022, the City Planning Commission (CPC) will hold a 5:10 PM public hearing on the subject text amendment request, advance by the City Planning Commission staff in response to an inquiry by Council Member Benson. Please see the attached copy of the public hearing notice showing the summary of the ordinance as published as well as a draft copy of the proposed ordinance itself.

## **BACKGROUND**

Intensity and dimensional standards are a vital portion of the zoning code and restrict the scale and capacity of allowed uses in zoning districts. For instance, in the M2 restricted industrial district the maximum height of structures greatly affects the type of industry that can operate. Warehousing and light manufacturing are increasingly operating in taller facilities with more room for automated equipment. If a developer wants to build a conforming industrial facility that exceeds the maximum height allowed, including the 10% administrative adjustment allowed by the Building Safety Engineering and Environmental Department (BSEED) within an M2 district, they must seek a dimensional variance through the Board of Zoning Appeals (BZA).

Alternatively, the developer may decide to locate the industrial facility in the more intensive M3 and M4 districts where an 80 feet maximum height is available.

The M2 Restricted Industrial District is designed for a wide range of industrial and related uses which can function with a minimum of undesirable effects. Industrial establishments of this type provide a buffer between residential districts and intensive industrial districts. New residential construction is excluded from this district except for loft conversions of existing buildings and of residential uses combined in structures with permitted commercial uses. These requirements are both to protect residences from an undesirable environment and to ensure reservation of adequate areas for industrial development.

Light industrial and warehousing facilities have become increasingly more common in recent years with companies such as Amazon, and Dakkota Integrated Systems building production

and distribution facilities in the city. These types of facilities require taller facilities to accommodate their operations.

The former Cadillac Stamping Plant, south of the intersection of Conner and Gratiot, has been raised for the construction of a new light industrial automotive facility. The M4 (Intensive Industrial) zoning of the site afforded the available height to build a 50 to 55 feet tall structure. An increase of the maximum height allowed in the M2 district from 40 feet to 55 feet would make the district more viable for such facilities. By increasing the height in M2 the adverse effects of more intense industrial districts can be avoided and spark investment in light industrially zoned facilities. Additionally, the increase in viability of M2 restricted industrial districts can support the downzoning of the more intensive M3 and M4 industrial districts throughout the City of Detroit.

In preparing this text, staff has consulted with stakeholders including the Planning and Development Department and BSEED to determine if there may be any issues with amending the max height of the M2 Restricted Industrial District. Staff has been looking at our present height limitations as part of the Zone Detroit Project, our review of current industrial development regulations and the Eastern Market area.

**PROPOSED ZONING PROVISIONS**

Below is an overview of the provisions of the proposed Chapter 50 text amendment, which will be the subject of the May 19<sup>th</sup> public hearing.

**Article XIII, Intensity and Dimensional Standards**

This proposed ordinance amends Chapter 50 of the 2019 Detroit City Code, *Zoning*, by amending Article XIII, *Intensity and Dimensional Standards*, Division 1, *Tables of Intensity and Dimensional Standards*, Subdivision E, *Industrial Districts*, Sec. 50-13-83, *M2 District*, to increase Max. Height (Feet) for *All other uses* from 40 feet to 55 feet.

Intensity and dimensional standards in the M2 Restricted Industrial District are as follows:

Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
Sec. Reference	<a href="#">Section 50-13-222</a>		<a href="#">Section 50-16-382</a>	<a href="#">Section 50-16-382</a>	<a href="#">Section 50-13-231</a>	<a href="#">Section 50-13-232</a>	<a href="#">Section 50-13-236</a> <a href="#">Section 50-13-237</a>		
*Formula A = Length (feet) + 2 (height) / 15                      *Formula B = Length (feet) + 2 (height) / 6									
Motor vehicle filling stations	See <a href="#">Section 50-13-173</a>		See Sections <a href="#">50-13-178</a> and <a href="#">50-13-179</a>			35	See <a href="#">Section 50-13-177</a>		

Use	Minimum Lot Dimensions		Minimum Setbacks (feet)			Max. Height (feet)	Max. Lot Coverage (%)	Max FAR	Add'l. Regs.
	Area (sq. ft.)	Width (feet)	Front	Side*	Rear				
Sec. Reference	<a href="#">Section 50-13-222</a>		<a href="#">Section 50-16-382</a>	<a href="#">Section 50-16-382</a>	<a href="#">Section 50-13-231</a>	<a href="#">Section 50-13-232</a>	<a href="#">Section 50-13-236</a> <a href="#">Section 50-13-237</a>		
*Formula A = Length (feet) + 2 (height) / 15                      *Formula B = Length (feet) + 2 (height) / 6									
Motor vehicles, used, salesroom or sales lot	4,000	40				35			
All other uses				No minimum requirements		40 55			

Staff will provide a final report addressing the proceedings of the public hearing with our findings and recommendations for your consideration at a subsequent CPC meeting.

cc: Antoine Bryant, Director, PDD  
Greg Moots, PDD  
David Bell, Director, BSEED  
Conrad Mallett, Corporation Counsel  
Kimberly James, Law  
Daniel Arking, Law

Attachments