



cityofnovi.org

## CITY of NOVI CITY COUNCIL

Agenda Item G  
July 28, 2008

**SUBJECT:** Consideration of Zoning Ordinance Text Amendment 18.227, to amend Ordinance No. 97-18 as amended, the City of Novi Zoning Ordinance at Article 19, Light Industrial, Section 1905, "Required Conditions" to amend and add provisions relating to the storage of certain recreational equipment and to establish standards for such storage. **Second Reading**

**SUBMITTING DEPARTMENT:** Community Development Department - Planning

**CITY MANAGER APPROVAL:** 

### BACKGROUND INFORMATION:

The attached ordinance language for Section 1905, Light Industrial District, is proposed as an amendment to allow limited recreational vehicle (RV) storage in the Light Industrial district, subject to several conditions, with approval of a temporary exception permit through the building official. The concept of limited RV storage in the Light Industrial district was presented to the City Council for consideration by a Novi property owner, due to his desire to continue to store several recreational vehicles at an industrial property on the east side of Heslip Drive, north of Nine Mile Road.

The City Council referred the matter to the Ordinance Review Committee. The Committee reviewed the general intent of the ordinance and specific language at its recent meetings. The attached language was prepared by the City Attorney's office and has been reviewed by the Community Development Department staff. A couple of minor adjustments to the language have been made by the City Attorney's office to address the comments of the Ordinance Review Committee and department staff.

The Planning Commission held a public hearing on June 25, 2008 and forwarded a favorable recommendation to the City Council. As a part of its discussion, the Commission suggested that the City Council may wish to consider a minimum size of a light industrial property that would be eligible for limited RV storage, or a number of RVs proportional to the building size on the light industrial property. In the case of the property on Heslip Drive, that parcel is slightly less than one acre in size, and the building size on the property is approximately 9000 square feet. The Planning Commission's concern may be that any RV storage needs to be a secondary or accessory use to the intended principal or main use for light industrial purposes. The City Council may wish to establish a minimum building size of 5000 square feet on an individual parcel before a light industrial site would be eligible for limited RV storage. This could be added to the second reading if the City Council wishes to add another standard for outdoor storage of RVs.

We also note that as a part of the regulations related to a Temporary Special Exception Permit, the Building Official is authorized to review the request and can administratively approve certain uses, without the need for a public hearing. The ordinance does not currently provide a time limitation on the outdoor storage of RVs in the Light Industrial District, but the Building Official may, as a part of his determination and approval, provide time limitations, or allow for periodic reviews for this special approval. No additional changes are proposed to Section 3004, which allow temporary approvals of certain uses.

On July 7, 2008 the City Council approved the first reading of the text amendment with the recommendation that the additional provisions be added for the second reading. These provisions have now been added to the attached language:

- (vi). the property is developed with a building of at least 5000 square feet and the equipment is clearly accessory to the primary permitted use of the site.

**RECOMMENDED ACTION:** Approval of Zoning Ordinance Text Amendment 18.227, to amend Ordinance No. 97-18 as amended, the City of Novi Zoning Ordinance at Article 19, Light Industrial, Section 1905, "Required Conditions" to amend and add provisions relating to the storage of certain recreational equipment and to establish standards for such storage. **Second Reading**

	1	2	Y	N
Mayor Landry				
Mayor Pro Tem Capello				
Council Member Crawford				
Council Member Gatt				

	1	2	Y	N
Council Member Margolis				
Council Member Mutch				
Council Member Staudt				

**PROPOSED AMENDMENT  
STRIKE VERSION**

STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF NOVI

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND ORDINANCE NO. 97-18, AS AMENDED, THE CITY OF NOVI ZONING ORDINANCE, ARTICLE 19, "I-1 LIGHT INDUSTRIAL DISTRICT," TO AMEND AND ADD PROVISIONS RELATING TO THE STORAGE OF CERTAIN RECREATIONAL EQUIPMENT AND TO ESTABLISH STANDARDS FOR SUCH STORAGE.

THE CITY OF NOVI ORDAINS:

Part I. That Ordinance No. 97-18, the City of Novi Zoning Ordinance, as amended, Article 10, I-1 Light Industrial District, Section 1905, Required Conditions, is hereby amended to read as follows:

1. a. [unchanged]
- b. [unchanged]
  - (1) [unchanged]
  - (2) [unchanged]
  - (3) Outdoor storage of recreational equipment, provided that:
    - (i) the equipment is licensed or registered as required under state law and has affixed to it a current registration plate, sticker, or other proof of required registration;
    - (ii) the equipment is operable and must either have wheels making it moveable or must be on a trailer with wheels that are moveable;
    - (iii) the equipment is owned by the owner or occupant of the property;
    - (iv) no more than three (3) vehicles or other such piece of equipment is stored on the property; a boat or similar vehicle that is on a trailer shall be considered a single piece of equipment;
    - (v) the equipment shall be stored only in an area where an accessory structure is permitted; and
    - (vi) the property is developed with a building of at least 5000 square feet and the equipment is clearly accessory to the principle permitted use of the site.

