



SUBJECT: Consideration of Text Amendment 18.301 to amend various sections of the Zoning Ordinance to fix inconsistencies, clarify ordinance language, remove the unused EXPO Zoning District and associated Sections, modify the requirements for Microbreweries and Brewpubs, update the photometric standards, and other items as deemed necessary. **FIRST READING**

SUBMITTING DEPARTMENT: Community Development – Planning Division

BACKGROUND INFORMATION:

The Zoning Ordinance helps guide and regulate development projects throughout the City. As new state laws are passed and as the use(s) of land continues to shift, certain requirements in the zoning ordinance may no longer be relevant or appropriate. This proposed zoning ordinance amendment is intended to fix inconsistencies, clarify ordinance language, remove the EXPO Zoning District and associated Sections, modify the requirements for Microbreweries and Brewpubs, update the photometric standards, and other items as deemed necessary. Listed below are the sections and changes related to such sections:

EXPO Zoning District

- Section 3.1.14 EXPO Exposition District
- Section 3.6.2.E Notes to District Standards
- Section 3.24 EXPO District Required Conditions
- Section 4.12.1.C.ii Group Day Care Homes, Day Care Centers, and Adult Day Care Centers
- Section 4.31 Veterinary Hospitals or Clinics
- 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 4.76 Retail Sale of Products or Services Occurring as part of a Scheduled Exposition Function
- Section 4.77 I-1 Uses in the EXPO District
- Section 5.4.3 Off-Street Loading and Unloading

- Section 5.5.3.A.ii Landscape Standards
- Section 5.5.3.B.ii.f Landscape Standards
- Section 5.5.3.C.iii Landscape Standards
- Section 5.14.10.A.ii Performance Standards

Microbreweries and Brewpubs

- Section 2.2 Definitions
- Section 4.35 Microbreweries and Brewpubs
- Section 5.2.12.C Off-Street Parking Spaces, Business and Commercial
- Section 5.4.2 Off-Street Loading and Unloading

Exterior Lighting

- Section 5.7 Exterior Lighting
- Section 6.1 Site Plan Review (All Districts)

Other Changes

- How to Use This Ordinance, Part 4, Use Matrix
- Section 2.2 Definitions
- Section 3.1.18 I-1 Light Industrial District
- 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 4.40 Restaurants in the Character of a Fast Food Carryout, Drive-In, Fast Food Drive-Through, or Fast-Food Sit Down
- Section 4.47 Motion Picture, Television, Radio, and Photographic Production Facilities
- Section 4.50 Automobile Service Establishment
- Section 5.16 Bicycle Parking Facility Requirements

The following highlights some of the more substantial changes to the ordinance:

- The removal of the EXPO zoning district, which no longer applies to any property in the City, is no longer needed and will help clarify the current requirements for the EXO Overlay District. The EXPO zoning district was initially created for the former site of the EXPO center at the southwest corner of Novi Road and I-96, and the property was entirely rezoned as a part of a PRO Agreement.
- The modifications of the standards for microbreweries and brewpubs are intended to reduce barriers and some additional requirements for these uses. Staff notes that microbreweries and brewpubs are similar to the sit-down restaurant uses and could be regulated in a similar manner.

- The exterior lighting standards are proposed to be updated to include modern-day lighting measurements and to allow for administrative review of photometric plans that propose improvements to existing exterior lighting at sites throughout the City.
- A provision for carports is included to allow for administrative review and create a distinction between carports and fuel-filling station canopies.
- The Use Matrix found at the beginning of the ordinance contains a number of inconsistencies that are now being addressed to better reflect current ordinance standards.

All other changes proposed are for consistency or for compliance with changes in state law or regulations.

The Planning Commission held a public hearing on July 12th and forwarded a favorable recommendation to the City Council.

RECOMMENDED ACTION: Approval of Text Amendment 18.301 to amend various sections of the Zoning Ordinance to fix inconsistencies, clarify ordinance language, remove the unused EXPO Zoning District and associated Sections, modify the requirements for Microbreweries and Brewpubs, update the photometric standards, and other items as deemed necessary, subject to further modifications as determined necessary by the City Manager's Office or City Attorney's Office. This motion is made because the ordinance amendment resolves inconsistencies and other concerns found in the ordinance language. **FIRST READING**

DRAFT ORDINANCE LANGUAGE

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:

Canopy 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 ~~one (1) to six (6) minor children~~ 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 family 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)~~ 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 family household by blood, marriage or adoption, or 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.

Sub-Canopy-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]

Net-Metering [REMOVED FROM LIST]

Responsible or Responsibility for a Violation [INCLUDE IN LIST AND LINK TO DEFINITION]

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 OST District Required Conditions
- 3.21 PSLR Required Conditions
- 3.22 P-1 District Required Conditions
- 3.23 Conference District Required Conditions
- ~~3.24 EXPO District Required Conditions [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. ~~EXPO~~ ~~EXPO District~~ [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

B. Principal Permitted Uses

- i. – v. [unchanged]

The following uses are ~~subject to Section 4.45~~ 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]

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, ~~EXPO~~, 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:

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]

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 ~~Select I-1 and Expo District Uses~~[Reserved]

4.46 – 4.76 [unchanged]

4.77 ~~I-1 Uses in the EXPO District~~[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, ~~EXPO~~, OS-1, OSC, TC, TC-1, RC, FS, I-1, P-1, C, and OST.

