

MEMORANDUM



TO: MEMBERS OF THE PLANNING COMMISSION
FROM: BARBARA MCBETH, AICP, CITY PLANNER
SUBJECT: COMMERCIAL DAY CARE CENTER IN RESIDENTIAL DISTRICTS
DATE: FEBRUARY 5, 2025

Staff has met with the Little Seeds Day Care owner, Angie Altaii, who has expressed an interest in increasing the number of children cared for in the existing facility at the northeast corner of Ten Mile Road and Wixom Road. She indicated that there is a great demand for day care services in the region and that her day care business has the space available within the existing building to expand enrollment. The **attached** narrative was provided by Ms. Altaii to the City to further explain the need for day care facilities in Novi.

Ms. Altaii wishes to increase the enrollment of the Little Seeds Day Care up to 75 children, while the current ordinance allows a maximum of 50 children in similarly situated day care centers (where the property fronts on a major thoroughfare and is located in and is surrounded by single family residential zoning districts). Ms. Altaii indicated the following regarding the specific situation of her day care: *is important to note that we have been operating under a city approved variance with 60 children for 30+ years so, while on paper it looks like we are suggesting going from 50-75, in reality, we are only going from 60 to 75. Further, we plan to use this space for infants so our maximum capacity per state licensing would be 12 so our true request/reason for making this change is for 12 additional children.*

Staff explained that the ordinance provides limitations on the number of children to be cared for in day care businesses in residential districts and that the standards of the ordinance cover properties throughout the City. The best means to address the property owner's request would be to draft an ordinance amendment to allow an increase in the number of children served at new or existing facilities throughout the city. The intent of this proposed amendment is to allow greater flexibility for childcare providers to meet the growing demand for early childhood development programs by expanding their enrollment, under specific conditions.

Existing Ordinance Standards

Ordinance sections 4.12.1.B and 4.12.1.C allow day care centers and adult day care centers in single-family residential zoning districts, under certain conditions. Day care centers are subject to Special Land Use approval by the Planning Commission for locations in the Single-Family Residential Districts, including the RA, R-1, R-2, R-3 and R-4 Districts.

Section 4.12.1.B currently allows commercial day care centers and adult day care centers (those not located in a single-family home) on single family residential parcels at least 1 acre in size, and when abutting a major thoroughfare. The ordinance provides limitations on the number of people being cared for – no more than 50 children in a day care center, and no more than 25 adults in an adult day care center.

Section 4.12.1.C currently allows a greater number of people being cared for in day care centers when the single family parcel abuts non-residential uses: up to 120 children, and no more than 50 adults. This section of the ordinance limits those residential parcels eligible for consideration for a new day care center to parcels that abut certain non-residential districts. The intent of this ordinance provision is to allow for the larger day care facilities on residential parcels that abut non-residential uses, because the day care facility can provide a transitional use between single family residential properties and commercial properties.

Proposed Text Amendment

The attached draft ordinance amendment proposes a third option that would allow up to 75 children in day care centers on residential parcels at least 1.5 acres in size, that are at the intersection of a major thoroughfare and another street, and subject to minimum building setbacks to the property lines to ensure adequate setback from other residential uses. To further ensure that any adjacent existing single family residential properties are adequately separated from the proposed daycare, any buildings shall be setback from the property lines a distance that is equal to what is required in the zoning district, but in no case, less than 25 feet from any property line. Special Land Use consideration by the Planning Commission and the required public hearing would be required for this option, as it applies to all commercial day care facilities proposed in residential districts. These changes are found in the attached new Section C.

Staff prepared the **attached map** that shows 14 **potential** properties in the City that may benefit from the additional capacity permitted (up to 75 children), if property owners wish to develop a day care on residential properties that are within the parameters of the proposed ordinance amendment: at least 1.5 acres in size, and located at an intersection of a major thoroughfare and another street. Some sites are currently vacant, and others are developed with uses other than a day care, such as a church or a single-family home.

Ordinance modifications are also proposed to Section 4.12.1.C that currently permits a greater number of people being cared for in day care centers when the single family parcel abuts non-residential uses: up to 120 children, and no more than 50 adults. Amendments are proposed to this section to allow clarification that the single-family district where the day care is proposed shall abut one or more non-residential zoning districts on at least one side, and/or may abut another single-family residential district if the site is developed with a use other than single family homes (i.e. a church or school). These changes are reflected in the attached new Section D. Other minor changes and streamlining of the text are proposed for the relevant sections, as well as minor update to the day care standards in the NCC District.

Planning Commission Action

If the Planning Commission is inclined to support the draft text amendment as a means to expand accommodation in day cares and adult daycares on residential parcels at least 1.5 acres in size and located at the intersection of a major thoroughfare and another street, **the Planning Commission is asked to set a Public Hearing for consideration of the proposed ordinance amendment at an upcoming Planning Commission meeting.** At that time the Planning Commission will hold the public hearing and make a recommendation to the City Council, for possible reading and adoption.