Before storing any recreational equipment under this subsection, the owner or occupant of the property shall secure a temporary special exception permit from the Building Official in accordance with the procedures and requirements of Section 3004.1, including the submission of an application as provided under 3004.1.a.2. The Building Official shall review the application in accordance with the requirements of Section 3004, including Section 3004.3.a-k.

**Part II. Severability.** Should any section, subdivision, clause, or phrase of this Ordinance be declared by the courts to be invalid, the validity of the Ordinance as a whole, or in part, shall not be affected other than the part invalidated.

**Part III. Savings.** This amendment does not affect or impair any act done, offense committed, or right accruing, accrued, or acquired or liability, penalty, forfeiture, or punishment, pending or incurred prior to the amendment.

**Part IV. Repealer.** All other Ordinances or parts of Ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

**Part IV. Effective Date: Publication.** Public hearing having been held hereon pursuant to the provisions of Section 103 of Act 110 of the Public Acts of 2006, as amended, the provisions of this Ordinance shall be published within fifteen (15) days of its adoption by publication of a brief notice in a newspaper circulated in the City of Novi stating the date of enactment and effective date, a brief statement as to its regulatory effect and that a complete copy of the Ordinance is available for public purchase, use and inspection at the office of the City Clerk during the hours of 8:00 A.M. to 5:00 P.M., Local Time. The provisions of this Ordinance shall become effective seven (7) days after its publication.

MADE, PASSED AND ADOPTED BY THE NOVI CITY COUNCIL THIS \_\_\_\_ DAY  
OF \_\_\_\_\_, 2008.

\_\_\_\_\_  
DAVID LANDRY – MAYOR

\_\_\_\_\_  
MARYANNE CORNELIUS – CITY CLERK

1. Date of Public Hearing \_\_\_\_\_
2. Date of Adoption \_\_\_\_\_
3. Date of Publication of  
Notice of Adoption \_\_\_\_\_

**CERTIFICATE OF ADOPTION**

I hereby certify that the foregoing is true and complete copy of the Ordinance passed at the \_\_\_\_\_ meeting of the Novi City Council held on the \_\_\_\_\_ day of \_\_\_\_\_, 2008.

\_\_\_\_\_  
MARYANNE CORNELIUS – CITY CLERK

1075098

**PROPOSED AMENDMENT  
CLEAN VERSION**

STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF NOVI

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE TO AMEND ORDINANCE NO. 97-18, AS AMENDED, THE CITY OF NOVI ZONING ORDINANCE, ARTICLE 19, "I-1 LIGHT INDUSTRIAL DISTRICT," TO AMEND AND ADD PROVISIONS RELATING TO THE STORAGE OF CERTAIN RECREATIONAL EQUIPMENT AND TO ESTABLISH STANDARDS FOR SUCH STORAGE.**

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**Part IV. Effective Date: Publication.** Public hearing having been held hereon pursuant to the provisions of Section 103 of Act 110 of the Public Acts of 2006, as amended, the provisions of this Ordinance shall be published within fifteen (15) days of its adoption by publication of a brief notice in a newspaper circulated in the City of Novi stating the date of enactment and effective date, a brief statement as to its regulatory effect and that a complete copy of the Ordinance is available for public purchase, use and inspection at the office of the City Clerk during the hours of 8:00 A.M. to 5:00 P.M., Local Time. The provisions of this Ordinance shall become effective seven (7) days after its publication.

MADE, PASSED AND ADOPTED BY THE NOVI CITY COUNCIL THIS \_\_\_\_ DAY  
OF \_\_\_\_\_, 2008.

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DAVID LANDRY – MAYOR

\_\_\_\_\_  
MARYANNE CORNELIUS – CITY CLERK

1. Date of Public Hearing \_\_\_\_\_
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**CERTIFICATE OF ADOPTION**

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\_\_\_\_\_  
MARYANNE CORNELIUS – CITY CLERK

1075098

**EXCERPT FROM  
JULY 7, 2007  
CITY COUNCIL MINUTES**

**EXCERPT AND DRAFT FROM  
REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI  
MONDAY, JULY 7, 2008 AT 7:00 P.M.  
COUNCIL CHAMBERS - NOVI CIVIC CENTER - 45175 W. TEN MILE RD**

**ROLL CALL:** Mayor Landry, Mayor Pro Tem Capello, Council Members Crawford, Gatt, Margolis, Mutch, Staudt

- 6. Consideration of Zoning Ordinance Text Amendment 18.227, to amend Ordinance No. 97-18 as amended, the City of Novi Zoning Ordinance at Article 19, Light Industrial, Section 1905, "Required Conditions" to amend and add provisions relating to the storage of certain recreational equipment and to establish standards for such storage. First Reading**

Mr. Pearson reported this had a positive recommendation from the Planning Commission and staff. He said they would point out one line that Council might want to consider, which would serve to sort of balance out this ancillary use to the rest of the property.

