AN ORDINANCE TO AMEND ORDINANCE NO. 97-18 AS AMENDED, THE CITY OF NOVI ZONING ORDINANCE TO ALLOW FOR ACCESSORY OUTSIDE STORAGE AS A SPECIAL LAND USE IN THE LIGHT INDUSTRIAL DISTRICT.

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 3.14 I-1 DISTRICT REQUIRED CONDITIONS

All uses within the I-1 district shall be subject to the Site Plan Review Requirements as set forth in Section 6.1 and must comply with the following required conditions:

1. Uses which may take place within or outside of a completely enclosed building:
   A. Except as provided in subpart (B), below, all uses shall be conducted wholly within a completely enclosed building.
   B. The following uses may be conducted outside of a completely enclosed building:
      i. [Unchanged]
      ii. [Unchanged]
      iii. [Unchanged]
      iv. Nonresidential open storage as defined in Section 2.2, may be permitted as a Special Land Use by a Planning Commission approval or conditional approval as provided in Sections 6.1.2.C, 6.1.2.D, and 6.2, when conducted in conjunction with and accessory to an otherwise permitted use in the I-1 District provided that:
         a. The open storage is of new materials used for operations taking place inside a building on the same lot, or of new finished product prior to shipment.
         b. The open storage shall be short-term, meaning that no individual product or material shall be stored outside for more than one year.
         c. In no case shall open storage areas to be used to store waste, used or secondhand materials, or obsolete machinery or materials no longer used or intended to be used in the industrial operation.
         d. The Special Land Use approval shall expire when a change in use occurs.
         e. Open storage areas shall be shown on a site plan, which shall be subject to Special Land Use review and approval. The site plan shall meet the standards of the Site Plan and Development Manual and clearly depict all of the required conditions of this section, including the boundaries of the proposed storage areas. Amendments to the site plan shall require review and approval in the same manner as for the Special Land Use; however, minor modifications to the approved site plan as to layout, location of materials, screening, and similar operational details for the use may be approved administratively in accordance with the procedures for such approvals in this Ordinance.
f. All storage shall be limited to the open storage areas on the approved site plan, which shall be located in the rear yard or an interior side yard, and shall be subject to the setback, lot coverage, and landscaping requirements in Sections 3.6.2.B, 3.6.2.D, 3.6.2.F, 3.6.2.M, and 3.6.2.P, subject to the Planning Commission's setback modification authority in Section 3.6.2.Q. When adjacent to a single-family zoning district, no storage area shall be closer than 150 feet to the nearest property line of any such district.

g. All storage shall be completely screened from all adjacent properties by appropriate structures, fencing conforming to the applicable requirements in Section 5.1.12, or walls. Such structures, fencing, or walls shall be at least six (6) feet in height and no greater than eight (8) feet in height. Alternatively, landscaping conforming to the applicable requirements of Section 5.5 may be used to completely screen the storage materials from the view of adjacent properties, if approved by the Planning Commission. Such landscaping shall be of suitable type with necessary quantities, height, and spacing to provide 100% opacity in winter and summer when adjacent to property zoned for single-family use, and eighty (80) percent winter opacity and ninety (90) percent summer opacity as to all other properties, as determined in accordance with this Ordinance and as approved by the City's Landscape Architect, with existing vegetation to be augmented as necessary to achieve those standards.

h. A plan for ongoing replacement of dead or diseased vegetation shall be submitted if any portion of the required screen includes vegetation, and all vegetation shall be regularly, professionally, and permanently maintained.

i. Openly stored materials shall not extend above the height of the screening, and shall be protected from damage due to weather precipitation as necessary. No racks for the holding of materials are permitted, except that pallets or low blocks may be used to keep materials from immediate contact with the ground.

j. The storage areas shall not conflict with the minimum site development standards required for the 1-1 District or by any previously approved site plan, including, but not limited to, parking, loading and landscaping.

k. Adequate fire protection and access for Fire vehicles shall be provided at all times.

l. Storage areas shall be paved and properly drained per the City's Code of Ordinances.

m. The Planning Commission may modify the minimum standards of this subsection as listed above, if it finds that the proposed use will be compatible with, and will not have a material negative impact upon, existing and planned uses located on adjacent and surrounding properties, taking into consideration the size and configuration of the site and any other relevant aspects of the site; provided, however, that the Planning Commission shall not have the authority to approve a storage area closer than 150 feet to any single-family residential zoning district, as required under subsection (f) above.

n. The open storage will not include any material or equipment that must be stored in an enclosed building as provided in, Section 4.54, Storage Facilities for Building Materials, Sand, Gravel, Stone, Lumber, Storage of Contractor's Equipment and Supplies, or that would constitute a Junkyard as defined in Section 2.2 and prohibited in the 1-1 District by Section 4.58.

o. The open storage shall also comply with all other applicable requirements of this Code of Ordinances, and with all other applicable local, state, or federal laws, rules, or regulations.
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 28th day of September, 2015.

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 28th day of September, 2015.

Maryanne Cornelius, City Clerk

Adopted: 09/28/2015
Published: 10/08/2015
Effective: 10/15/2015
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 30th day of September, 2015.

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

I do further certify that on the 8th day of October, 2015 said Zoning Text Amendment 18.275 was published in brief in the Novi News, a newspaper published and circulated in said City.

[Signature]
Marianne Cornelius, City Clerk
BE IT MADE KNOWN THAT THE FOLLOWING ADVERTISMENT APPEARED IN:

Publication: Novi News
Placed By: City of Novi
Subject: Ordinance 18.275
Date of Publication: October 8, 2015

(Susan Totoraitis), being duly sworn, deposes and says that the advertising illustrated above/attached was published in the Novi News Newspaper on the following date/s/: October 8, 2015, INVOICE number 259432, and as an authorized employee of the Observer and Eccentric Media, she knows well the facts stated herein. Cost: $78.60.

STATE OF MICHIGAN

NOTARIZED BY: Charise Monroe Commission Expires: 04/26/20
(Acting in County of) Oakland Notary Public in and for said County

Charise Monroe
Notary Public, State of Michigan
County of Eaton
My Commission Expires 04-26-2020
Acting in the County of Oakland
NOTICE IS HEREBY GIVEN THAT THE NOVI CITY COUNCIL HAS ADOPTED ORDINANCE NO. 18.275 TO AMEND ORDINANCE NO. 97-18 AS AMENDED, THE CITY OF NOVI ZONING ORDINANCE TO ALLOW FOR ACCESSORY OUTSIDE STORAGE AS A SPECIAL LAND USE IN THE LIGHT INDUSTRIAL DISTRICT.

The Ordinance was adopted by the City Council on Monday, September 28, 2015 and the provisions of the ordinance shall become effective seven (7) days after its publication. A complete copy of the Ordinance is available for public use and inspection at the office of the City Clerk, 45175 Ten Mile Road, during the hours of 8:00 a.m. and 5:00 p.m., prevailing local time.

Maryanne Cornelius, City Clerk

Publish: October 8, 2015
CITY OF NOVI
NOTICE OF ADOPTION
ORDINANCE NO. 18.275

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Maryanne Cornelius, City Clerk

Publish: 10/08/2015