

CITY of NOVI CITY COUNCIL

Agenda Item 6
July 7, 2008

SUBJECT: Consideration of Zoning Ordinance Text Amendment 18.227, to amend Ordinance No. 97-18 as amended, the City of Novi Zoning Ordinance at Article 19, Light Industrial, Section 1905, "Required Conditions" to amend and add provisions relating to the storage of certain recreational equipment and to establish standards for such storage. **First Reading**

SUBMITTING DEPARTMENT: Community Development Department - Planning ^{Barb}

CITY MANAGER APPROVAL: 

BACKGROUND INFORMATION:

The attached ordinance language for Section 1905, Light Industrial District, is proposed as an amendment to allow limited recreational vehicle (RV) storage in the Light Industrial district, subject to several conditions, with approval of a temporary use permit through the building official. The concept of limited RV storage in the Light Industrial district was presented to the City Council for consideration by a Novi property owner, due to his desire to continue to store several recreational vehicles at an industrial property on the east side of Heslip Drive, north of Nine Mile Road.

The City Council referred the matter to the Ordinance Review Committee. The Committee reviewed the general intent of the ordinance and specific language at its recent meetings. The attached language was prepared by the City Attorney's office and has been reviewed by the Community Development Department staff. A couple of minor adjustments to the language have been made by the City Attorney's office to address the comments of the Ordinance Review Committee and department staff.

The Planning Commission held a public hearing on June 25, 2008 and forwarded a favorable recommendation to the City Council. As a part of its discussion, the Commission suggested that the City Council may wish to consider a minimum size of a light industrial property that would be eligible for limited RV storage, or a number of RVs proportional to the building size on the light industrial property. In the case of the property on Heslip Drive, that parcel is slightly less than one acre in size, and the building size on the property is approximately 9000 square feet. The Planning Commission's concern may be that any RV storage needs to be a secondary or accessory use to the intended principal or main use for light industrial purposes. The City Council may wish to establish a minimum building size of 5000 square feet on an individual parcel before a light industrial site would be eligible for limited RV storage. This could be added to the second reading if the City Council wishes to add another standard for outdoor storage of RVs.

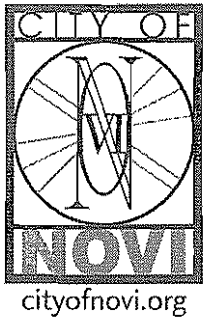
We also note that as a part of the regulations related to a Temporary Special Exception Permit, the Building Official is authorized to review the request and can administratively approve certain uses, without the need for a public hearing. The ordinance does not currently provide a time limitation on the outdoor storage of RVs in the Light Industrial District, but the Building Official may, as a part of his determination and approval, provide time limitations, or allow for periodic reviews for this special approval. No additional changes are proposed to Section 3004, which allow temporary approvals of certain uses.

RECOMMENDED ACTION: Approval of Zoning Ordinance Text Amendment 18.227, to amend Ordinance No. 97-18 as amended, the City of Novi Zoning Ordinance at Article 19, Light Industrial, Section 1905, "Required Conditions" to amend and add provisions relating to the storage of certain recreational equipment and to establish standards for such storage. **First Reading**

| | 1 | 2 | Y | N |
|--------------------------------|---|---|---|---|
| Mayor Landry | | | | |
| Mayor Pro Tem Capello | | | | |
| Council Member Crawford | | | | |
| Council Member Gatt | | | | |

| | 1 | 2 | Y | N |
|--------------------------------|---|---|---|---|
| Council Member Margolis | | | | |
| Council Member Mutch | | | | |
| Council Member Staudt | | | | |

**PLANNING COMMISSION MINUTES
DRAFT**



PLANNING COMMISSION

DRAFT COPY

CITY OF NOVI
Regular Meeting
Zoning Ordinance Text Amendment 18.227 Excerpt
Wednesday, June 25, 2008 | 7 PM
Council Chambers | Novi Civic Center | 45175 W. Ten Mile
(248) 347-0475