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:

A. In the B-2, B-3, OST, OS-1, OSC, TC, TC-1, PSLR districts and EXO Overlay district:

i. 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.

ii. – v. [unchanged]

B. In the B-2, B-3, OST, OS-1, OSC, TC, TC-1 districts and EXO Overlay district:

i. [unchanged]

~~ii. Vehicular access to the site shall not be directly to or from a major arterial or arterial.~~

~~iii.~~ ii. [unchanged]

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:

5. Signs identifying the bed and breakfast operation shall comply with the requirements of Chapter 28 of the Code of Ordinances, ~~except that in a residential district identification signs shall be no larger than two (2) square feet.~~

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. [unchanged]

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. – I. [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-district~~, TC, and TC-1 districts of either:

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:

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-1 ~~and EXPO~~ districts when ~~the I-1 and EXPO districts are~~ abutting residential districts. In the I-1 and ~~EXPO-I-2~~ districts, when not abutting a residential district, ~~and in the I-2 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 ~~and EXPO~~ districts:

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. There shall be included a taproom/restaurant which shall provide full meal service for consumption by patrons while seated on the premises. (See also definition of Restaurant (sit down)). Taprooms serving less than twenty patrons and accessory to a larger retail use shall not be required to provide meal service.~~

~~iii.~~ii. [unchanged]

~~iv.~~iii. [unchanged]

~~B. In the RC district, no microbrewery or brewpub shall be located closer than one thousand (1,000) feet from any freestanding restaurant.~~

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. Owing to unique features and operational requirements of a microbrewery, off-street loading/unloading facilities shall be designed to accommodate at least two (2) tractor trailers at one time in addition to compliance with the standards at Section 5.4.2.~~
 - ~~E. No microbrewery shall be located closer than two thousand five hundred (2,500) feet of another microbrewery.~~
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:

Section 4.40 Restaurants in the Character of a Fast Food Carryout, Drive-In, Fast Food Drive-Through, or Fast-Food Sit Down

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 ~~and EXPO~~ 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 from the Zoning Ordinance and replaced in Section 3.1.18.B of the Zoning Ordinance:

~~Section 4.45 Select I-1 and EXPO District Uses~~

~~These uses shall be permitted as principal uses permitted. However, when such uses abut a residential district, they shall be treated as special land uses subject to approval by the Planning Commission in accordance with the additional requirements of Section 6.1.2.C for special land uses, and subject to the public hearing requirements set forth and regulated in Section 6.2 of this Ordinance and shall provide a noise impact statement.~~

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:

2. Motion picture, television, radio and photographic production facilities are permitted as a special land use in the I-1 ~~and EXPO~~ districts and as a permitted use in the I-2 district when conducted outside of existing buildings, ~~including backlot~~. In all districts they are subject to the following:

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 ~~special~~ requirements shall apply:

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 amended in the following sections:

~~1. In the EXPO district, retail sale of products or services occurring as part of a scheduled exposition function are a permitted use, provided, a scheduled exposition function that involves the sale of products shall not be repeated more often than six (6) times within a calendar year.~~

~~2.1.~~ In the EXO ~~overlay~~ district, retail sale of products or services are permitted as a special land use when occurring as part of a scheduled exposition function occurring in an exposition facility.

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 from the Zoning Ordinance and is reserved for future use:

~~Section 4.77 I-1 Uses in the EXPO District~~

~~The listed uses in Section 3.1.14.B.xvi through xxvii are permitted uses in the EXPO district subject to the following:~~

- ~~1. All usage as an exposition facility ceases in the district;~~
- ~~2. Subject to the conditions required in Section 3.14.1 through Section 3.14.5.~~

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:

Section 5.2.12 Off-Street Parking Spaces

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.	<p>Sit-down; Microbreweries; brewpubs</p>
b.	Fast Food
Microbreweries; brewpubs	One (1) for each seventy (70) square feet of gross floor area (14.3 spaces per one thousand (1,000) square feet), or one (1) for each two (2) customers allowed under maximum capacity (including waiting areas) in the taproom/restaurant, whichever is greater, plus one (1) for each one and one-half (1½) employees in largest working shift in the taproom/restaurant and in the microbrewery or brewpub. Above requirements apply for either a freestanding facility or for a facility attached to other retail uses in a planned commercial center.

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:

- 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.

~~Off street loading/unloading space for microbreweries shall require two (2) ten (10) by fifty (50) foot truck spaces, unless the above standards require additional loading/unloading space.~~

- 3. Within any I district, ~~EXPO 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, ~~EXPO 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.