**CM-08-07-115 Moved by Capello, seconded by Gatt; CARRIED UNANIMOUSLY: To approve Zoning Ordinance Text Amendment 18.227, to amend Ordinance No. 97-18 as amended, the City of Novi Zoning Ordinance at Article 19, Light Industrial, Section 1905, "Required Conditions" to Amend and add provisions relating to the storage of certain recreational equipment and to establish standards for such storage. First Reading**

**DISCUSSION**

Member Margolis commented she would agree to add onto the second reading that it was an auxiliary function.

**Roll call vote on CM-08-07-115 Yeas: Capello, Crawford, Gatt, Margolis, Mutch, Staudt, Landry. Nays: None**

**PLANNING COMMISSION MINUTES  
JUNE 25, 2008**



# PLANNING COMMISSION

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CITY OF NOVI  
Regular Meeting  
Zoning Ordinance Text Amendment 18.227 Excerpt  
**Wednesday, June 25, 2008 | 7 PM**  
Council Chambers | Novi Civic Center | 45175 W. Ten Mile  
(248) 347-0475

## CALL TO ORDER

The meeting was called to order at or about 7:00 PM.

## ROLL CALL

**Present:** Members John Avdoulos, Brian Burke, Victor Cassis, Andrew Gutman, Michael Lynch (7:08 PM), Mark Pehrson, Wayne Wrobel

**Absent:** David Greco (Excused), Michael Meyer (Excused)

**Also Present:** Steve Ruple, Community Development Director; Barbara McBeth, Deputy Director of Community Development; Kristen Kapelanski, Planner; David Beschke, Landscape Architect; Ben Croy, Civil Engineer; Martha Holzheuer, Woodland Consultant; Kristin Kolb, City Attorney

## PUBLIC HEARINGS

### 1. ZONING ORDINANCE TEXT AMENDMENT 18.227

The Public Hearing was opened on Planning Commission's consideration of and recommendation to City Council for an ordinance to amend Ordinance No. 97-18, as amended, the City of Novi Zoning Ordinance Article 19, "I-1 Light Industrial District," to amend and add provisions relating to the storage of certain recreational equipment and to establish standards for such storage.

Deputy Director of Community Development Barbara McBeth stated that this language came from the City Council's Ordinance Review Committee. The language expands the very limited outdoor uses in the Light Industrial District. This would allow limited RV storage in certain locations and subject to the administrative approval of the Building Official via a Special Exception Permit. Modifications include the provisions that the RV must be licensed and registered as required by law, must be operable and movable. The equipment must be owned by the landowner or occupant. No more than three vehicles or other such pieces of equipment can be stored on the property. A boat on a trailer would count as one vehicle. The equipment can only be stored in an area where an accessory building is permitted.

No one from the audience wished to speak and no correspondence was received so Chair Cassis closed the Public Hearing.

Member Pehrson asked about the timing of the Special Permit. Ms. McBeth responded that there is a limitation on the approval -- it would not be an ongoing approval; she thought the initial period was for one year, and then the Applicant can come back and ask for an extension.

Member Pehrson confirmed that the "owner" reference was the *property* owner and not the *vehicle* owner. Ms. McBeth responded that the idea is not to expand this provision to a commercial use such that, for example, and Industrial property owner cannot lease out his three allocated spaces. It must be the owner's equipment or a building occupant's equipment.

Member Pehrson said that some of the pictures show vehicles covered. He asked if there was stipulation on the types of covering allowed. Ms. McBeth said no such stipulation was built into the Ordinance. She did not think either, that the Ordinance required coverings.

Chair Cassis asked whether there was a proportionality stipulated regarding the size of the building and the amount and size of the equipment area that is allowed. Ms. McBeth said there was only a limitation on the number of vehicles allowed on any property. There was no minimum site size, which the Planning Commission can deliberate upon if they choose. The limitation was really only on the three pieces of equipment being allowed on a Light Industrial property in the appropriate location (where an accessory structure can be located).

Chair Cassis said the City wants all districts to look good. Industrial site owners in an industrial park want their location and their park to look good. If there is too much storage going on in one area, it might not look very appealing.

Member Pehrson asked if there was any recourse if a neighboring property owner asks the City for relief from unsightly storage on an adjacent property. Ms. McBeth responded that adjacent property owners will be notified about these Temporary Special Exception Permits so they will have that opportunity in which to speak.

Moved by Member Pehrson, seconded by Member Gutman:

**ROLL CALL VOTE ON TEXT AMENDMENT 18.227 RECOMMENDATION MOTION MADE BY MEMBER PEHRSON AND SECONDED BY MEMBER GUTMAN:**

**In the matter of Zoning Ordinance Text Amendment 18.227, motion to recommend approval to City Council with the following consideration: Possibility of adding a stipulation to the Ordinance amendment regarding the proportionality between the size of the building and the amount and size of the equipment area that is allowed. *Motion carried 7-0.***