CALL TO ORDER

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

ROLL CALL

Present: Members John Avdoulos, Brian Burke, Victor Cassis, Andrew Gutman, Michael Lynch (7:08 PM), Mark Pehrson, Wayne Wrobel

Absent: David Greco (Excused), Michael Meyer (Excused)

Also Present: Steve Rumpel, Community Development Director; Barbara McBeth, Deputy Director of Community Development; Kristen Kapelanski, Planner; David Beschke, Landscape Architect; Ben Croy, Civil Engineer; Martha Holzheuer, Woodland Consultant; Kristin Kolb, City Attorney

PUBLIC HEARINGS

1. ZONING ORDINANCE TEXT AMENDMENT 18.227

The Public Hearing was opened on Planning Commission's consideration of and recommendation to City Council for an ordinance to amend Ordinance No. 97-18, as amended, the City of Novi Zoning Ordinance Article 19, "I-1 Light Industrial District," to amend and add provisions relating to the storage of certain recreational equipment and to establish standards for such storage.

Deputy Director of Community Development Barbara McBeth stated that this language came from the City Council's Ordinance Review Committee. The language expands the very limited outdoor uses in the Light Industrial District. This would allow limited RV storage in certain locations and subject to the administrative approval of the Building Official via a Special Exception Permit. Modifications include the provisions that the RV must be licensed and registered as required by law, must be operable and movable. The equipment must be owned by the landowner or occupant. No more than three vehicles or other such pieces of equipment can be stored on the property. A boat on a trailer would count as one vehicle. The equipment can only be stored in an area where an accessory building is permitted.

No one from the audience wished to speak and no correspondence was received so Chair Cassis closed the Public Hearing.

Member Pehrson asked about the timing of the Special Permit. Ms. McBeth responded that there is a limitation on the approval -- it would not be an ongoing approval; she thought the initial period was for one year, and then the Applicant can come back and ask for an extension.

Member Pehrson confirmed that the "owner" reference was the *property* owner and not the *vehicle* owner. Ms. McBeth responded that the idea is not to expand this provision to a commercial use such that, for example, and Industrial property owner cannot lease out his three allocated spaces. It must be the owner's equipment or a building occupant's equipment.

Member Pehrson said that some of the pictures show vehicles covered. He asked if there was stipulation on the types of covering allowed. Ms. McBeth said no such stipulation was built into the Ordinance. She did not think either, that the Ordinance required coverings.

Chair Cassis asked whether there was a proportionality stipulated regarding the size of the building and the amount and size of the equipment area that is allowed. Ms. McBeth said there was only a limitation on the number of vehicles allowed on any property. There was no minimum site size, which the Planning Commission can deliberate upon if they choose. The limitation was really only on the three pieces of equipment being allowed on a Light Industrial property in the appropriate location (where an accessory structure can be located).

Chair Cassis said the City wants all districts to look good. Industrial site owners in an industrial park want their location and their park to look good. If there is too much storage going on in one area, it might not look very appealing.

Member Pehrson asked if there was any recourse if a neighboring property owner asks the City for relief from unsightly storage on an adjacent property. Ms. McBeth responded that adjacent property owners will be notified about these Temporary Special Exception Permits so they will have that opportunity in which to speak.

Moved by Member Pehrson, seconded by Member Gutman:

ROLL CALL VOTE ON TEXT AMENDMENT 18.227 RECOMMENDATION MOTION MADE BY MEMBER PEHRSON AND SECONDED BY MEMBER GUTMAN:

In the matter of Zoning Ordinance Text Amendment 18.227, motion to recommend approval to City Council with the following consideration: Possibility of adding a stipulation to the Ordinance amendment regarding the proportionality between the size of the building and the amount and size of the equipment area that is allowed. *Motion carried 7-0.*

**PROPOSED AMENDMENT
STRIKE-THROUGH VERSION**

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF NOVI

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ORDINANCE NO. 97-18, AS AMENDED, THE CITY OF NOVI ZONING ORDINANCE, ARTICLE 19, "I-1 LIGHT INDUSTRIAL DISTRICT," TO AMEND AND ADD PROVISIONS RELATING TO THE STORAGE OF CERTAIN RECREATIONAL EQUIPMENT AND TO ESTABLISH STANDARDS FOR SUCH STORAGE.