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]

~~ii.v.~~ [unchanged]

~~ii.v.~~ Residential Adjacent to Non-Residential Berm Requirement Chart

Use	Zoning	Berm Height
EXPO, EXO district	EXPO district	8 ft. to 10 ft. high

B. [unchanged]

i. [unchanged]

ii. [unchanged]

a. – e. [unchanged]

f. Right-of-Way Landscape Screening Requirements

			Requirements						
Use	Zoning	Berm Located	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 fronta ge
Misc. Large Use	P-1 Expo 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

~~C.B.~~ [unchanged]

i. – ii. [unchanged]

iii. Interior Parking Area Landscape Islands and Canopy Tree Chart

	A	B	C	D	E
*Category 1 = OS-1, OSC, OST, B-1, B-2, B-3, C, NCC, EXPO , FS, TC, TC-1, RC Districts and Special Land Uses *Category 2 = I-1, I-2					

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 ~~the 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, ~~including spillover illumination from neighboring properties.~~ (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. The use of true color rendering lamps such as metal halide is preferred over high and low pressure sodium lamps.~~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.~~ [unchanged]

~~J.~~ [unchanged]

~~K.~~ [unchanged]

~~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 city approving body may modify these levels if such modifications are deemed necessary and appropriate for the use and surrounding area.

~~M.~~ [unchanged]

~~N.~~ [unchanged]

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

i. _____ ~~P.~~ 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 requirements review considerations of ~~this~~ Section 5.6.2.B of the Zoning Ordinance. 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.

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:

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, EXPO , EXO, OS-1, OSC, TC, TC-1, RC, FS, C, I-1, I-2, P-1, PSLR				
Night Hours	Night Night-Time Hours	Day Time Hours	Decibels	Night Hours	Night Night-Time Hours	Day Time Hours	Decibels
55		60		70		75	

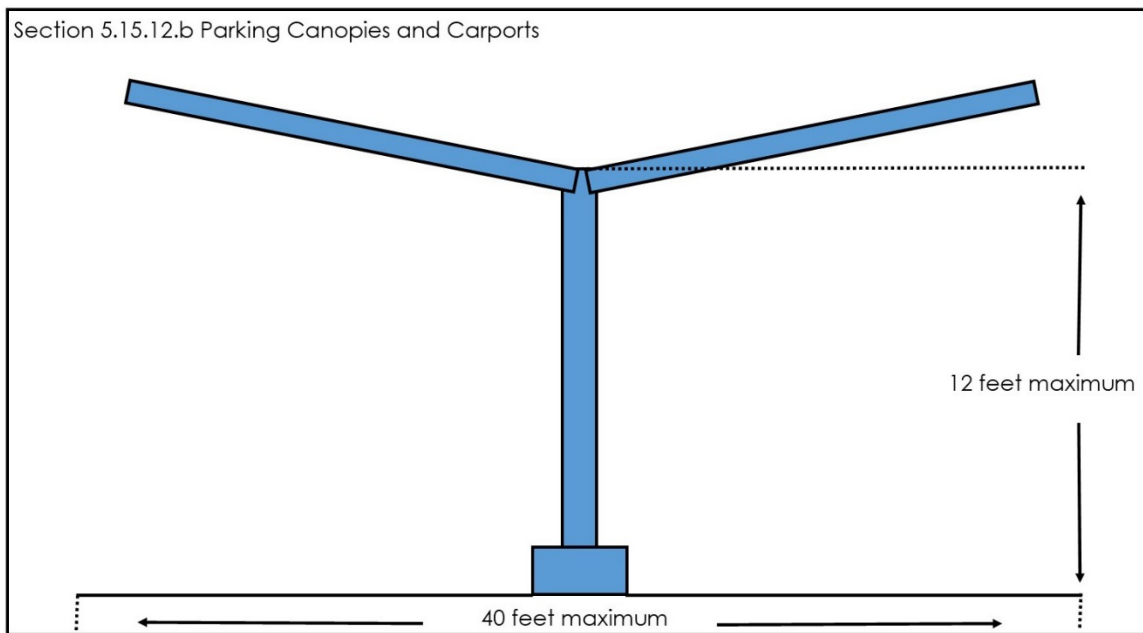
PART XXVII. That Article 5, Site Standards, Section 5.15 Exterior Building Wall Façade Materials, of the City of Novi Zoning Ordinance is hereby amended to include the following section in the following section:

Section 5.15.12 Canopies.

12.a. Fuel Filling Station **Canopies** ~~Canopies shall be considered as separate facades and shall be subject to all requirements of this Ordinance. For the purposes of this Section, canopies shall be defined as roof structures which are not enclosed. On projects with canopies and buildings, The materials and colors used on Fuel Filling Station canopies shall be consistent with match those used on the primary building. Not less than thirty percent (30%) of the façade of a canopy shall be of a material identical to a material used on the building. Columns, fascias and sloped roof areas shall be included when calculating the area and percentage of materials of a canopy façade. Canopy soffit areas are not subject to this Ordinance. 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. For projects with both canopies and buildings 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. the architectural style and extent and type of architectural ornamentation of the proposed buildings and canopies shall be consistent with the architectural style and extent and type of architectural ornamentation found in said districts. For the purpose of this Section the proposed architectural style shall be considered to be consistent if roof types and slopes, window treatments and decorative features are equal in both type and extent of these items on buildings in said district. 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.

12.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.



