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Community Development Director
Brett Wittenberg

Planner
Salam Habhab

Recording Secretary
Linda K. Parkinson

MEMORANDUM

TO: Planning Commission

FROM: Brett C. Wittenberg, Community Development Director *BCW*

SUBJECT: Proposed Ordinance Amendment 20-1 – Industrial Districts Building Height

DATE: March 25, 2021

STRATEGIC PLAN:

Strategic Initiatives: Community and Economic Development

Strategies: Utilize strong planning principles and a policy of managed growth.

Objectives:

- Evaluate planning and zoning processes to ensure appropriateness and efficiency.
- Review and update Ordinances to ensure they are meeting the long-term goals of the Township.

BACKGROUND:

Currently, the maximum building height permitted in the industrial districts is 36 ft; except for structures such as elevator shafts, roof air, or heating equipment and chimney which are not included as part of the building height. Based on staff's evaluation and analysis of the Industrial Zoning Districts (IL, IH, and I-P), staff feels that there may be benefits to increase the maximum building height to 45 feet to encourage new industrial developments to locate in the Township.

At the March 1, 2021 Planning Commission meeting, the only question that was raised was if the Township's fire apparatus would be able to accommodate the increase in height. The Township's fire apparatus can accommodate the increase in height and language has been included within the ordinance that it is subject to review and approval from the Building and Fire Departments.

PUBLIC COMMENT:

Per State Statute, public notice was sent out in the DeWitt/Bath Review and Lansing Community News on Sunday, March 14th, 2021. No public comment was received.

POSSIBLE ACTION:

Pending the results of the public hearing, the following action can be considered by the Planning Commission:

The Planning Commission recommend that the Township Board approve Ordinance 21-1 based on the finding that the proposed amendment complies with the process for amending the Zoning Ordinance.

Attachment: Ordinance 21-1

DEWITT CHARTER TOWNSHIP

CLINTON COUNTY, MICHIGAN

ORDINANCE NO. 21-1

PREAMBLE

AN ORDINANCE TO AMEND THE DEWITT CHARTER TOWNSHIP ZONING ORDINANCE TO INCREASE THE BUILDING HEIGHT IN INDUSTRIAL ZONING DISTRICTS; TO REPEAL ORDINANCES IN CONFLICT HEREWITH; AND TO ESTABLISH AN EFFECTIVE DATE HEREOF.

The Charter Township of DeWitt, Clinton County, Michigan ordains:

SECTION I. AMENDMENT OF DEWITT CHARTER TOWNSHIP ZONING ORDINANCE ARTICLE 3.0, "ZONING DISTRICTS" TO AMEND SECTION 3.20, "IL LIGHT INDUSTRIAL."

ARTICLE 3.0, "ZONING DISTRICTS" SECTION 3.20 "IL LIGHT INDUSTRIAL", subsection D, "DEVELOPMENT STANDARDS" shall be and is hereby amended as follows:

Section 3.20 D. DEVELOPMENT STANDARDS

Building Height

Maximum building height: 45ft.*

*Elevator shafts, roof air or heating equipment and chimneys shall not be included as part of building height for the purposes of this section. The 45ft. building height is subject to review and approval by the Building and Fire Departments.

SECTION II. AMENDMENT OF DEWITT CHARTER TOWNSHIP ZONING ORDINANCE ARTICLE 3.0, "ZONING DISTRICTS" TO AMEND SECTION 3.21, "IH HEAVY INDUSTRIAL."

ARTICLE 3.0, "ZONING DISTRICTS" SECTION 3.21 "IH HEAVY INDUSTRIAL", subsection D, "DEVELOPMENT STANDARDS" shall be and is hereby amended as follows:

Section 3.21 D. DEVELOPMENT STANDARDS

Building Height

Maximum building height: 45ft.*

*Elevator shafts, roof air or heating equipment and chimneys shall not be included as part of building height for the purposes of this section. The 45ft. building height is subject to review and approval by the Building and Fire Departments.

**SECTION III. AMENDMENT OF DEWITT CHARTER TOWNSHIP ZONING ORDINANCE
ARTICLE 3.0, "ZONING DISTRICTS" TO AMEND SECTION 3.22, "I-P INDUSTRIAL
PARK."**

ARTICLE 3.0, "ZONING DISTRICTS" SECTION 3.22 "I-P INDUSTRIAL PARK",
subsection D, "DEVELOPMENT STANDARDS" shall be and is hereby amended as follows:

Section 3.22 D. DEVELOPMENT STANDARDS

Building Height

Maximum building height: 45ft.*

*Elevator shafts, roof air or heating equipment and chimneys shall not be included as part of building height for the purposes of this section. The 45ft. building height is subject to review and approval by the Building and Fire Departments.

SECTION IV. OTHER ORDINANCE PROVISIONS

All ordinances or parts of ordinances in conflict or inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such conflict or inconsistency. Except as provided in this Section and Sections I through Section III above, all other provisions of the DeWitt Charter Township Zoning Ordinance (as previously amended) shall remain in full force and effect.

SECTION III. SEVERABILITY

If a court of competent jurisdiction declares any provision of this Ordinance, or a statutory provision referred to or adopted by reference herein, to be unenforceable, in whole or in part, such declaration shall only affect the provision held to be unenforceable and shall not affect any other part or provision.

SECTION IV. EFFECTIVE DATE.

This amendatory Ordinance shall become effective immediately upon its passage, publication and recording by the DeWitt Charter Township Clerk as required by law.

First Reading: _____
First Publication: _____
Second Reading: _____
Second Publication: _____
Effective Date: _____

Rick Galardi, Supervisor

Adam Cramton, Clerk

I, Adam Cramton, Clerk of the Charter Township of DeWitt, hereby certify that the foregoing constitutes a true and complete copy of Ordinance No. ____, duly adopted by the Board of Trustees of the Charter Township of DeWitt, Clinton County, Michigan, on the ____ day of _____, 2021, and that the same was posted and published as required by law on the ____ day of _____, 2021.

Adam Cramton, Clerk