THE CITY OF NOVI ORDAINS:

Part I. That Ordinance No. 97-18, the City of Novi Zoning Ordinance, as amended, Article 10, I-1 Light Industrial District, Section 1905, Required Conditions, is hereby amended to read as follows:

1. a. [unchanged]
- b. [unchanged]
 - (1) [unchanged]
 - (2) [unchanged]
 - (3) Outdoor storage of recreational equipment, provided that:
 - (i) the equipment is licensed or registered as required under state law and has affixed to it a current registration plate, sticker, or other proof of required registration;
 - (ii) the equipment is operable and must either have wheels making it moveable or must be on a trailer with wheels that are moveable;
 - (iii) the equipment is owned by the owner or occupant of the property;
 - (iv) no more than three (3) vehicles or other such piece of equipment is stored on the property; a boat or similar vehicle that is on a trailer shall be considered a single piece of equipment; and
 - (v) the equipment shall be stored only in an area where an accessory structure is permitted.

Before storing any recreational equipment under this subsection, the owner or occupant of the property shall secure a temporary special exception permit from the

Building Official in accordance with the procedures and requirements of Section 3004.1, including the submission of an application as provided under 3004.1.a.2. The Building Official shall review the application in accordance with the requirements of Section 3004, including Section 3004.3.a-k.

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. This amendment 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.

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

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

MADE, PASSED AND ADOPTED BY THE NOVI CITY COUNCIL THIS ____ DAY
OF _____, 2008.

DAVID LANDRY – MAYOR

MARYANNE CORNELIUS – CITY CLERK

1. Date of Public Hearing _____
2. Date of Adoption _____
3. Date of Publication of
Notice of Adoption _____

CERTIFICATE OF ADOPTION

I hereby certify that the foregoing is true and complete copy of the Ordinance passed at the _____ meeting of the Novi City Council held on the _____ day of _____, 2008.

MARYANNE CORNELIUS – CITY CLERK

1075098

**PROPOSED AMENDMENT
CLEAN VERSION**

STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF NOVI

ORDINANCE NO. _____

AN ORDINANCE TO AMEND ORDINANCE NO. 97-18, AS AMENDED, THE CITY OF NOVI ZONING ORDINANCE, ARTICLE 19, "I-1 LIGHT INDUSTRIAL DISTRICT," TO AMEND AND ADD PROVISIONS RELATING TO THE STORAGE OF CERTAIN RECREATIONAL EQUIPMENT AND TO ESTABLISH STANDARDS FOR SUCH STORAGE.

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 - (iv) no more than three (3) vehicles or other such piece of equipment is stored on the property; a boat or similar vehicle that is on a trailer shall be considered a single piece of equipment: and
 - (v) the equipment shall be stored only in an area where an accessory structure is permitted.

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Building Official in accordance with the procedures and requirements of Section 3004.1, including the submission of an application as provided under 3004.1.a.2. The Building Official shall review the application in accordance with the requirements of Section 3004, including Section 3004.3.a-k.

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MADE, PASSED AND ADOPTED BY THE NOVI CITY COUNCIL THIS ____ DAY OF _____, 2008.

DAVID LANDRY – MAYOR

MARYANNE CORNELIUS – CITY CLERK

- 1. Date of Public Hearing _____
- 2. Date of Adoption _____
- 3. Date of Publication of
Notice of Adoption _____

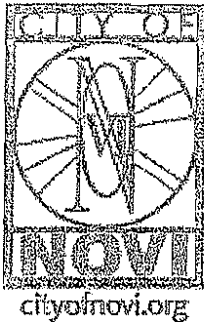
CERTIFICATE OF ADOPTION

I hereby certify that the foregoing is true and complete copy of the Ordinance passed at the _____ meeting of the Novi City Council held on the _____ day of _____, 2008.