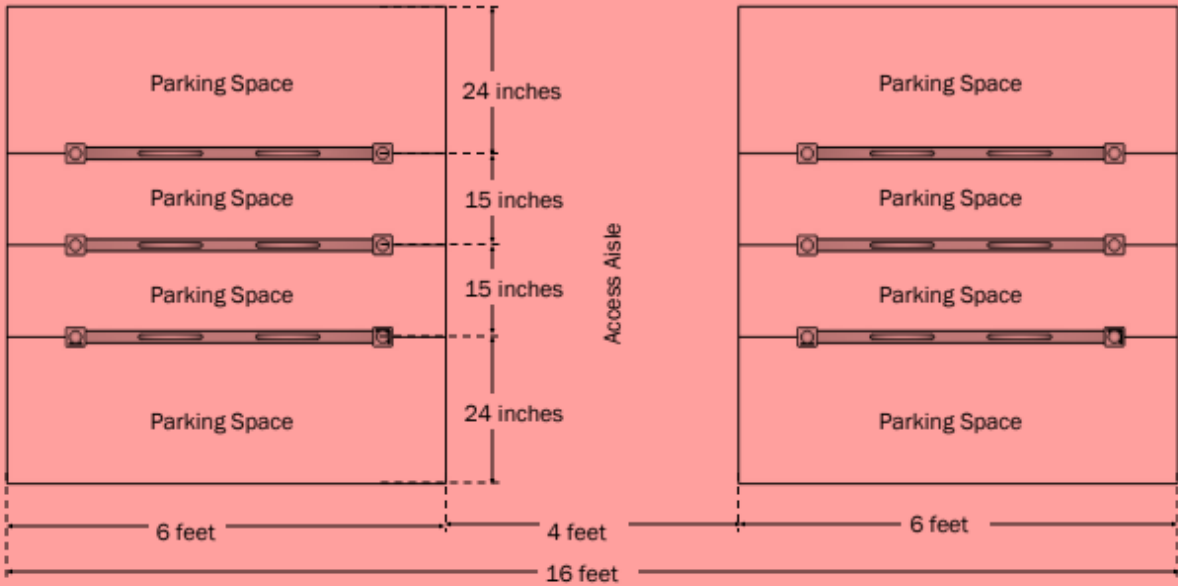
PART XXVII. That Article 5, Site Standards, Section 5.16 Bicycle Parking Facility Requirements, of the City of Novi Zoning Ordinance is hereby amended in the following sections:

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:

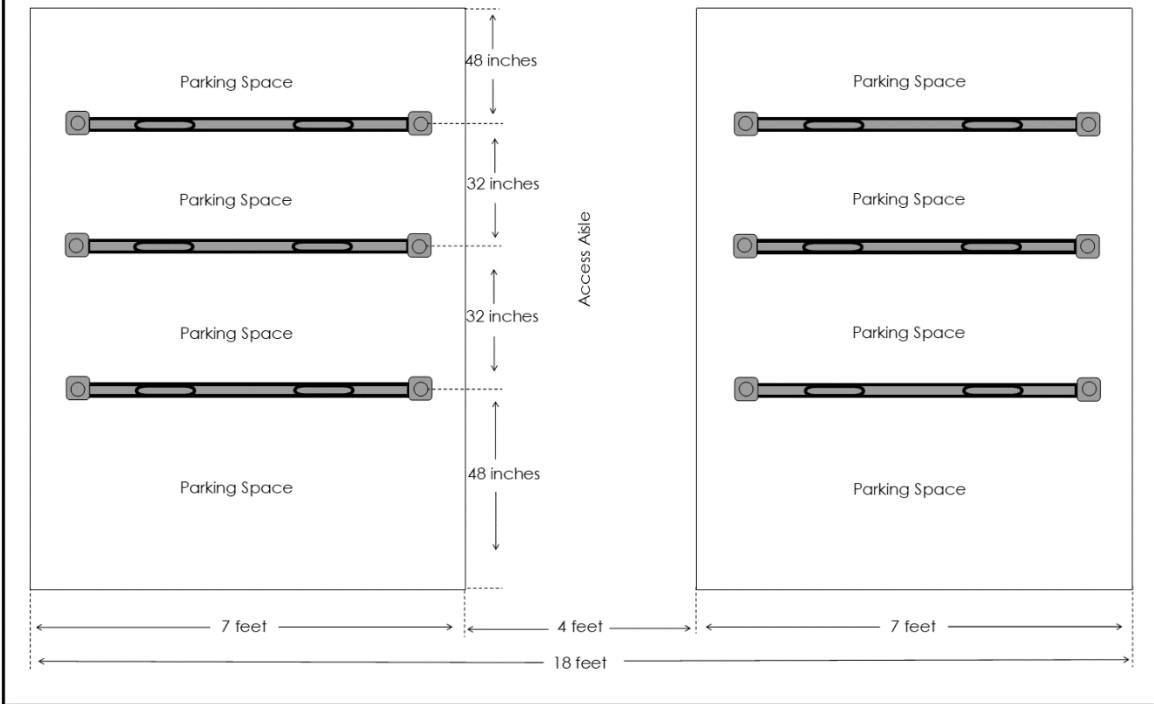
5.16.5.A Bicycle Parking Facility Layout					
Bicycle Parking	Maneuvering Lane Width	Parking Space Depth	Parking Space Width	Total Width Of One Tier Of Spaces Plus Maneuvering Lane	Total Width Of Two Tiers Of Spaces Plus Maneuvering Lane
0 (parallel) to 90	Four (4) feet	Two (2) feet single Two and one-half (2 ½) feet double <u>32 inches</u>	Six (6) feet <u>Seven (7) feet</u>	Ten (10) feet <u>Eleven (11) feet</u>	Sixteen (16) feet <u>Eighteen (18) feet</u>

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

5.16.6 Bicycle Parking Lot Layout



5.16.6 Bicycle Parking Lot Layout



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, ~~including carports~~, 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. [unchanged]
 - iv. [unchanged]
 - v. [unchanged]
 - vi. [unchanged]
 - vii. [unchanged]
 - 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. [unchanged]
 - xi. [unchanged]
 - xii. [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 ___ DAY OF _____, 2023.

