

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF NOVI
ORDINANCE NO. 18.301

AN ORDINANCE TO AMEND THE CITY OF NOVI CODE OF ORDINANCES, ORDINANCE 14-271, THE CITY OF NOVI ZONING ORDINANCE, AS AMENDED, AT THE FOLLOWING LOCATIONS: HOW TO USE THIS ORDINANCE, PART 4, USE MATRIX; ARTICLE 2, DEFINITIONS, SECTION 2.2, DEFINITIONS; ARTICLE 3, ZONING DISTRICTS, IN THE FOLLOWING SECTIONS: SECTION 3.1 DISTRICTS ESTABLISHED, SECTION 3.1.18 LIGHT INDUSTRIAL DISTRICT, SECTION 3.6 NOTES TO DISTRICT STANDARDS, AND SECTION 3.27 TC AND TC-1 DISTRICT REQUIRED CONDITIONS; ARTICLE 4, USE STANDARDS, IN THE FOLLOWING SECTIONS: SECTION 4.12 GROUP DAY CARE HOMES, DAY CARE CENTERS, AND ADULT DAY CARE CENTERS, SECTION 4.18 BED AND BREAKFAST OPERATIONS, SECTION 4.19 ACCESSORY USES, SECTION 4.25 MIXED-USE DEVELOPMENTS, SECTION 4.27 RETAIL BUSINESS OR SERVICE ESTABLISHMENTS, SECTION 4.31 VETERINARY HOSPITALS OR CLINICS, SECTION 4.35 MICROBREWERIES AND BREWPUBS, SECTION 4.40 RESTAURANTS IN THE CHARACTER OF A FAST FOOD CARRYOUT, DRIVE-IN, FAST FOOD DRIVE-THROUGH, OR FAST-FOOD SIT DOWN, SECTION 4.44 INDUSTRIAL OFFICE SALES, SERVICE, AND INDUSTRIAL OFFICE RELATED USES, SECTION 4.45 SELECT I-1 AND EXPO DISTRICT USES, SECTION 4.47 MOTION PICTURE, TELEVISION, RADIO, AND PHOTOGRAPHIC PRODUCTION FACILITIES, SECTION 4.50 AUTOMOBILE SERVICE ESTABLISHMENT, SECTION 4.76 RETAIL SALE OF PRODUCTS OR SERVICES OCCURRING AS PART OF A SCHEDULED EXPOSITION FUNCTION, AND SECTION 4.77 I-1 USES IN THE EXPO DISTRICT; ARTICLE 5, SITE STANDARDS, IN THE FOLLOWING SECTIONS: SECTION 5.2 OFF-STREET PARKING REQUIREMENTS, SECTION 5.4 OFF-STREET LOADING AND UNLOADING, SECTION 5.5 LANDSCAPE STANDARDS; ARTICLE 5, SITE STANDARDS, SECTION 5.7 EXTERIOR LIGHTING, SECTION 5.14 PERFORMANCE STANDARDS, AND SECTION 5.16 BICYCLE PARKING FACILITY REQUIREMENTS; ARTICLE 6, DEVELOPMENT PROCEDURES, SECTION 6.1 SITE PLAN REVIEW (ALL DISTRICTS); IN ORDER TO FIX INCONSISTENCIES, CLARIFY ORDINANCE LANGUAGE, REMOVE THE EXPO ZONING DISTRICT AND ASSOCIATED SECTIONS, MODIFY REQUIREMENTS FOR MICROBREWERIES AND BREWPUBS, UPDATE PHOTOMETRIC REQUIREMENTS TO MORE CLOSELY ALIGN WITH SURROUNDING COMMUNITIES, AND OTHER ITEMS AS DEEMED NECESSARY.

THE CITY OF NOVI ORDAINS:

Part I. That the How to Use This Ordinance section, part 4, Use Matrix, of the City of Novi Zoning Ordinance is hereby amended to account for the changes shown in Attachment A: Revised Use Matrix

Part II. That Article 2, Definitions, Section 2.2, Definitions, of the City of Novi Zoning Ordinance is hereby amended for the following entries only:

Deciduous Canopy Tree: A woody plant with an erect perennial trunk which at maturity is over thirty (30) feet in height and a minimum width of twenty (20) feet and which has a definite crown of foliage that falls off the tree each winter. See Suggested Plant Materials List.

Family Day Care Home: A private single family home in which fewer than 7 minor children are received for care and supervision for compensation for the time period set forth in this ordinance, unattended by a parent or legal guardian, except children related to an adult member of the household by blood, marriage or adoption. This includes a home in which care is given to an

unrelated minor child for more than 4 weeks during a calendar year. A family child care home does not include an individual providing babysitting services for another individual. Overnight care shall not be provided. See standards in Section 4.12.1.

Group Day Care Home: A private single family home in which more than six (6) but not more than twelve (12) minor children are received for care and supervision for the time period set forth in this ordinance, unattended by a parent or legal guardian, except children related to an adult member of the household by blood, marriage or adoption. This includes a home in which care is given to an unrelated minor child for more than four (4) weeks during a calendar year. Overnight care shall not be provided. See standards in Section 4.12.1.

Deciduous Sub-Canopy Tree: A woody plant with a perennial trunk which at maturity is fifteen (15) feet to twenty nine (29) feet in height and a minimum of eight (8) feet in width and which has a crown of foliage which falls off each winter. See Suggested Plant Materials List.

Nacelle: [REMOVED FROM LIST OF DEFINITIONS ON PAGE 2-3]

Net Metering: [REMOVED FROM LIST OF DEFINITIONS ON PAGE 2-3]

Responsible or Responsibility for a Violation: [INCLUDE IN LIST OF DEFINITIONS ON PAGE 2-3 AND LINK TO DEFINITION FOUND ON PAGE 2-22]

Part III. That Article 3, Zoning Districts, of the City of Novi Zoning Ordinance is hereby amended in the following sections:

Article 3.0 Zoning Districts

- 3.1 Districts Established
- 3.2 District Boundaries
- 3.3 District Boundaries Interpreted
- 3.4 Zoning of Annexed Areas
- 3.5 Zoning of Vacated Areas
- 3.6 Note to Schedule of Regulations
- 3.7 RA, R-1, R-2, R-3, and R-4 Required Conditions
- 3.8 RM-1 and RM-2 Required Conditions
- 3.9 MH District Required Conditions
- 3.10 B-1, B-2, and B-3 Business Districts Required Conditions
- 3.11 GE District Required Conditions
- 3.12 Special Development Option (SDO) for the GE District
- 3.13 FS District Required Conditions
- 3.14 I-1 District Required Conditions
- 3.15 I-2 District Required Conditions
- 3.16 NCC District Required Conditions
- 3.17 OS-1 District Required Conditions
- 3.18 OSC District Required Conditions
- 3.19 OST District Required Conditions
- 3.20 District Required Conditions
- 3.21 PSLR Required Conditions
- 3.22 P-1 District Required Conditions
- 3.23 Conference District Required Conditions
- 3.24 [Reserved]
- 3.25 EXO Overlay District Required Conditions

- 3.26 RC District Required Conditions
- 3.27 TC and TC-1 District Required Conditions
- 3.28 One-Family Clustering Option
- 3.29 RUD Residential Unit Development
- 3.30 Open Space Preservation Option
- 3.32 Planned Development Option
- 3.32 General Exceptions

Part IV. That Article 3, Zoning Districts, Section 3.1 Districts Established, of the City of Novi Zoning Ordinance is hereby amended in the following sections:

Section 3.1 Districts Established

For the purpose of this Ordinance, the City of Novi is hereby divided into the following districts:

- 1. RA Residential Acreage
- 2. R-1 One-Family Residential District
- 3. R-2 One-Family Residential District
- 4. R-3 One-Family Residential District
- 5. R-4 One-Family Residential District
- 6. RT Two-Family Residential District
- 7. RM-1 Low-Density, Low-Rise Multiple-Family District
- 8. RM-2 High-Density, Mid-Rise Multiple-Family District
- 9. MH Mobile Home District
- 10. B-1 Local Business District
- 11. B-2 Community Business District
- 12. B-3 General Business District
- 13. C Conference District
- 14. [Reserved]
- 15. EXO Exposition Overlay District
- 16. GE Gateway East District
- 17. FS Freeway Service District
- 18. I-1 Light Industrial District
- 19. I-2 General Industrial District
- 20. NCC Non-Center Commercial District
- 21. OS-1 Office Service District
- 22. OSC Office Service Commercial District
- 23. OST Office Service Technology District
- 24. RC Regional Center District
- 25. TC Town Center District
- 26. TC-1 Town Center-1 District
- 27. PSLR Planned Suburban Low-Rise Overlay District
- 28. P-1 Vehicular Parking District
- 29. PSV Pavilion Shore Village District

Section 3.1.18 I-1 Light Industrial District

A. [unchanged]

B. Principal Permitted Uses

i. – v. [unchanged]

The following uses are principal permitted uses, except when such uses abut a residentially zoned district they shall be treated as special land uses and shall provide a noise impact statement:

vi. – xxi. [unchanged]

C.-D. [unchanged]

Part V. That Article 3, Zoning Districts, Section 3.6 Notes to District Standards, of the City of Novi Zoning Ordinance is hereby amended in the following section:

1. [unchanged]

2. [unchanged]

A. – D. [unchanged]

E. Off-street parking shall be permitted in the front yard of the OS-1, OST, , EXO, B1, B-2, B-3, NCC, RC, TC and FS districts, except that said parking shall observe the minimum off-street parking setback requirements in the Development Standards of Section 3.1 and Section 5.5.3 of this ordinance and, with respect to the TC district, Section 3.27.1.D.

No off-street parking shall be permitted in the front yard, being that area between the front property line and the front building facade of the principal building(s) on the lot or parcel, of the OSC, I-1, I-2 districts unless:

i.-v. [unchanged]

F. – Q. [unchanged]

Part VI. That Article 3, Zoning Districts, Section 3.27 TC and TC-1 District Required Conditions, of the City of Novi Zoning Ordinance is hereby amended in the following section:

1. The following standards shall apply to all uses permitted in the TC and TC-1 districts:

A.-H. [unchanged]

I. Sidewalks. Sidewalks are required at all developments which abut any street or an internal service road. All sidewalks shall comply with the City of Novi Design and Construction Standards (Chapter 11 of the Novi Code of Ordinances) and all other applicable ordinances and statutes. Sidewalks within the TC-1 district adjacent to non-residential collector and local streets shall be twelve and one-half (12.5) feet in width. Direct pedestrian access shall be provided between all buildings and uses within a development and between a development and adjacent areas. Such access may be provided by the utilization of interior walkways in conjunction with exterior sidewalks and shall be no less than five (5) feet in width.

J.-N. [unchanged]

2. [unchanged]

Part VII. That Article 4, Use Standards, of the City of Novi Zoning Ordinance is hereby amended in the following section:

- 4.1 – 4.44 [unchanged]
- 4.45 [Reserved]
- 4.46 – 4.75 [unchanged]
- 4.76 [Reserved]
- 4.77 [Reserved]
- 4.78 – 4.91 [unchanged]

Part VIII. That Article 4, Use Standards, Section 4.12 Group Day Care Homes, Day Care Centers, and Adult Day Care Centers, of the City of Novi Zoning Ordinance is hereby amended in the following section:

- 1. [unchanged]
 - A. – B. [unchanged]
 - C. [unchanged]
 - i. [unchanged]
 - ii. The parcel must abut land zoned only NCC, OS-1, OSC, TC, TC-1, RC, FS, I-1, P-1, C, and OST.
 - iii.-iv. [unchanged]
- 2. Day care centers and adult day care centers are a permitted use in the B-2, B-3, OST, TC, TC-1 districts and EXO Overlay district and a special land use in the OS-1, OSC, and PSLR districts, all subject to the following:
 - i. In the B-2, B-3, OST, OS-1, OSC, TC, TC-1, PSLR districts and EXO Overlay district:
 - a. Outdoor recreation areas shall be provided, consisting of at least one-hundred fifty (150) square feet for each person cared for in the recreation area during peak hours, with a minimum total area of three-thousand five-hundred (3,500) square feet, unless modified by the Planning Commission based on justification provided by the applicant. All such outdoor recreation area may extend into an exterior side yard up to twenty-five (25) percent of the distance between the building façade and the property line.
 - b. – e. [unchanged]
 - ii. In the B-2, B-3, OST, OS-1, OSC, TC, TC-1 districts and EXO Overlay district:
 - a. [unchanged]
 - b. Facilities abutting residential zoning districts shall be reviewed under the façade standards provided in Section 4.12.1.B.vii.

