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CITY of NOVI CITY COUNCIL

Agenda Item 4
August 27, 2012

SUBJECT: Approval of Zoning Ordinance Text Amendment 18.261 to amend the City of Novi Zoning Ordinance at Article 25, "General Provisions" Section 2516, "Site Plan Review (All Districts)" in order to allow administrative approval of site plans proposing a reduction in building size from a previously approved plan. **FIRST READING**

SUBMITTING DEPARTMENT: Community Development Department - Planning

CITY MANAGER APPROVAL: 

BACKGROUND INFORMATION:

The City has received recent inquiries proposing a reduction in size for a building that is part of a previously approved site plan. The Zoning Ordinance currently requires such a change to be approved by the Planning Commission. In order to address the inquiries and further streamline the Zoning Ordinance, staff has proposed the attached amendment.

The Zoning Ordinance allows administrative approval for site plans in certain instances including small building additions (up to 10,000 sq. ft. and 10% of the building area) and changes to off-street parking layouts and landscaping. The proposed ordinance amendment would allow staff to administratively approve a reduction in the proposed building size when the site is already the subject of an existing and previously approved site plan, saving the applicant at least two weeks of review time.

The proposed amendment does not quantify the amount or percentage a building may be reduced by to be approved administratively. However, per Section 2516.1.c of the Zoning Ordinance, "If during any administrative review process...it is determined that changes or modifications to a site plan may significantly impact the site or adjacent areas, the site plan shall be forwarded to the Planning Commission for review and approval." Staff would evaluate any proposed building reductions and any significant changes to an already approved site plan would be forwarded to the Planning Commission or approving body for their consideration after a recommendation from staff.

The Planning Commission held the Public Hearing on August 8th and recommended approval of the proposed amendment. Relevant meeting minutes are attached.

RECOMMENDED ACTION: Approval of Zoning Ordinance Text Amendment 18.261 to amend the City of Novi Zoning Ordinance at Article 25, "General Provisions" Section 2516, "Site Plan Review (All Districts)" in order to allow administrative approval of site plans proposing a reduction in building size from a previously approved plan. **FIRST READING**

	1	2	Y	N
Mayor Gatt				
Mayor Pro Tem Staudt				
Council Member Casey				
Council Member Fischer				

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

**PROPOSED ORDINANCE AMENDMENTS
STRIKE-THROUGH**

STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF NOVI

ORDINANCE NO. 12- 18 – 261

AN ORDINANCE TO AMEND ORDINANCE NO. 97-18 AS AMENDED, THE CITY OF NOVI ZONING ORDINANCE AT ARTICLE 25, GENERAL PROVISIONS, SECTION 2516, SITE PLAN REVIEW (ALL DISTRICTS); IN ORDER TO ALLOW ADMINISTRATIVE APPROVAL OF SITE PLANS PROPOSING A REDUCTION IN BUILDING SIZE FROM A PREVIOUSLY APPROVED PLAN.

THE CITY OF NOVI ORDAINS:

Part I. That Ordinance No. 97-18, the City of Novi Zoning Ordinance, as amended, hereby amended to read as follows:

ARTICLE 25. GENERAL PROVISIONS

Section 2500. – Section 2515. [unchanged]

Section 2516. Site Plan Review (All Districts)

1.

a. – b. [unchanged]

c. A site plan may be reviewed for approval administratively without formal review by the approving body under the following circumstances:

(1) – (8) [unchanged]

(9) When the site is already the subject of an existing and previously approved site plan and the revised plan only proposes one of the following:

a. An addition totaling one thousand (1,000) square feet or less to an existing building or structure; or

b. An additional totaling more than one thousand (1,000) square feet but less than ten thousand (10,000) square feet when the proposed addition is less than ten percent (10%) of the gross floor area of an existing non-residential building or structure and when the building or structure is located on a parcel of land that is at least five hundred (500) feet from any residential zoning district; or

c. An office storage basement or mezzanine totaling not more than three thousand (3,000) square feet, to a proposed or existing building provided the addition, basement or mezzanine does not require a new or revised woodlands permit or a non-administrative wetlands permit. Notwithstanding anything in the ordinance to the contrary, an office storage basement or mezzanine of not more than three thousand (3,000) square feet approved under this section shall not be considered to be part of the Gross Leasable Floor Area of the building if it is designed exclusively for storage or mechanical equipment as determined by the Building Official, is accessory to an office building and ancillary to a permitted office use, and an affidavit, in recordable form acceptable to the City Attorney, is signed by the owner of

the building stating that it will be used only for storage or mechanical equipment; or.

d. A reduction in the proposed building size.
(10) – (11) [unchanged]

If during any administrative review process authorized under this subpart or subpart (d) it is determined that changes or modifications to a site plan may significantly impact the site or adjacent areas, the site plan shall be forwarded to the Planning Commission for review and approval.

d. – e. [unchanged]

2. – 8. [unchanged]

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 Clause. The amendment of the Novi Code of Ordinances set forth in this Ordinance 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 of the Novi Code of Ordinances set forth in this Ordinance.