ROBERT J. GATT, MAYOR

CORTNEY HANSON, CITY CLERK

Ayes:

Nays:

Abstentions:


Absent:

How to Use This Ordinance

4. USE MATRIX

Below is a reference table that summarizes the uses listed in the Ordinance. Uses below are generalized. Consult [Section 3.1](#) as certain conditions and standards may apply. If there are any conflicts between this table and the uses listed in [Section 3.1](#), the latter will control.

P = Principal Permitted Use S = Special Land Use P/S = Permitted or Special Land Use A = Accessory Use

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Click on a district heading below to go directly to the corresponding district regulations.

	R-A	R-1	R-2	R-3	R-4	RT	RM-1	RM-2	MH	B-1	B-2	B-3	C	EXPO	EXO	GE	FS	I-1	I-2	NCC	OS-1	OSC	OST	RC	TC	TC-1	PSLR	P-1
Accessory buildings	P/S	P/S	P/S	P/S	P/S	P	P/S	P	P	P	P	P	P/S		P		P	P/S	P	P/S	P/S	P	P/S	P	P	P	S	
Accessory uses	P/S	P/S	P/S	P/S	P/S	P	P/S	P	P	P	P	P	P/S		P		P	P/S	P	P/S	P/S	P	P/S	P	P	P	S	
Adult day care	S	S	S	S	S	S	S	S	S		P	P		P		P				S	S	S	P		P	P	S	
Amusement and entertainment uses																						S						
Auto engine and body repair shops																			P									
Auto wash												P																
Automobile service establishment																		S	P									
Automobile service establishment, minor																	P											
Bed and breakfasts	S	S	S	S	S																							
Blast furnace, steel furnace, blooming or rolling mill																			P									
Brewpubs												P												S	P	P		
Bus passenger station												P					P							P				
Business establishments which perform services on the premises										P	P	P			S								S		P	P		
Business in the character of a drive-in or open front store												S																
Car salesroom, showroom, or office; new and used												P																
Cemeteries	S	S	S	S	S	S	S	S	S												S							
Child care centers								S																				
Colleges, universities and other such institutions of higher learning	S	S	S	S	S						P	P		P	P								P		P	P	S	
Concrete operations, ready-mix or transit mix													S	S					P									
Conference centers														S	S													
Convalescent homes, assisted living facilities, and hospice care facilities							S	S																			S	
Cultural facilities and non-profit community buildings																											S	
Dairies	S																											
Data processing and computer centers															P			P	P				P					
Day care centers	S	S	S	S	S	S	S	S	S	P	P	P		P	P					S	S	S	P		P	P	S	
Design of pilot or experimental products														P	P			P	P				P					
Dry cleaning establishments, or pick-up stations, dealing directly with the consumer										P	P	P			S								S		P	P		
Dry cleaning plants or laundries, central																		S	P									
Dwellings, low-rise multiple family																											S	
Dwellings, multiple-family							P	P												S					P	P	S	
Dwellings, one-family	P																								P	P		

Continued on next page




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Dwellings, two-family (site built)						P	P	P	P											S					P	P		
Dwellings, one-family detached	P	P	P	P	P	P	P	P	P											S					P	P		
Elderly housing, shared						P	P	P	P											S								
Elderly living facilities, independent and congregate							P	P												S							S	
Electric transformer stations and substations										S	S	S			P			P	P		S		P					
Exposition facilities															P							P	P	P	P			
Facilities for human care														P	P						P	P	P	P				
Family day care homes	P	P	P	P	P	P	P	P	P											S								
Farms	P	P	P	P	P	P	P		P											S								
Financial institutions														S	P	P		S	P	P	P		P		P	P		
Financial institutions, drive-in facilities as an accessory use only														P							P	P	P	P				
Fueling stations											S	S					P											
Funeral homes	S	S	S	S	S					S						P					S							
Gas regulator stations																							P					
Gas regulator stations with service yards, but without storage yards;										S	S	S									S							
Gas regulator stations without service yards or storage yards										S	S	S			P			P	P									
Golf Courses	S	S	S	S	S																							
Greenhouses	P	P	P	P	P	P	P	P	P									P	P	S								
Group day care homes, day care centers, and adult day care	S	S	S	S	S	S	S	S	S																		S	
Health and fitness clubs, public or private												P						P	P		P	P		P				
Home occupations	P	P	P	P	P	P	P	P	P											S								
Hotels										P	P	S	P	P			P						P	P	P	P		
Incineration of garbage or refuse																			P									
Industrial office sales, service and industrial office related uses															P			P	P									
Inpatient bed facility portion of general hospitals																						P		P				
Instructional centers										P	P	P								P					P	P		
Junkyards																			P									
Keeping and raising of livestock .	S																											
Keeping of horses and ponies	P	P	P	P	P	P	P	P	P											S								
Laboratories														P		P							P				S	
Laboratories; experimental, film or testing															P			P	P									
Limited nonresidential use of historic buildings	S																											
Live/work units																											S	