Part IX. That Article 4, Use Standards, Section 4.18 Bed and Breakfast Operations, of the City of Novi Zoning Ordinance is hereby amended in the following section:

1.-4. [unchanged]

5. Signs identifying the bed and breakfast operation shall comply with the requirements of Chapter 28 of the Code of Ordinances.

6.-12. [unchanged]

Part X. That Article 4, Use Standards, Section 4.19 Accessory Uses, of the City of Novi Zoning Ordinance is hereby amended in the following sections:

1. Accessory Buildings

A.-H. [Unchanged]

- I. A detached accessory building in the R-1 through R-4, RT, RM-1, MH, OS-1, B-1, P-1, and NCC districts shall not exceed one (1) story or fourteen (14) feet in height. Accessory buildings in all other districts may be built to a height equal to the maximum permitted height of the district; provided, if the accessory building exceeds one (1) story or fourteen (14) feet in height, the building shall be set back one (1) additional foot for each foot the building exceeds fourteen (14) feet in height.

J.-L. [Unchanged]

2. Accessory Structures

A. – B. [unchanged]

C. Canopies and Carports

i.-ii. [unchanged]

iii. Carports may be permitted under the following conditions:

- a. If they are designed subject to any conditions listed in Section 5.15.12.
- b. One carport may be permitted on any lot, regardless of size. Two or more carports may be permitted on any lot greater than 2 acres in size, provided they comply with accessory building setback and height requirements.
- c. Carports qualify for administrative approval.

D. – E. [unchanged]

F. Refuse Bin (Dumpster, Trash Receptacle) with appropriate screening enclosure, as provided in Section 21-145 of the City Code, which shall conform to the following

standards except as otherwise provided in the TC and TC-1 (Town Center) districts and the GE (Gateway East) district, and except where more specific standards are provided elsewhere in this ordinance:

- i. Except where otherwise permitted and regulated in this ordinance, refuse bins and their screening enclosures shall be located in the rear yard or interior side yard if it does not abut a residentially zoned district.

ii. – vii. [Unchanged]

G. – H. [Unchanged]

Part XI. That Article 4, Use Standards, Section 4.25 Mixed-Use Developments, of the City of Novi Zoning Ordinance is hereby amended in the following section:

To qualify for a mixed-use development, a project must meet the following requirements:

1. Each use shall comprise of at least ten (10) percent in the GE, TC, and TC-1 districts of either:
 - A. The net site area; or
 - B. The total gross floor area of all buildings and not to be considered accessory to another principal use
- 2.-3. [unchanged]

Part XII. That Article 4, Use Standards, Section 4.27 Retail Business or Service Establishments, of the City of Novi Zoning Ordinance is hereby amended in the following section:

1. In the B-2, B-3, TC, and TC-1 districts, all retail business or service establishments are permitted as follows:
 - A. Any retail business whose principal activity is the sale of merchandise in an enclosed building.
 - B. Any service establishment of an office, showroom or workshop nature of a decorator, dressmaker, tailor, bridal shop, art gallery, interior designer or similar establishment that requires a retail adjunct.
 - C. Restaurants (sit down), banquet facilities or other places serving food or beverage, except those having the character of a drive-in or having a drive0through window.
 - D. Theaters, assembly halls, concert halls, museums or similar places of assembly when conducted completely within enclosed buildings.
 - E. Business schools and colleges or private schools operated for profit.
2. [unchanged]

Part XIII. That Article 4, Use Standards, Section 4.31 Veterinary Hospitals or Clinics, of the City of Novi Zoning Ordinance is hereby amended in the following sections:

Veterinary hospitals or clinics are permitted as a special land use in the B-2, B-3, NCC, TC, and TC-1 districts. They are also a special land use in the I-I district when abutting residential districts. In the I-1 and I-2 districts, when not abutting a residential district, they are a permitted use. In all districts they are subject to the following:

1. In the B-2, B-3, NCC, TC, TC-1, I-1, and I-2 districts:
 - A. All activities must be conducted within a totally enclosed building

- B. All buildings must be set back at least two-hundred (200) feet from abutting residential districts on the same side of the street
- 2. [unchanged]

Part XIV. That Article 4, Use Standards, Section 4.35 Microbreweries and Brewpubs, of the City of Novi Zoning Ordinance is hereby amended in the following sections:

Microbreweries and brewpubs are permitted uses in the B-3 district and special land uses in the RC, TC, and TC-1 districts subject to the following conditions:

- 1. Microbreweries and brewpubs
 - A. In the B-3, RC, TC, and TC-1 districts:
 - i. [unchanged]
 - ii. No outside beer tent shall be permitted on any off-street parking lot or off-street loading/unloading area except as may be permitted as a temporary tent sale use pursuant to Section 7.6. Outside table serving may be permitted on a plaza providing proper handicapped sidewalk and ramp access is provided and subject to the requirements of Section 4.84
 - iii. There shall be compliance with the standards at Section 5.14
 - B. [unchanged]
- 2. Microbreweries
 - A. Brewery production shall not exceed twenty-thousand (20,000) barrels per year.
 - B. Steam condensation units shall be required on all venting.
 - C. No more than sixty-five (65) percent of total gross floor space of the establishment shall be used for the microbrewery function such as the brewhouse, fermentation tanks, conditioning tanks, bright beer tanks/filter, bottling and kegging lines, malt milling/storage, serving tanks and boiler/water treatment areas.
 - D.-E. [unchanged]
- 3. Brewpubs
 - A. Brewery production shall not exceed two-thousand (2,000) barrels per year.
 - B. No more than fifty (50) percent of total gross floor space of the establishment shall be used for the brewery function such as the brewhouse, fermentation tanks, conditioning tanks, bright beer tanks/filter, bottling and kegging lines, malt milling/ storage, serving tanks and boiler/water treatment areas.

Part XV. That Article 4, Use Standards, Section 4.40 Restaurants in the Character of a Fast Food Carryout, Drive-In, Fast Food Drive-Through, or Fast-Food Sit Down, of the City of Novi Zoning Ordinance is hereby amended in the following sections:

1.-3. [unchanged]

4. Sit-down restaurants that are not in the character of fast food are permitted in the B-2, B-3, TC, and TC-1 districts, subject to the conditions listed in Section 4.27.

Part XVI. That Article 4, Use Standards, Section 4.44 Industrial Office Sales, Service, and Industrial Office Related Uses, of the City of Novi Zoning Ordinance is hereby amended in the following section:

In the I-1 and I-2 districts, industrial office sales, service and industrial office related uses are permitted when located within an existing office building portion of an industrial use.