**DRAFT ORDINANCE AMENDMENT
STRIKE-THROUGH**

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF NOVI
ORDINANCE NO. 18.305

AN ORDINANCE TO AMEND THE CITY OF NOVI ZONING ORDINANCE, AMENDING ARTICLE 4, USE STANDARDS, AT SECTION 4.12.1 AND 4.12.3 DAY CARE CENTERS, AND ADULT DAY CARE CENTERS, TO ALLOW EXPANDED ACCOMODATION FOR DAY CARE CENTERS AT CERTAIN LOCATIONS AND OF A MINIMUM SIZE, AND OTHER CHANGES AS DETERMINED NECESSARY.

THE CITY OF NOVI ORDAINS:

Part I. That The City of Novi Zoning Ordinance is amended, by amending Section 4.12 in Article 4, Use Standards, to read as follows:

4.12 GROUP DAY CARE HOMES, DAY CARE CENTERS, AND ADULT DAY CARE CENTERS

1. In the RA, R-1, R-2, R-3, and R-4 districts, group day care homes, day care centers, and adult day care centers are permitted as a special land use, as follows:
 - A. Group Day Care Homes, subject to the following:
 - i. [unchanged]
 - ii. [unchanged]
 - iii. [unchanged]
 - iv. [unchanged]
 - v. [unchanged]
 - vi. [unchanged]
 - vii. [unchanged]
 - B. Day Care Centers accommodating no more than fifty (50) children, and Adult Day Care Centers accommodating no more than twenty-five (25) persons, subject to the following:
 - i. The minimum parcel size for a Day Care Center or Adult Day Care Center shall be one (1) acre.
 - ii. Outside recreation area required, unless modified by the Planning Commission based on justification provided by the applicant, as follows:
 - a. For each person cared for, there shall be provided and maintained a minimum of one-hundred fifty (150) square feet of outdoor recreation area.

- b. Such recreation area shall have a total minimum area of not less than two-thousand eight-hundred (2800) square feet.
- c. The recreation area shall be securely fenced and screened from any adjoining lot in any residential district, with appropriate fence and landscape materials as reviewed by the City's Landscape Architect to provide opaque screening for the outside activities. These screening requirements are in addition to the requirements of Section 5.5

- ii. ~~The minimum parcel size for a Day Care Center or Adult Day Care Center shall be one (1) acre.~~
- iii. The hours of operation shall be limited to the period between 6 a.m. and 7 p.m.
- iv. The parcel shall abut and have access to a major thoroughfare or section line collector road. The driveways shall be designed so that vehicles can exit the site without having to back onto a major thoroughfare.
- v. The licensee shall register with the City Clerk and the licensed premises may be subject to a fire department inspection and shall provide a smoke detector in all daytime sleeping areas.
- vi. Any refuse bins or outside trash receptacles shall be located as far away as is practical from properties zoned for residential uses.
- vii. The exterior building facades shall comply with Section 5.15. Additionally, the City's Facade Consultant shall review the proposed architectural style of the structure to ensure the residential character of the neighborhood is maintained with regard to design and facade elements. The following materials shall be allowed up to a maximum of twenty-five (25) percent of the building facade, with a finding that these materials will be compatible with the adjacent residential areas: wood siding, painted siding, tongue and groove siding, batten siding, ~~vinyl siding~~ and aluminum siding. These materials are subject to footnote 11 of the Schedule Regulating Facade Materials, in Section 5.15.
- viii. A noise impact statement is required subject to the standards of Section 5.14.10.B.

C. Day care centers exceeding fifty (50) children, but not more than seventy-five (75) children, subject to the provisions of Section 4.12.1.B.ii through Section 4.12.1.b.viii, and provided the following conditions are met:

- i. The minimum parcel size shall be 1.5 acres.
- ii. The site shall be located at the corner of a major thoroughfare and another public street with at least 200 feet of frontage along the major thoroughfare.

iii. Building setbacks shall meet the setback requirements of the Zoning District, but in no case shall a building be closer than 25 feet to any property line.

