STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF NOVI

ORDINANCE NO. 15-18.272

AN ORDINANCE TO AMEND THE CITY OF NOVI ZONING ORDINANCE AT ARTICLE 4, USE STANDARDS, SECTION 4.29, FUELING STATIONS AND MINOR AUTOMOBILE SERVICE ESTABLISHMENTS; IN ORDER TO PERMIT FUELING STATIONS WITH ACCESSORY MINOR AUTOMOBILE SERVICES THAT PRE-DATE THE ORDINANCE TO TERMINATE FUELING OPERATIONS AND CONTINUE MINOR AUTOMOBILE REPAIR SERVICES.

THE CITY OF NOVI ORDAINS:

Part I. That the City of Novi Zoning Ordinance, as amended, Article 4, Use Standards, Section 4.29, Fueling Stations and Minor Automobile Service Establishments, is hereby amended to read as follows:

4.29 FUELING STATIONS AND
MINOR AUTOMOBILE
SERVICE ESTABLISHMENTS

1. Fueling station for the sale of gasoline and alternate fuels, oil and minor accessories only, and minor automobile repair services as defined in Article 2 are permitted as a special land use in the B-2 district and as a permitted use in the B-3 and FS districts subject to conditions A-G as listed below:
   A. The curb cuts for access to a fueling station shall not be permitted at such locations that will tend to create traffic hazards in the streets immediately adjacent thereto. Entrances shall be no less than one-hundred (100) feet from a street intersection (measured from the road right-of-way) or from adjacent residential districts.
   B. The minimum lot area for any fueling station shall be one (1) acre.
   C. Fueling stations shall be located on the site so as to minimize its impact on any adjacent residential district, OS-1, OSC or B-1 district. Ample space shall be provided for motor vehicles waiting for service, or which are parked to be mechanically serviced or to be picked up following mechanical service. Sufficient vehicle stacking space shall provide at the pump islands so that vehicles awaiting service will not interfere with vehicles entering the site.
   D. Canopies, when constructed as an integral part of the main building, shall comply with the minimum setback requirements of the district. Detached freestanding canopies shall comply with the requirements of Section 4.19 of this Ordinance.
   E. The storage of vehicles overnight shall be prohibited except for working vehicles (wreckers and similar vehicles) and vehicles or trailers for general rental and those awaiting mechanical repair. These vehicles shall be parked in accordance with Section 5.2 and Section 5.3. Wrecked vehicles may be stored for a period not to exceed twenty-four (24) hours.
   F. A noise impact statement is required subject to the standards of Section 5.14.10.B.
   G. In the B-3 district only, a fueling station with a lawful accessory minor automobile service use that pre-dates the adoption of this Ordinance may terminate its fueling operations and continue its minor automobile repair services within the existing building, subject to the following:
      i. All improvements and structures related to the fueling station use and not needed for the automobile repair use (e.g., canopies, fuel pumps, and fuel tanks) are lawfully removed.
      ii. The existing building within which use is conducted is not enlarged.
      iii. The applicant makes one or more of the following improvements:
         a) Installation of additional landscaping beyond that existing at the time of the change in use.
         b) Mitigation of adverse traffic impacts for vehicles entering or leaving the site on adjacent public roads by eliminating a driveway curb cut or other safety-related improvements (e.g., installation of acceleration or deceleration lane).
         c) Installation of pedestrian safety paths in accordance with the requirements of Chapter 11 of the Code of Ordinances.
iv. A proposed site plan under this subsection G may be reviewed and approved administratively pursuant to Section 6.1.1.C and/or 6.1.1.D.

2. [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 Novi City Council this 23rd day of March, 2015.

[Signature]
Robert J. Gatt, Mayor

Maryanne Cornelius, City Clerk
Certificate of Adoption

I hereby certify that the foregoing is a true and complete copy of the ordinance adopted at the regular meeting of the Novi City Council held on the 23rd day of March, 2015.

Maryanne Cornelius, City Clerk

Adopted: 03/23/2015
Published: 04/02/2015
Effective: 04/09/2015

Certificate of Clerk

I hereby certify that the foregoing ordinance was published by posting a copy thereof at each of the following times and places within the City of Novi, on the 25th day of March, 2015.

1. Novi City Hall 45175 Ten Mile Road
2. Novi Library 45255 Ten Mile Road

I do further certify that on the 2nd day of April, 2015 said Zoning Text Amendment 18.272 was published in brief in the Novi News, a newspaper published and circulated in said City.

Maryanne Cornelius, City Clerk