Part XVII. That Article 4, Use Standards, Section 4.45 Select I-1 and EXPO District Uses, of the City of Novi Zoning Ordinance is hereby removed in its entirety from the Zoning Ordinance and replaced in Section 3.1.18.B of the Zoning Ordinance.

Part XVIII. That Article 4, Use Standards, Section 4.47 Motion Picture, Television, Radio, and Photographic Production Facilities, of the City of Novi Zoning Ordinance is hereby amended in the following section:

1. [unchanged]

2. Motion picture, television, radio and photographic production facilities are permitted as a special land use in the I-1 district and as a permitted use in the I-2 district when conducted outside of existing buildings. In all districts they are subject to the following:
 - A. Uses must comply with subsections 4.47.1.A.i and 4.47.1.A.ii.
 - B. Such outside activities are completely screened from view with an eight (8) foot tall obscuring berm from all adjacent properties.

Part XIX. That Article 4, Use Standards, Section 4.50 Automobile Service Establishment, of the City of Novi Zoning Ordinance is hereby amended in the following section:

1. For any such use on a lot adjacent to a major thoroughfare, the following requirements shall apply:
 - A.-F. [unchanged]

2.-3. [unchanged]

Part XX. That Article 4, Use Standards, Section 4.76 Retail Sale of Products or Services Occurring as part of a Scheduled Exposition Function, of the City of Novi Zoning Ordinance is hereby removed in its entirety from the Zoning Ordinance and is reserved for future use.

Part XXI. That Article 4, Use Standards, Section 4.77 I-1 Uses in the EXPO District, of the City of Novi Zoning Ordinance is hereby removed in its entirety from the Zoning Ordinance and is reserved for future use.

PART XXII. That Article 5, Site Standards, Section 5.2 Off-Street Parking Requirements, of the City of Novi Zoning Ordinance is hereby amended in the following sections:

1.-11. [unchanged]

12. Off-Street Parking Spaces

A.-B. [unchanged]

C. Business and Commercial

Use		Minimum Number of Parking Spaces per Unit of Measure
Restaurants and other establishments for sale and consumption on the premises of beverages, food or refreshments		
a.	Sit-down; Microbreweries; brewpubs	One (1) for each seventy (70) square feet gross floor area (14.3 spaces per one-thousand (1,000) square feet), or one (1) for each two (2) employees, plus one (1) for each two (2) customers allowed under maximum capacity (including waiting areas), whichever is greater
b.	Fast Food	One (1) for every two (2) employees, plus (1) for every two (2) customers allowed under maximum capacity (including waiting areas) plus compliance with the requirements for stacking spaces outlined in Section 5.3.11

D.-E. [unchanged]

13.-15. [unchanged]

PART XXIII. That Article 5, Site Standards, Section 5.4 Off-Street Loading and Unloading, of the City of Novi Zoning Ordinance is hereby amended in the following sections:

1. [unchanged]

2. Within the B, GE, FS, RC, NCC, TC and TC-1 districts, loading, unloading space shall be provided in the rear yard at a ratio of ten (10) square feet for each front foot of building; except in the case of a double frontage lot, loading-unloading, as well as trash receptacles may be located in an interior side yard beyond the minimum side yard setback requirement of the district. Location of such facilities in a permitted side yard shall be subject to review and approval by the City. The City in making its review shall find that any such use shall:

- A. Not have a disruptive effect on the safe and efficient flow of pedestrian and vehicular traffic within the site.
- B. Be aesthetically and effectively screened from view from adjoining properties and from a street, in a manner acceptable to the applicable review body of the City.

The City, to aid in its review, may require submittal of building elevations and cross-section plans showing grade elevations with respect to the location of loading, unloading and trash receptacles, the corresponding elevations of adjoining property and streets and the means by which these facilities will be effectively screened from view.

3. Within any I district or EXO Overlay district, all loading and unloading operations shall be conducted in the rear yard, except in those instances where:
 - A. [unchanged]
 - B. An interior side yard is located adjacent to I district or EXO Overlay district property, loading and unloading may be conducted in that interior side yard when located near the rear of the building. When loading and unloading is to be conducted within an interior side yard, the City may require aesthetic screening of the facility in accordance with the guidelines set forth in Section 5.5.
- 4.-5. [unchanged]

PART XXIV. That Article 5, Site Standards, Section 5.5 Landscape Standards, of the City of Novi Zoning Ordinance is hereby amended in the following sections:

1. [unchanged]
2. [unchanged]
3. [unchanged]
 - A. [unchanged]
 - i. [unchanged]
 - ii. Residential Adjacent to Non-Residential Berm Requirement Chart

Use	Zoning	Berm Height
Parking	P-1 district Off-Street Parking Area	4 ft. 6 in. to 6 ft. high
Residential/Special Land Use	RM-1, RM-2, and MH districts, churches, schools, nursery schools, day care centers and other uses where special land use approval is required	4 ft. 6 in. to 6 ft. high
Office Service/Tech	OST, OS-1, and OSC districts	4 ft. 6 in. to 6 ft. high
Commercial	B-1, B-2, B-3, RC, and NCC districts	6 ft. to 8 ft. high
Conference	C district	8 ft. to 10 ft. high
Freeway Service	FS district	8 ft. to 10 ft. high
Town Center	(a.) TC and Tc-1 districts	6 ft. high wall
	(b.) TC-1 and RM-2 districts	6 ft. high wall
Industrial	I-1 district	10-15 ft. ht. berm, 6 ft. crest width, 80% winter/90% summer opacity (See Section 3.14.5.E)
	I-2 district	15 ft. ht. berm, 15 ft. crest width, 80% winter/90% summer opacity (See Section 3.15.2.C)
	Special Land Use	10ft. ht. berm, 6ft. crest width, 80% winter/90% summer opacity (See Section 3.14.5.E)

Auto Wash, Drive-In restaurant, Service Stations, and Planned Commercial Centers and Regional Shopping Centers	Where permitted or approved	10 ft. to 15 ft.
Hospital-Ambulance and Delivery Areas	Where permitted or approved	6 ft. high
Utility Buildings, Stations, and/or Substations	Where permitted or approved	6 ft. high

iii.-vii [unchanged]