ED. Day care centers exceeding fifty (50) children, but not more than one-hundred and twenty (120) children, and adult day care centers exceeding twenty-five (25) persons, but not more than sixty (60) persons, providing the following conditions are met:

i. The minimum parcel size shall be 1.5 acres.

ii. Subject to the standards contained in Subsection 4.12.1.B.i through Section 4.12.1.B.viii.

iii. The parcel~~At least one lot line~~ must abut land zoned ~~only~~-NCC, OS-1, OSC, TC, TC-1, RC, FS, I-1, P-1, C, ~~and or~~ OST, or abut a site occupied by a use other than one-family residential in a RA, R-1, R-2, R-3 and R-4 Districts.

iii. ~~The hours of operation shall be limited to the period between 6 a.m. and 7 p.m.~~

iv. ~~The exterior building facades shall comply with Section 5.15. Additionally, the City's Facade Consultant shall review proposed architectural style of the structure to insure the residential character of the neighborhood is maintained with regard to design and facade elements. The following materials shall be allowed up to a maximum of twenty-five (25) percent of the building facade, with a finding that these materials will be compatible with the adjacent residential areas: wood siding, painted siding, tongue and groove siding, batten siding, vinyl siding and aluminum siding. These materials are subject to footnote 11 of the Schedule Regulating Facade Materials, in Section 5.15.~~

v. ~~A noise impact statement is required subject to the standards of Section 5.14.10.B.~~

2. [unchanged]

3. In the NCC district, day care centers and adult day care centers are permitted subject to the regulations in Sections 4.12.1.B.ii through Section 4.12.1.B.viii., except that day care centers may accommodate in excess of fifty (50) children, and adult day care centers may exceed twenty-five (25) persons.

PART II.

Severability. Should any section, subdivision, clause, or phrase of this Ordinance be declared by the courts to be invalid, the validity of the Ordinance as a whole, or in part, shall not be affected other than the part invalidated.

PART III.

Savings Clause. The amendment of the Novi Code of Ordinances set forth in this Ordinance does not affect or impair any act done, offense committed, or right accruing, accrued, or acquired or liability, penalty, forfeiture or punishment, pending or incurred prior to the amendment of the Novi Code of Ordinances set forth in this Ordinance.

PART IV.

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

PART V.

Effective Date: Publication. Public hearing having been held hereon pursuant to the provisions of Section 103 of Act 110 of the Public Acts of 2006, as amended, the provisions of this Ordinance shall be published within fifteen (15) days of its adoption by publication of a brief notice in a newspaper circulated in the City of Novi stating the date of enactment and effective date, a brief statement as to its regulatory effect and that a complete copy of the Ordinance is available for public purchase, use and inspection at the office of the City Clerk during the hours of 8:00 A.M. to 5:00 P.M., Local Time. The provisions of this Ordinance shall become effective seven (7) days after its publication.

MADE, PASSED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, ON THE ___ DAY OF _____, 2025.

JUSTIN FISCHER, MAYOR

CORTNEY HANSON, CITY CLERK

Ayes:

Nays:

Abstentions:

Absent:

**NARRATIVE PROVIDED BY
LITTLE SEEDS DAY CARE OWNER**

To whom it may concern,

I am writing to ask for your consideration and support for our request to revise the variance of our special land use to allow us to accommodate 12 additional children (infants, specifically) on our existing premises. Little Seeds opened its doors in Novi nearly 2 years ago and is a reputable childcare provider serving the community of working parents in Novi. We also provide high quality preschool and pre-K options for families that are outside of the public school sector. We have a waiting list for infants and toddlers that is approximately 6-12 months long and being able to renovate the existing building already on premise would allow us to shorten this waiting list to 1-2 months or may take care of it entirely for a short period of time. Further, renovating this property would put to good use a currently dilapidated building that has been waiting 3 decades for its time to shine!

Our plans to increase the amount of available infant slots is aligned with the Governor's pledge to increase childcare slots across the state and we plan to use some grant funds to make the necessary repairs this building needs. We have also been approached by Oakland County Public Schools, who has asked us to partner with them to provide a GSRP (Great Start to Readiness Program) preschool within our existing facility. This partnership is important to the Novi community – which, as of last fiscal year, had only has 1 other GSRP partner - and will help support the roll out of the Governor's "Universal Pre-K Promise" that is coming down the pipeline. The latest budget passed in Michigan increased the poverty limit for eligible families from 350% to 400% - this will expand eligibility for many of our families as we are a lower priced center and many of our families seek us out for this reason. There is also a whole new group of children in our area that will now qualify. If we utilize an existing classroom for preschool, this will further exacerbate the need for the additional infant slots we are requesting.

Thank you for supporting our small business, the children and families in our community!