PART IV.

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

PART V.

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.

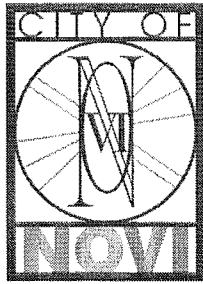
MADE, PASSED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, ON THE ___ DAY OF _____, 2012.

ROBERT J. GATT, MAYOR

MARYANNE CORNELIUS, CITY CLERK

Ayes:
Nays:
Abstentions:
Absent:

PLANNING COMMISSION MEETING MINUTES
August 8, 2012 – EXCERPT



PLANNING COMMISSION MINUTES

Draft

CITY OF NOVI

Regular Meeting

August 8, 2012 7:00 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: Member Greco, Member Gutman, Member Lynch, Chair Pehrson

Absent: Member Anthony (excused), Member Prince (excused), Member Zuchlewski (excused)

Also Present: Barbara McBeth, Deputy Director of Community Development; Kristen Kapelanski, Planner; David Beschke, Landscape Architect; Beth Kudla-Saarela, City Attorney; David Campbell, Planner

PLEDGE OF ALLEGIANCE

Member Greco led the meeting attendees in the recitation of the Pledge of Allegiance.

APPROVAL OF AGENDA

Moved by Member Gutman, seconded by Member Lynch:

VOICE VOTE ON THE AGENDA APPROVAL MOTION MADE BY MEMBER GUTMAN AND SECONDED BY MEMBER GRECO:

Motion to approve the August 8, 2012 Planning Commission Agenda. Motion carried 4-0.

PUBLIC HEARINGS

1. ZONING ORDINANCE TEXT AMENDMENT 18.261 – ADMINISTRATIVE APPROVAL OF REDUCTIONS IN BUILDING SIZE

Public hearing for Planning Commission's recommendation to the City Council for an ordinance to amend the City of Novi Zoning Ordinance at Article 25, General Provisions, Section 2516, Site Plan Review (all districts); in order to allow administrative approval of Site Plans proposing a reduction in building size from a previously approved plan.

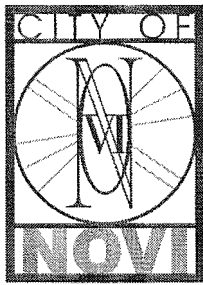
Planner Kapelanski said this text amendment is in response to some inquires staff has received proposing a reduction in size for a building that is part of an already approved site plan. Such a revision would presently have to be approved by the Planning Commission. In order to further streamline the ordinance, staff has drafted the proposed amendment to allow administrative approval of a reduction in building size when the site is part of an already approved site plan. The Planning Commission is asked to hold a public hearing and forward a recommendation to the Council this evening.

Moved by Member Lynch, seconded by Member Gutman:

ROLL CALL VOTE ON MOTION RECOMMENDING APPROVAL TO THE CITY COUNCIL MADE BY MEMBER LYNCH AND SECONDED BY MEMBER GUTMAN:

Motion to recommend approval of Text Amendment 18.261 – administrative approval of reductions in building size. Motion carried 4-0.

**PLANNING COMMISSION MEETING MINUTES
JULY 11, 2012 – EXCERPT**



cityofnovi.org

PLANNING COMMISSION MINUTES

Approved

CITY OF NOVI

Regular Meeting

July 11, 2012 7:00 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: Member Greco, Member Gutman, Member Lynch (arrived at 7:01), Chair Pehrson, Member Prince, Member Zuchlewski

Absent: Member Anthony (excused)

Also Present: Barbara McBeth, Deputy Director of Community Development; Kristen Kapelanski, Planner; Tom Schultz, City Attorney; Sarah Fleming, Planner; David Beschke, Landscape Architect; Adam Wayne, Staff Engineer.

PLEDGE OF ALLEGIANCE

Member Zuchlewski led the meeting attendees in the recitation of the Pledge of Allegiance.

APPROVAL OF AGENDA

Moved by Member Gutman, seconded by Member Greco:

VOICE VOTE ON THE AGENDA APPROVAL MOTION MADE BY MEMBER GUTMAN AND SECONDED BY MEMBER GRECO:

Motion to approve the July 11, 2012 Planning Commission Agenda. Motion carried 6-0.

MATTERS FOR CONSIDERATION

3. SET PUBLIC HEARING FOR AUGUST 8, 2012 FOR ZONING ORDINANCE TEXT AMENDMENT 18.261 TO PROVIDE REGULATIONS FOR ADMINISTRATIVE SITE PLAN APPROVAL

Moved by Member Gutman, seconded by Member Greco:

ROLL CALL VOTE ON MOTION TO SET THE PUBLIC HEARING MADE BY MEMBER GUTMAN AND SECONDED BY MEMBER GRECO:

Motion to set a public hearing for Text Amendment 18.261 for August 8th. Motion carried 6-0.