B. [unchanged]

i. [unchanged]

ii. [unchanged]

a. – e. [unchanged]

f. Right-of-Way Landscape Screening Requirements

Use	Zoning	Berm Located	Requirements						
			Greenbelt width (feet)	Min. berm crest width (feet)	Min. Berm Height (feet)	3 Foot Wall /Fence	Deciduous canopy or large evergreen trees: 1 per X linear feet frontage	Deciduous sub-canopy trees: 1 per X linear feet frontage	In area between sidewalk and curb, plant 1 Deciduous canopy tree per X linear feet frontage
Footnotes				(4)	(9)	(5)(6)(7)	(2)(8)(9)(14)(17)	(3)(8)(9)(14)(17)	(2)(9)(10)(11)(12)(15)(17)
Single Family Residential	R-A R-1 R-2 R-3 R-4		34	4	4	(5)(6)(7)	40	25	35

Two-Family Residential	RT	Adjacent to parking	20	2	3	(4)(5)(6)(7)	35	25	35
		Not adjacent to parking	30	2	3	(5)(6)(7)	40	25	35
Footnotes				(4)	(9)	(5)(6)(7)	(2)(8)(9)(14)(17)	(3)(8)(9)((14)(17)	(2)(9)(10)(11)(12)(15)(17)
Multi-Family Residential	RM-1 RM-2 MH	Adjacent to parking	20	2	3	(4)(5)(6)(7)	35	25	35
		Not adjacent to parking	34	2	3	(5)(6)(7)	35	25	35
Residential PRO (20)			Avg. 50 Min. 34	4	4	(5)(6)(7)	40	25	25
Footnotes				(4)	(9)	(5)(6)(7)	(1)(2)(8)(9)(13)(17)(18)(19)	(1)(3)(8)(9)(13)(14)(17)(18)(19)	(1)(2)(9)(10)(11)(15)(17)(18)(19)
Commercial/Office	NCC C OS-1 OSC OST B-1 B-1 B-3	Adjacent to parking	20	3	3	(4)(5)(6)(7)	35	20	35
		Not adjacent to parking	25	0	0	(5)(6)(7)	60	40	35
		Parking between ROW and at least 67% of primary building (18)0	20	3	3	(4)(5)(6)(7)	75	40 plus 2 shrubs per 40 linear feet	35
Industrial (12)	I-1 I-2	Adjacent to parking	25	3	3	(4)(5)(6)(7)	40	35	45
		Not adjacent to parking	25	-	-	-	60	40	45
Downtown	TC TC-1	Adjacent to parking	20	-	-	(6)(7)	25 (17)	15 (17)	-
		Not adjacent	-	-	-	(6)(7)	30 (17)	20 (17)	-

		to parking							
Footnotes				(4)	(9)	(5)(6)(7)	(1)(2)(8)(9)(13)(17)(18)(19)	(1)(3)(8)(9)(13)(14)(17)(18)(19)	(1)(2)(9)(10)(11)(15)(17)(18)(19)
Misc. Large Use	P-1 EXO RC FS	Adjacent to parking	20	2	3	(5)(6)	35	20	45
		Not adjacent parking	25	3	3	(5)(6)	45	30	45
Planned Suburban Low Rise	PSLR	Parking and buildings adjacent to a section line road right-of way	50	4	3	Not allowed	35	20	35
		Parking adjacent to other right-of-ways	To the front of principal building	4	3	Not allowed	35	20	35

Notes to table:

- (1) Round fractions to the nearest whole number for the required number of trees and shrubs
- (2) Subcanopy trees are to be used under overhead utilities. Use 1.5 subcanopy trees for each one canopy tree requirement. If columnar/fastigate varieties are used, 2 subcanopy trees per canopy tree must be used. The minimum total mature canopy width of the provided subcanopy trees should equal or exceed 25 feet. Wherever possible, however, deciduous canopy trees are to be used as street trees.
- (3) Subcanopy trees can be in an informal or formal arrangement. Format spacing shall be 10-foot minimum to 15-foot maximum on center
- (4) Shrubs are to be used to screen parking and vehicular use areas where no berm or wall is provided, and are encouraged to be used in other areas to provide seasonal interest where no parking occurs. Shrubs in front of parking areas must provide minimum screening opacity of 80% in winter and 90% in summer and be maintained at a height of at least 3 feet. The use of shrubs in place of the required berm requires a Planning Commission Waiver (berms are preferred).
- (5) Up to 10% of the required trees or subcanopy trees may be replaced with shrubs at a rate of 8 shrubs per canopy tree or evergreen tree, or 5 shrubs per subcanopy tree. The shrubs must be maintained at a minimum height of 3 feet.
- (6) A wall may be used instead of a berm. If a wall, consistent with footnote (7) below, is provided in front of parking areas, a reduction of up to 33% of the required greenbelt plantings (not street trees) is allowed in the parking greenbelt area. A Planning Commission Waiver is required to use a wall instead of a berm.
- (7) Freestanding walls shall be constructed of masonry or concrete with all exterior sides of face brick with a suitable cap.

- (8) An ornamental fence with shrubs and brick piers may be used instead of a berm if approved by the Planning Commission in Use/Zoning as indicated above. A Planning Commission waiver is required for this substitution
- (9) View channels into the site are to be used for safety visibility. Please provide sight lines to the building address for approaching vehicles at an approximately 20-40 degree angle.
- (10) Tree spacing requirements are intended to dictate the tree quantity per linear footage along the proposed right-of-way (ROW). They are not intended to dictate exact placement on the site within the area of the requirement. Creative landscape design is encouraged.
- (11) In situations where sidewalks are not required, the street trees shall be placed midway between the curb line and right-of-way line where possible
- (12) Street trees shall not be permitted within the 25-foot corner clearance zone (Section 5.9). Roads with Road Commission for Oakland County (RCOC) jurisdiction shall utilize their standards for sight distance in locating street trees. If RCOC does not approve any or all trees, those trees shall not be planted, with no penalty to the applicant.
- (13) In industrial subdivisions, a mix of shrubs, ornamental grasses, perennials and/or annuals shall be planted in massed groupings to highlight entrances and views of key elements.
- (14) The width of access aisles through the greenbelt shall be deducted from the basis of calculation (see illustration in footnote #19 below)
- (15) Subcanopy trees used in foundation landscaping shall also count toward the right-of-way subcanopy requirement if the building is located at the rear of the required greenbelt width.
- (16) The width(s) of the corner clearance zone(s) shall be deducted from the basis of the calculation for street trees for one access way per street frontage (see illustration in footnote #17 below).
- (17) In the Town Center districts, deciduous canopy/large evergreen trees or subcanopy trees are required in the greenbelt, but not both
- (18) These requirements only pertain to zoning districts B-1, B-2, and B-3
- (19) Linear deductions allowed for street trees and right-of-way greenbelt landscaping: [no change in illustration]
- (20) When the development fronts on one or major thoroughfares, the right-of-way greenbelt along that thoroughfare shall be an average of 50 feet width, with a minimum of 34 feet.