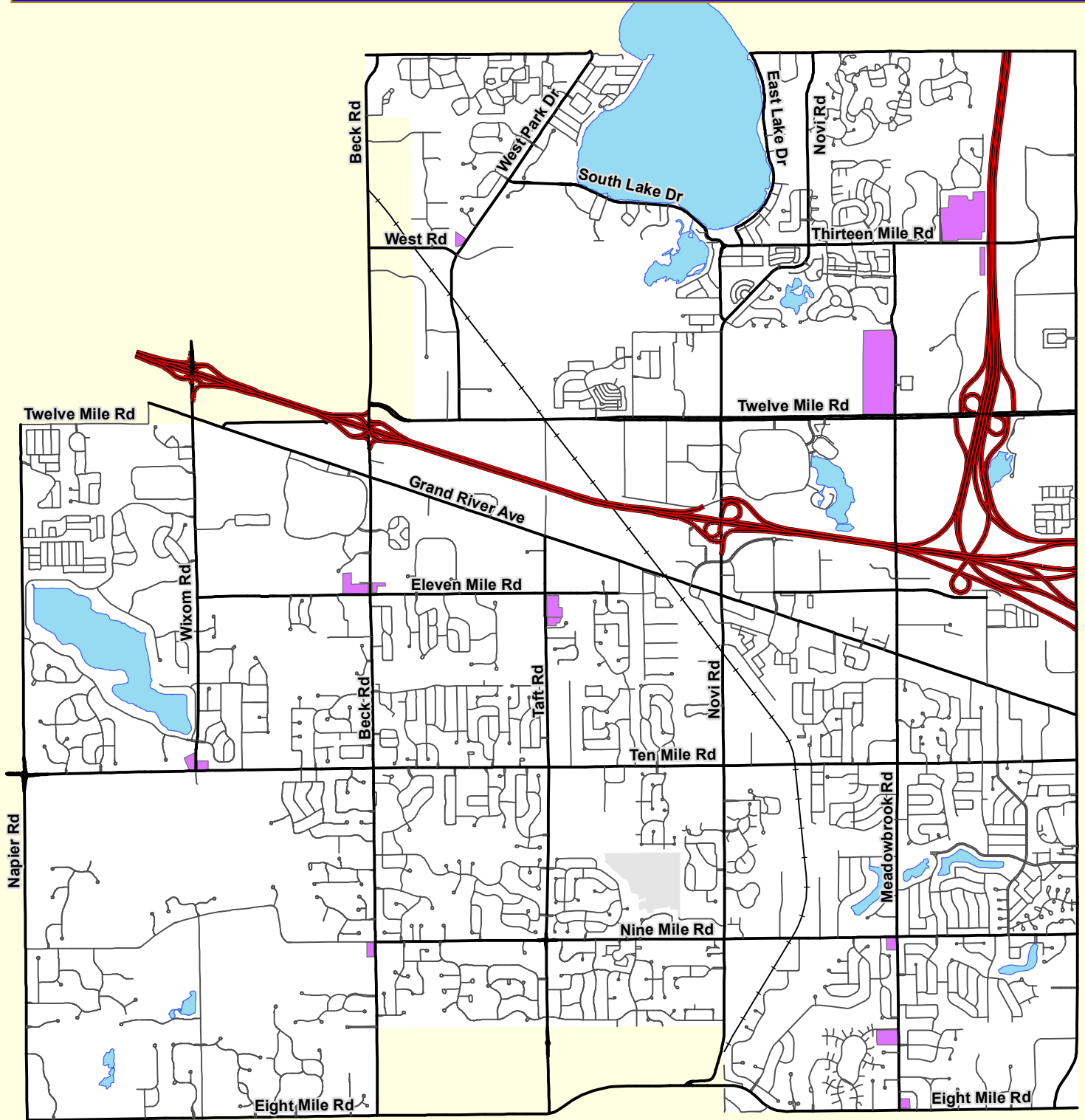
Here are some additional resources to consider if you are looking for more information:

- *Child care needs map* for our state that is one of the reasons for the legislature's investments in and major emphasis on childcare over the past couple of years: <https://cep.msu.edu/projects/child-care-mapping-project/maps-and-charts/areas-with-high-needs-and-urgency?view=draft>
NOTE: Oakland County is labeled "urgent" need for additional childcare slots.
- <https://www.michigan.gov/mileap/early-childhood-education/prek-for-all>
- Details about recent budget passed: <https://www.bridgemi.com/michigan-government/michigans-23b-education-deal-free-community-college-all-pre-k-many>
- GSRP website: <https://greatstarttoquality.org/free-preschool-programs/>
GSRP Oakland County Public School specific site: <https://www.greatstartoakland.org/professionals/gsrp>

**PROPERTIES *POTENTIALLY* IMPACTED
BY PROPOSED
EXPANDED DAY CARE TEXT AMENDMENT**

Properties Impacted by Proposed Expanded Daycare Text Amendment

City of Novi



Map Author:
Date:
Project:
Version #:
Amended By:
Date:
Department:

MAP INTERPRETATION NOTICE
Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent, accurate sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a licensed Michigan Surveyor as defined in Michigan Public Act 132 of 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy information related to this map.

Map Legend

- Freeway
- Major Streets
- Minor Streets
- Railroad
- Impacted Parcels (14)
- Lake



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