MARYANNE CORNELIUS – CITY CLERK

1075098

MEMORANDUM



TO: CLAY PEARSON, CITY MANAGER
FROM: BARBARA MCBETH, COMMUNITY DEVELOPMENT
CHARLES BOULARD, BUILDING OFFICIAL
SUBJECT: RECREATIONAL VEHICLE STORAGE IN I-1 DISTRICT
DATE: APRIL 29, 2008

Long-term recreational vehicle storage on private property is regulated under a number of sections of the City of Novi Zoning Ordinance depending on the specific zoning district. A recent question came before the City Council regarding the possible modification to the ordinance to allow recreational vehicle storage in the Light Industrial district. Please see the attached photographs of the site in question. The following are applicable Code sections:

- **Section 2504: Commercial and Recreational Vehicle Parking and Storage**, limits parking and storage of commercial and recreational vehicles within residential zoning districts. Recreational vehicles are generally allowed to be parked on residential properties for up to 72 hours for loading, unloading, trip preparation and routine maintenance (Section (1)). This section would not apply to an I-1 district.
- **Section 2505: Off-Street Parking Requirements**, does not directly address recreational vehicles, but states the following applicable to all zoning districts:
The sale or storage of construction trailers, merchandise, motor vehicles or trailers for sale or rent, trucks, or repair of vehicles is prohibited on off-street parking lots.
- **Article 19: I-1 Light Industrial District**, does not allow outdoor storage of recreational vehicles as a permitted use. Section 1905.1.a states, "Except as provided in subpart (b) below, all uses shall be conducted wholly within a completely enclosed building." Subpart b allows two outside uses: off-street parking and above-ground storage tanks, if properly screened. Historically, parking of service and delivery vehicles typically used in the course of daily business has been interpreted as allowable if directly related to the occupancy and use of the site. Two examples of existing uses on Heslip Drive are Direct TV and M.J. White (building clean-up) which allow service vans and trucks as typical examples of this application of the ordinance. Self-storage facilities are permitted as a special land use in the light industrial district, subject to numerous restrictions, however no storage outside of the self-storage buildings shall be permitted.
- **Article 20: I-2 General Industrial District**, does allow outdoor storage yards, when such yards are totally obscured from view. This would be a district that could accommodate outdoor storage of recreational vehicles, if properly screened.

Considerations

The Community Development Department has a number of concerns regarding the possible parking of recreational vehicles in a light industrial district, including the possibility that the recreational vehicles may take up part of the required parking spaces for the uses within a building, which may limit the viability of the light industrial use of a property. These types of vehicles are generally longer than the typical 19 foot long parking space provided in parking lots throughout Novi, and may require special striping to assure that an area has been dedicated for this type of use. Parking of larger vehicles may obstruct drive aisles and limit emergency access to the primary, light industrial use of the property.

Excessive use of the property for RV storage may change the character of the light industrial use, from a district intended to be "*designed so as to primarily accommodate research, office and light industrial uses, including wholesale activities, warehouses, and insutrial operations whose external, physical effects are restricted to the area of the district and in no manner affect in a detrimental way any of the surrounding districts.*" Outside activities and storage are not permitted in the light industrial district, and the parking and storage of these vehicles over the long-term may change the intended character of the district, especially if they are not properly screened.

Possible remedies

If an applicant wishes to pursue storage of the vehicles at a specific location, the following remedies may be possible:

- It may be possible to store vehicles inside an existing light industrial building.
- An applicant could ask for an ordinance modification to allow outside storage in any light industrial district. Considerations for a possible ordinance amendment would be adequate screening for the outside activities, adequate driveway and circulation, sufficient parking for the primary use of the site, buffering of outdoor storage from adjacent properties, and available storage space on site.
- An applicant could seek a Temporary Special Land Use from the Building Official for temporary outdoor storage for limited period of time.
- An applicant may be able to seek relief from the Zoning Board of Appeals.
- An applicant may request rezoning of property from Light Industrial to General Industrial, which allows outdoor storage, subject to screening criteria.

Should any questions arise or if further information would be helpful, please feel free to contact the Community Development Department.