g.-j. [unchanged]

iii. [unchanged]

C. [unchanged]

i. – ii. [unchanged]

iii. Interior Parking Area Landscape Islands and Canopy Tree Chart

	A	B	C	D	E
Category*	Total square footage of landscaped islands for VUA areas	Total square footage of landscaped islands for VUA	Total square footage required in interior parking lot	Total number of interior landscape deciduous canopy trees:	Perimeter (in linear feet) deciduous canopy trees required equals:

	less than or equal to 50,000 sq.ft. equals:	beyond the initial 50,000 sq. ft. (A) equals:	islands equals:		
Footnotes	(1)(2)(3)	(1)(2)(3)		(4)(5)(7)	(6)(7)(8)
1	VUA x 7.5%	(VUA – 50,000) x 1.0%	A + B	(A + B)/200	Perimeter/35
2	VUA x 5%	(VUA – 50,000) x 0.5%	A + B	(A + B)/200	Perimeter/35
*Category 1 = OS-1, OSC, OST, B-1, B-2, B-3, C, NCC, FS, TC, TC-1, RC Districts and Special Land Uses					
*Category 2 = I-1, I-2					
Notes to table:					
1. Round fractions of trees to the nearest whole number. 2. Vehicular Use Area (VUA) to be used in this calculation includes parking spaces, loading areas, and access aisles. It does not include drives to the Vehicular Use Area. See illustration below. 3. If a vehicular use area is greater than 50,000 square feet, the landscape requirement for the first 50,000 square feet of VUA is to be calculated per Column A, and the requirement for the remaining VUA is to be calculated per Column B. The landscaping for the total requirement should be spread evenly across the entire VUA As an example, a 65,000 square foot parking area in Category 1 would require 50,000 x 7.5% plus 15,000 x 1% = 3750 sq. ft. + 150 sf = 3900 sq. ft. landscape area within the parking lot boundary. 4. Deciduous canopy trees are required for all interior parking trees. In areas with overhead utility lines, subcanopy trees may be approved at a rate of 1.5 subcanopy trees per 1 canopy tree required. 5. Access drives outside of parking areas shall have perimeter trees planted at the rate of 1 per 35 linear feet of drive length on both sides of the aisle, ending at the right-of-way/property line. The portion of an access way to the parking lot that passes through the right-of-way greenbelt may be subtracted from the basis of calculation if an equivalent number of greenbelt canopy trees are within 15 feet of the drive and fulfill the requirement for 1 tree per 35 linear feet.					

iv.-v. [unchanged]

D.-G. [unchanged]

PART XXV. That Article 5, Site Standards, Section 5.7 Exterior Lighting, of the City of Novi Zoning Ordinance is hereby amended in the following sections:

1. [unchanged]
2. Approved Lighting Plan. Whenever the installation or modification of outdoor lighting is a required condition under this Section, or is part of a development plan that requires site plan approval, the approving body shall review and approve all proposed lighting as part of its site plan approval process. In such cases the site plan qualifies for administrative approval as outlined in Section 6.1.C, it shall still meet the requirements set forth in this

Section. These standards shall also apply to site plan approval or modification of existing lighting.

A. [unchanged]

i. [unchanged]

ii. Specifications for all proposed and existing lighting fixtures including photometric data, fixture height, mounting and design, glare control devices, type and color rendition of lamps, and hours of operation. A photometric plan illustrating the levels of illumination at ground level shall account for all light sources that impact the subject site (This information may be deferred to the final site plan if the site is not adjacent to a residential district.)

iii. [unchanged]

B. [unchanged]

3. Required Conditions. The following conditions shall apply to site plan approval or modification of existing lighting:

A. – E. [unchanged]

F. Color Spectrum Management

i. All permanent lighting installations in nonresidential and multi-family zoning districts shall have a minimum Color Rendering Index (CRI) of 70.

ii. All permanent lighting installation in nonresidential and multi-family zoning districts shall have a Correlated Color Temperature (CCT) of no greater than 3000 Kelvin (K).

G. [unchanged]

H. Indoor Lighting shall not be the source of exterior glare or spillover as defined in this section.

I. Lighting for security purposes shall be directed only onto the area to be secured

i. All fixtures shall be located, shielded and aimed so that light is not cast toward adjacent properties or streets or unnecessarily transmitted into the night sky.

ii. Fixtures mounted on the building and designed to illuminate the facade are preferred.

J. Parking lot lighting shall be designed to provide the minimum illumination necessary to ensure adequate vision and comfort in parking areas. Full cut-off fixtures shall be used to prevent glare and direct illumination away from adjacent properties and streets. Designs that result in even levels of illumination across a parking area are preferred.

{Insert and renumber existing image 5.7.3.I to 5.7.3.J}

- K. The illumination of gasoline service stations and convenience stores shall be the minimum level necessary to facilitate such uses. Excessive lighting for the purposes of attraction and advertising shall not be permitted.
- i. Areas away from gasoline pump islands that are used for parking and vehicle storage shall be illuminated in accordance with the parking area requirements of this Section.
 - ii. Light fixtures mounted on canopies shall be recessed or flush with the bottom of the canopy. Where a drop-down fixture is used, the lens shall be flush with (i.e., no more than one inch beyond) the casing so that light is directed down and not sideways. All canopy lighting shall be shielded to provide a cut-off angle of eighty-five (85) degrees. Fixtures shall not be mounted on the top or sides of canopies.
 - iii. The illumination of canopy side is prohibited.

{Insert and renumber existing image 5.7.3.J.II to 5.7.3.K.II}

- L. The following illumination levels shall act as minimum standards for all exterior lighting. Maximum lighting will be governed by the four to one (4:1) ratio of average to minimum illumination of the surface being lit. Where a site abuts a nonresidential district, maximum illumination at the property line shall not exceed one (1) footcandle. The approving body may modify these levels if such modifications are deemed necessary and appropriate for the use and surrounding area.