Continued on next page




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Manufactured housing units									P																			
Manufacturing															P			P	P				P					
Metal plating, buffing, polishing and molded rubber products																		S	P									
Microbreweries												P												S	P	P		
Mills, lumber and planing																			P									
Mini-lubes/ oil changes												S																
Mobile home condominium projects									P																			
Mobile Manufactured home park facilities buildings, including office building, utility building, and community building									P																			
Mobile Manufactured home sales									P																			
Mobile Manufactured homes									P																			
Mortuary establishments	S	S	S	S	S	S	S	S	S	S	S										S							
Motels											P	P	S	P	P		P	S	P					P				
Motion picture, television, radio and photographic production facilities														P	P			P	P				P					
Motor freight terminals and trucking facilities																			P									
Municipal uses																		S	P						P	P		
Museums														S	S						S				P	P		
Nursery, plant material												S																
Office							S					S				P									P	P		
Office, showroom, or workshop requiring a retail adjunct											P	P													P	P		
Offices, professional and medical											P	P	S		P	P		P	P	P	P	P		P	P	P	S	
Offices; medical, including laboratories and clinics														P	P	P		P	P		P	P	P	P	P	P	S	
Onsite support retail services														S														
Open air business																								S	S	S		
Outdoor sales of produce and seasonal plants											S	S	S											S	S	S		
Outdoor space for parking of licensed rental motor vehicles																		S	P									
Outdoor theaters, plazas, parks, public gathering places, and like public facilities																									P	P		
Outside exhibits, fairs, entertainment and festivals														S														
Parking for sale of new, unlicensed motor vehicles and licensed rental and loaner motor vehicles																												S
Parking garages																	P											
Parking lots, off-street										P	P	P		P	P							P	P	P	P	P	P	P

PSV

Continued on next page



DRAFT 7/5/2023


Amended through 6/4/2018

How to Use This Ordinance

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Personal service establishments										P	P	P		S	S/A						P	P	S	P	P	P		
Pet boarding facilities																			P	P								
Places of worship	S	S	S	S	S										S					S	P	P		P	P	P	S	
Plants, heating, and electric power generating																				P								
Post office																P												
Post office and similar governmental office buildings, serving persons living in the adjacent residential area										P						P									P	P		
Private clubs, fraternal organizations and lodge halls											P									S					P	P		
Private noncommercial recreational areas, institutional or community recreation centers, nonprofit swimming pool clubs	S	S	S	S	S	S	S	S	S																			
Private pools	S	S	S	S	S	S	S	S	S																			
Production, refining or storage of Petroleum or other inflammable liquids,																				P								
Professional office buildings, offices and office sales and service activities											P	P	S	P	P	P			P	P	P	P	P	P	P	P	P	S
Professional services										P	P	P			S									S	P	P		
Public utility buildings										S				P	P	P			P	P	S	S	P	P				
Publicly owned and operated parks, parkways and outdoor recreational facilities.	P	P	P	P	P	P	P	P	P			P		P	P	P			P	P	P	P	P	P	P			S
Publicly owned buildings										S				P							S		P		P	P		
Pumping stations, water and sewage										S																		
Railroad right-of-way, but not including terminal freight facilities, transfer and storage tracks.	S	S	S	S	S																							
Railroad transfer, classification and storage yards																			S	P								
Raising of nursery plant materials	S																											
Recreation facilities; indoor, commercial	P													S					P	P			P		P	P		
Recreation facilities; indoor, public or private	S	S	S	S	S							S		S					P	P		S	S	P				
Recreation facilities; outdoor, private	S	S	S	S	S							S		S					P	P		S	S	P				
Recreational facilities															A													
Research and development														P	P				P	P								
Restaurant drive-in, fast food drive-through												S		S	S								S	S	S	S		
Restaurant; fast food carryout or fast food sit-down										S	P	S							S	P			S	S	P	P	S	
Restaurants, sit-down										S	P	P	S	P/S	S/A	P			S	P	P		S	P/S	S	P	P	
Retail business										P	P	P		S	S/A	P	P				P		S	S	S	P	P	
Retail business service uses										P	P	P			S/A	P					P	P	P	S	S	P	P	

Continued on next page




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Retail commercial services								S															S						
Retail sale of products or services														S	A				S/A	P/A	P			A	S/A	P	P		
Sale of new and used heavy trucks and heavy off-road construction equipment, commercial																				P									
Sale of new or used automobiles, campers, recreation vehicles, mobile homes, or rental of trailers or automobiles; outdoor space for exclusive of												S																	
Sales, service, storage and distribution; industrial tool and equipment																		S	P										
Schools, business, private operated for profit,											P	P														P	P		
Schools; public, parochial and other private elementary	P	S	S	S	S																								
Schools; public, parochial and other private elementary, intermediate or secondary	S	S	S	S	S																							S	
Schools, trade or industrial															P			P/S	P										
Self-storage facilities																		S	P										
Shopping centers, community																													
Shopping centers, regional and community																									P				
Smelting of copper, iron or zinc ore																				P									
Storage facilities for building materials, sand, gravel, stone, lumber, storage of contractor's equipment and supplies																		S	P										
Storage yards, outdoor																				P									
Tattoo parlors												P																	
Technical training														P	P			P	P						P				
Telephone exchange buildings										S				P	P			P	P		S	P	P	P					
Theaters											P	P		S	S/A											P	P		
Tool, die, gauge and machine shops																		S	P										
Transient residential uses											P	S			P		P						P		P	P	P		
Union halls																		S	P										
Utility and public service buildings and uses (without storage yards)	S	S	S	S	S					S					P			P	P	S	S	P	P	P					
Veterinary hospitals or clinics										S	S				P			P	P	S						S	S		
Warehousing															P	A		P	P					A					
Wholesale establishment															P			P	P										

PSV



**PLANNING COMMISSION
ACTION SUMMARY
JULY 12, 2023**



PLANNING COMMISSION ACTION SUMMARY

CITY OF NOVI
Regular Meeting

July 12, 2023 7:00 PM

Council Chambers | Novi Civic Center
45175 Ten Mile Road, Novi, MI 48375 (248) 347-0475

CALL TO ORDER

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

ROLL CALL

Present: Member Avdoulos, Member Becker, Member Dismondy, Member Lynch, Chair Pehrson, Member Roney

Absent Excused: Member Verma

Staff: Barbara McBeth, City Planner; Tom Schultz, City Attorney; Ben Peacock, Planner; James Hill, Planner; Rick Meader, Landscape Architect; Adam Yako, Plan Review Engineer

APPROVAL OF AGENDA

Motion to approve the July 12, 2023 Planning Commission Agenda. Motion carried 6-0.

CONSENT AGENDA - REMOVALS AND APPROVALS

1. JSP20-12 BECK NORTH UNIT 59

Approval of the request of Dembs Development, Inc. for the second one-year extension of the Preliminary Site Plan approval. The subject property is located south of Cartier Drive and west of Hudson Drive, in the Light Industrial (I-1) Zoning District. The applicant is proposing to construct a 31,617 square foot speculative building for use as an office and warehouse space. Approval of the Preliminary Site Plan was granted in August of 2020.

In the matter of JSP20-12 Beck North Unit 59, motion to approve a second one-year extension of the Preliminary Site Plan approval. Motion carried 6-0.

PUBLIC HEARINGS

1. JSP22-53 PRIMROSE DAYCARE & SWIM SCHOOL

Public Hearing at the request of EIG14T (Eight-Fourteen) NOVI MI LLC for approval of the Preliminary Site Plan, Special Land Use Permit, Stormwater Management Plan, and Woodland Permit. The subject property is approximately 5.59 acres. It is located south of Ten Mile Road on the west side of Novi Road, and it is in the OS-1 Office Service District. The applicant is proposing to demolish the existing building in the eastern portion of the site to build a 13,586 square foot daycare center and a 6,658 square foot swim school facility.

In the matter of Primrose Daycare and Swim School, JSP22-53, motion to approve the Special Land Use Permit based on the following findings:

a. Relative to other feasible uses of the site:

- i. The proposed use will not cause any detrimental impact on existing thoroughfares in terms of overall volumes, capacity, safety, vehicular turning patterns, intersections, view obstructions, line of sight, ingress and egress, acceleration/deceleration lanes, off-street parking, off-street loading/unloading, travel times and thoroughfare level**

- of service. *(A Traffic Impact Study was submitted, and the City's Traffic Consultant determined that this proposal would not be detrimental to existing thoroughfares).*
- ii. The proposed use will not cause any detrimental impact on the capabilities of public services and facilities, including water service, sanitary sewer service, storm water disposal and police and fire protection to service existing and planned uses in the area. *(There are no additional impacts on capabilities of public services).*
 - iii. The proposed use is compatible with the natural features and characteristics of the land, including existing woodlands, wetlands, watercourses, and wildlife habitats. *(The impacts to regulated woodlands and wetlands have been minimized to the extent possible).*
 - iv. The proposed use is compatible with adjacent uses of land in terms of location, size, character, and impact on adjacent property or the surrounding neighborhood. *(The proposed uses fit the character of the area and are compatible with the nearby commercial and office buildings).*
 - v. The proposed use is consistent with the goals, objectives, and recommendations of the City's Master Plan for Land Use. *(The proposed project complies with several goals of the Master Plan, including the protection and maintenance of the City's natural features, attracting new businesses to the City of Novi, and ensuring compatible development between residential and non-residential developments).*
 - vi. The proposed use will promote the use of land in a socially and economically desirable manner. *(Compared to other uses permitted as a special land use in the OS-1 district, a swim school and daycare center may bring more vehicular traffic to the site but will serve an important role to the community as a place of education and recreation).*
 - vii. The proposed use is listed among the provision of uses requiring special land use review as set forth in the various zoning districts of this ordinance and is in harmony with the purposes and conforms to the applicable site design regulations of the zoning district in which it is located.