{Insert and renumber existing table 5.7.3.K to 5.7.3.L}

- M. Where a site abuts a residential district or use, the following special conditions shall apply:
- i. The height of light fixtures shall not exceed twenty-five (25) feet.
 - ii. All fixtures shall have a cut-off angle of ninety (90) degrees or less.
 - iii. No direct light source shall be visible at the property line (adjacent to residential) at ground level.
 - iv. Maximum illumination at the property line shall not exceed one-half (1/2) foot-candle.
- N. The city may waive or alter cut-off requirements of this Section when appropriate historic or decorative fixtures are proposed (e.g., use of decorative up-lighting to illuminate the underside of a canopy or columns on a façade, where a canopy or roof projection restricts the projection of the light into the night sky).

{Insert and renumber existing image 5.7.3.M to 5.7.3.N}

- O. All residential developments receiving site plan approval after the adoption of this ordinance shall meet the following conditions:

- i. Provide lighting at each entrance intersecting with a major thoroughfare sufficient to illuminate the entrance of the development. A major thoroughfare shall be defined as a major arterial, arterial or minor arterial road as designated in the City of Novi Master Plan's Thoroughfare Classification Map. Minimum illumination shall be 0.2 footcandles. Fixtures shall not exceed twenty five (25) feet in height. Lighting shall be subject to the review considerations of Section 5.7.2.B. If the proposed lighting is within the right-of-way, installation, maintenance and operating costs and responsibilities shall be in accordance with the amended Street Light Policy adopted by the City Council on September 24, 2012.
- ii. Non-commercial areas in mixed-use developments and residential developments may deviate from the minimum illumination levels and uniformity requirement in Section 5.7.3.L so long as site lighting requirements for off-street parking lots, property lines, and security lighting is provided.

4.-5. [unchanged]

PART XXVI. That Article 5, Site Standards, Section 5.14 Performance Standards, of the City of Novi Zoning Ordinance is hereby amended in the following section:

1.-9. [unchanged]

10. [unchanged]

A. [unchanged]

i. [unchanged]

ii. Weighted Sounds Level Limit Decibels

Receiving Zoning Districts							
R-1, R-2, R-3, R-4, RT, RA, RM-1, RM-2, MH				NCC, B-1, B-2, B-3, EXO, OS-1, OSC, TC, TC-1, RC, FS, C, I-1, I-2, P-1, PSLR			
Night-Time Decibels	Hours	Day Time Decibels	Hours	Night-Time Decibels	Hours	Day Time Decibels	Hours
55		60		70		75	

iii.-vi. [unchanged]

B. [unchanged]

PART XXVII. That Article 5, Site Standards, Section 5.15 Exterior Building Wall Façade Materials, of the City of Novi Zoning Ordinance is hereby amended in the following section:

1.-11. [unchanged]

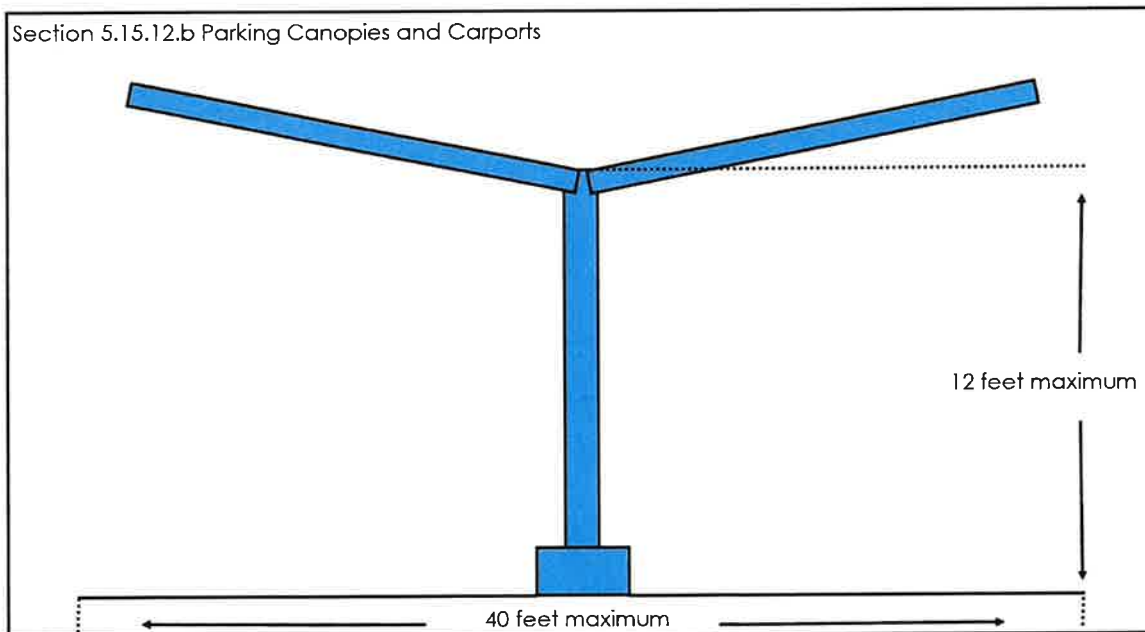
12. Canopies

- a. Fuel Filling Station Canopies. The materials and colors used on Fuel Filling Station canopies shall match those used on the primary building. All columns shall be enclosed in brick and/or stone to match the primary building. The use of corporate logos or

corporate lighting on the canopy is not permitted. Fuel Filling Station canopies located within five-hundred (500) feet of a R, RA, RM-1 and RM-2 district shall have additional features and ornamentation consistent with residential architecture such as brick coursing details, sloping roofs, molded cornices and 3-dimensional delineation of the canopy fascia. Fuel Filling Station Canopies shall comply with Section 5.15.2 with respect to colors but shall not otherwise be required to meet the Schedule Regulating Façade Materials of this Ordinance.

- b. **Parking Lot Canopies (Carports).** Parking Lot Canopies and Carports are defined as open sided structures not greater than 12' in height and not greater than approximately 40' in width that shelter not more than 2 adjoining rows of parking spaces. Larger canopies shall comply with Section 5.15.12.a, above. Such structures shall be constructed of powder coated steel or aluminum and shall meet all Building Code requirements for snow, wind and seismic loads. Fabric roofs, wood construction and temporary structures are not permitted. Solar photo voltaic (PV) canopies and integration with EV charging stations is strongly encouraged. The supporting columns shall be permanently attached to concrete foundations (direct attachment to the pavement is not permitted). All exposed surfaces shall be a neutral color (black, gray, taupe, brown, tan, white) that harmonize with the primary building. Parking Lot Canopies and Carports shall not otherwise be required to meet the Schedule Regulating Façade Materials of this Ordinance.