This motion is made because the plan is otherwise in compliance with Article 3, Article 4, Article 5, and Article 6 of the Zoning Ordinance and all other applicable provisions of the Ordinance. *Motion carried 6-0.*

In the matter of Primrose Daycare and Swim School, JSP22-53, motion to approve the Preliminary Site Plan based on and subject to the following:

- a. The Zoning Board of Appeals granting a variance from Section 4.12.2.i.a of the Zoning Ordinance for insufficient outdoor recreation space because the applicant has indicated that children are released to the recreation area on a classroom-by-classroom basis, at separate times throughout the day.
- b. The Zoning Board of Appeals granting a variance from Section 4.12.2.ii.c of the Zoning Ordinance for direct access to or from a major arterial or arterial road (Ten Mile Road) because the site has been designed to mitigate the vehicle stacking to the extent possible and because the City's Traffic Consultant determined that this proposal would not be detrimental to existing thoroughfares based upon the Traffic Impact Statement submitted by the applicant.
- c. Landscape waiver for the lack of screening from the residential property to the west which is supported by staff if the applicant has provided evidence that screening is not necessary prior to this motion.
- d. Landscape waiver for the planting of street trees due to utility conflicts.
- e. Landscape waiver for the lack of a berm, greenbelt plantings, and street trees in the wetland frontage in order to preserve the wetland.
- f. Landscape waiver for insufficient landscaping of interior parking lot areas and trees because the site is otherwise heavily landscaped, and the deficiency is not apparent.
- g. Landscape waiver for most of the daycare building's foundation landscaping being located away from the building because the alternate locations will be attractive, and the applicant has included landscaping along most of the building frontage facing Ten Mile Road.
- h. Section 9 Façade Waiver for an overage of Cement Fiber Siding on all elevations of both

buildings (0% maximum allowed; ranges from 4% to 10% on the daycare building and 5%-22% on the swim school building) because the use of the materials will not be detrimental to the aesthetic value of the buildings, the use of matching materials & colors on both buildings enhances the overall project, and the overall design is consistent with the intent and purpose of the Façade Ordinance, which is hereby granted.

- i. **The findings of compliance with Ordinance standards in the staff and consultant review letters and the conditions and the items listed in those letters being addressed on the Final Site Plan.**

This motion is made because the plan is otherwise in compliance with Article 3, Article 4, and Article 5 of the Zoning Ordinance and all other applicable provisions of the Ordinance. Motion carried 6-0.

In the matter of Primrose Daycare and Swim School, JSP22-53, motion to approve the Woodland Permit based on and subject to the findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan. This motion is made because the plan is otherwise in compliance with Chapter 37 of the Code of Ordinances and all other applicable provisions of the Ordinance. Motion carried 6-0.

In the matter of Primrose Daycare and Swim School, JSP22-53, motion to approve the Stormwater Management Plan based on and subject to the findings of compliance with Ordinance standards in the staff and consultant review letters, and the conditions and items listed in those letters being addressed on the Final Site Plan. This motion is made because the plan is otherwise in compliance with Chapter 11 of the Code of Ordinances and all other applicable provisions of the Ordinance. Motion carried 6-0.

2. JZ23-16 GABRIEL REZONING WITH MAP AMENDMENT 18.742

Public hearing at the request of Paul Gabriel for Planning Commission's recommendation to City Council for a Zoning map amendment from Light Industrial (I-1) to Residential Acreage (RA). The subject site is approximately 3.98 acres and is located at 41700 Eleven Mile Road, which is on the north side of Eleven Mile Road and west of Meadowbrook Road (Section 14). The applicant has indicated that the proposed rezoning is being requested to allow for the existing home and pole barn onsite to be remodeled and expanded.

In the matter of JZ23-16 Gabriel Rezoning, with Zoning Map Amendment 18.742, motion to postpone consideration to a later date in order for the applicant to have more time to explore alternative options available to them. Motion carried 6-0.

3. TEXT AMENDMENT 18.301

Public hearing of the staff-initiated request for Planning Commission's recommendation to the City Council regarding Text Amendment 18.301 to remove the EXPO Zoning District, modify use standards for microbreweries and brewpubs, update standards related to daycares, update standards related to site lighting, fix inconsistencies, and remove or modify some conflicting sections of the Zoning Ordinance.

In the matter of Text Amendment 18.301, motion to recommend approval to the City Council. Motion carried 6-0.

MATTERS FOR CONSIDERATION

1. NORTHVILLE TOWNSHIP DRAFT MASTER PLAN REVIEW

In the matter of Northville Township Draft Master Plan Review, motion to authorize the Planning Commission Chair to sign and send a letter to the Northville Township Planning Commission. Motion carried 6-0.

2. ELECTION OF OFFICERS AND APPOINTMENT TO COMMITTEES

Motion to nominate Chair Pehrson as Planning Commission Chairperson for 2023-2024. *Motion carried 6-0.*

Motion to nominate Member Avdoulos as Planning Commission Vice Chairperson for 2023-2024. *Motion carried 6-0.*

Motion to nominate Member Lynch as Planning Commission Secretary for 2023-2024. *Motion carried 6-0.*

3. APPROVAL OF THE JUNE 21, 2023 PLANNING COMMISSION MINUTES

Motion to approve the June 21, 2023 Planning Commission minutes. *Motion carried 6-0.*

ADJOURNMENT

Motion to adjourn the July 12, 2023 Planning Commission meeting. *Motion carried 6-0.*

Meeting adjourned at 7:43 PM.

*Actual language of the motion sheet subject to review.