13.-14. [unchanged]



PART XXVII. That Article 5, Site Standards, Section 5.16 Bicycle Parking Facility Requirements, of the City of Novi Zoning Ordinance is hereby amended in the following sections:

1.-4. [unchanged]

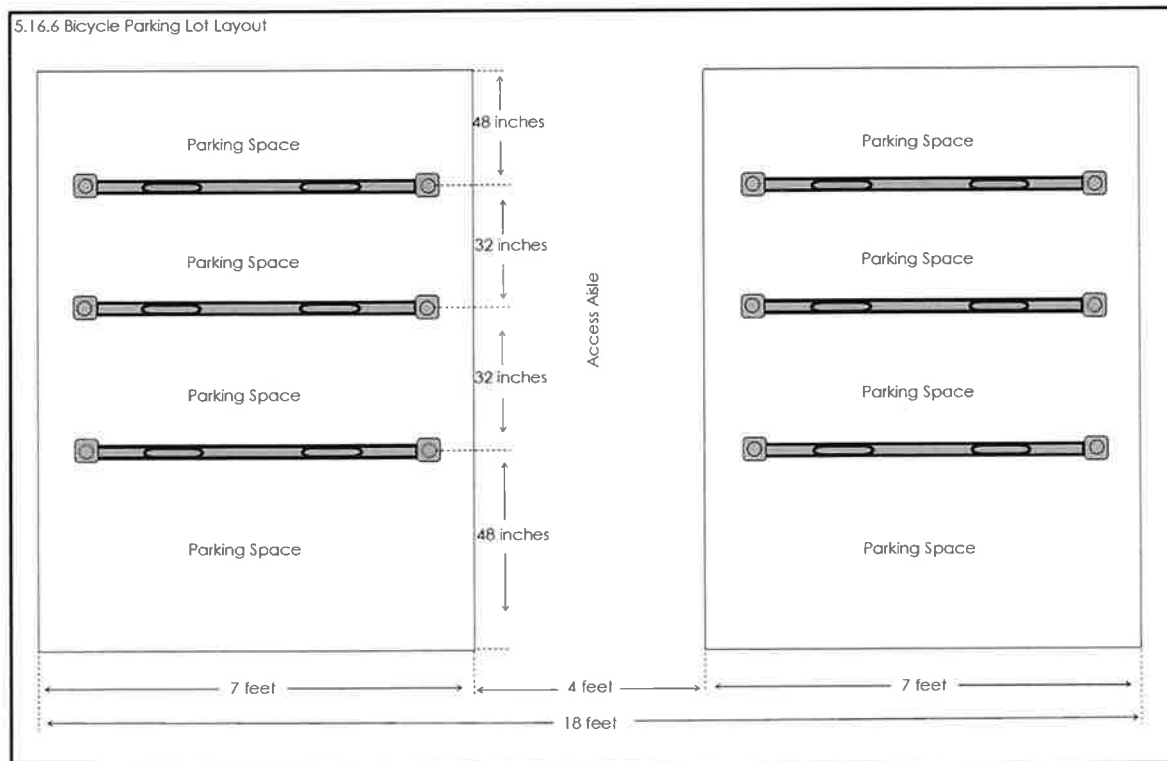
5. Bicycle parking facility layout, location and design standards. Bicycle parking area(s) shall be laid out, constructed and maintained in accordance with the following standards and regulations:

A. Plans for the layout of bicycle parking facilities shall be in accord with the following minimum requirements:

5.16.5.A Bicycle Parking Facility Layout					
Bicycle Parking	Maneuvering Lane Width	Parking Space Depth	Parking Space Width	Total Width Of One Tier Of Spaces Plus Maneuvering Lane	Total Width Of Two Tiers Of Spaces Plus Maneuvering Lane
0 (parallel) to 90	Four (4) feet	32 inches	Seven (7) feet	Eleven (11) feet	Eighteen (18) feet

B.-E. [unchanged]

6. Bicycle Parking Lot Layout Illustration (to be updated as shown below)



7. [unchanged]

PART XXVIII. That Article 6, Development Procedures, Section 6.1 Site Plan Review (All Districts), of the City of Novi Zoning Ordinance is hereby amended in the following sections:

1. [unchanged]

A. [unchanged]

B. Unless administrative review is permitted pursuant to subparts C or D, below, or subsection 6.1.4, all site plans shall be reviewed for approval by the Planning Commission, or where required within this Ordinance, by the City Council after receipt of a recommendation by the Planning Commission. Site plan approval is required prior to conducting any of the following activities:

i. Building of any structure(s) or additions other than single family homes to be used as a residence;

ii.-ix. [unchanged]

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

i. [unchanged]

ii. When the plan only proposes modifications to a previously approved off-street parking lot layout, provided the proposed modifications do not reduce the number of approved parking spaces to less than the minimum number of spaces required by the Ordinance, including carports and EV parking, so long as other requirements are met.

iii.-viii [unchanged]

ix. When the site is already the subject of an approved photometric plan, and the revised plan only proposes improvements to existing light fixtures, poles, and illumination.

x. When the site is already subject of an existing and previously approved site plan and the revised plan only proposes one (1) of the following:

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

b. An addition 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(10) percent 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
- xi. When the plan only proposes a change to a previously approved façade plan and the proposed façade revision conforms with the provisions in this ordinance or the proposed façade revision receives an administrative subsection 9 façade waiver per the requirements of Section 5.15.9.
- xii. When an existing restaurant use proposes an outdoor seating area, provided the addition does not require a new or revised woodlands permit, a non-administrative wetlands permit, or where such change does not result in a deficiency in off-street parking demand.

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 XXIX.

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 XXX.

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 XXXI.

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 XXXII.

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 22 DAY OF JULY, 2024.



JUSTIN PAUL FISCHER, MAYOR



CORTNEY HANSON, CITY CLERK

Ayes: 7

Nays: 0

Abstentions: 0

Absent: 0

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 22nd day of July, 2024.

Cortney Hanson, City Clerk

Adopted: 07/22/2024
Published: 08/01/2024
Effective: 08/08/2024

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 23rd day of July, 2024.

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

I do further certify that on the 1st day of August, 2024 said Zoning Text Ordinance Amendment 18.301 was published in brief in the Novi News, a newspaper published and circulated in said City.

Cortney Hanson, City Clerk