McBeth, Barb

From: Pearson, Clay
Sent: Tuesday, April 29, 2008 1:40 PM
To: McBeth, Barb
Cc: Rumble, Steve
Subject: FW: ordinance review

Barb: Inquiry that generated the referral to ORC regarding looking at expanding industrial storage. Clay

From: Stevieraay@aol.com[SMTP:STEVIERAAY@AOL.COM]
Sent: Thursday, April 17, 2008 8:16:39 PM
To: dlandry@cityofnovi.org kcapello@cityofnovi.org; Gatt, Bob; Margolis, Terry; Mutch, Andrew; Crawford, Kathy; Staudt, Dave
Subject: ordinance review
Auto forwarded by a Rule

Dear Mayor Landry, and members of the Novi City Council,

My name is Steve Morianti, I reside at 21964 Sunrise Blvd., in the Whispering Meadows subdivision. I also own a business at 22550 Heslip Drive in Novi. I have lived at my residence for 17 years, and my business has been at the same location for almost 25 years.

Due to the fact that I have recently experienced a conflict with a particular ordinance of the city of Novi, I would respectfully request that you would consider a review of the ordinance regarding the storage of recreational vehicles in the I-1 districts. I understand that the ordinance regarding R.V. storage has recently been addressed, with regards to residential districts. Considering the modifications made to residential district ordinances, in regards to R.V. storage, I feel that there may be a need to re-evaluate the conditions set forth regarding I-1 districts.

In my particular situation, myself and my family own properties on Heslip Drive. Specifically, 2 industrial buildings, with undeveloped land behind them, and 1 undeveloped lot. These properties adjoin each other. The total combined parcel of undeveloped land totals a little over an acre. These particular parcels of land back up all the way to the elevated railroad tracks that run behind it. I, personally, not through my business, own a travel trailer, that I have been parking in this open field, behind my building, when not in use. I have been recently informed, after 5 years of parking my trailer in this field, that I was in violation of a city ordinance regarding this matter.

Of all the places that would be considered reasonable, and unobtrusive, to park a recreational vehicle of any type, in my opinion, would be an empty field, behind industrial buildings, that also have railroad tracks behind it, and that have trucks, semi-trailers, and other ordinance addressed industrial uses that are permissible.

I understand that not all I-1 districts have this particular situation that I have, but I do feel, that with the proper language, addressed with specific criteria, that an ordinance amendment could allow for tax paying property owners to utilize their own land, and not be a detriment to the surrounding community.

I appreciate any considerations that you might have with regards to this request.

Respectfully,

Steve Morianti

P.S. I am e-mailing this to Mayor Landry, as well as all City Council Members, if you could all acknowledge receipt of this, it would be appreciated. I can be reached at 248-348-3218 (home)
248-348-2490 (office)
stevieraay@aol.com (e-mail)

3

04/29/2008



Notice of Violation

CITY COUNCIL

Mayor
David B. Landry

Mayor Pro Tem
Kim Capello

Bob Gatt

Terry K. Margolis

Andrew Mutch

Kathy Crawford

Dave Staudt

City Manager
Clay J. Pearson

Community Development
Director
Stephen T. Rumble

Deputy Director of
Community Development
Barbara E. McBeth

Building Official
Charles Boulard

Building Division
248.347.0415
248.735.5600 fax

Planning Division
248.347.0475
248.735.5633 fax

Ordinance Enforcement
Division
248.735.5678
248.735.5682 fax

03/17/2008

Expiration Date: ~~03/27/2008~~

MORIANI, BRUNO
21246 PARK LANE
FARMINGTON MI 48335

*re-check
5-4-08*

Subject Property: 22550 HESLIP DR NOVI
Sidwell No.:

Ordinance Activity No: ORD08-0320

You are in violation of code Section 1901

Recreational vehicles stored in light industrial zone not permitted. Remove motor homes from lot by expiration date.

You will have 10 days from the date of this notice to comply with the violation cited above. Your immediate attention to this matter is requested and advised. A municipal civil infraction violation ticket will be issued for failure to comply with this matter within the time constraints stated above. Once a ticket is issued, a court appearance will be required. Please contact the Officer listed below should you have any questions with regard to this matter.

Maureen Underhill
Ordinance Enforcement Officer
248.735.5602
City of Novi

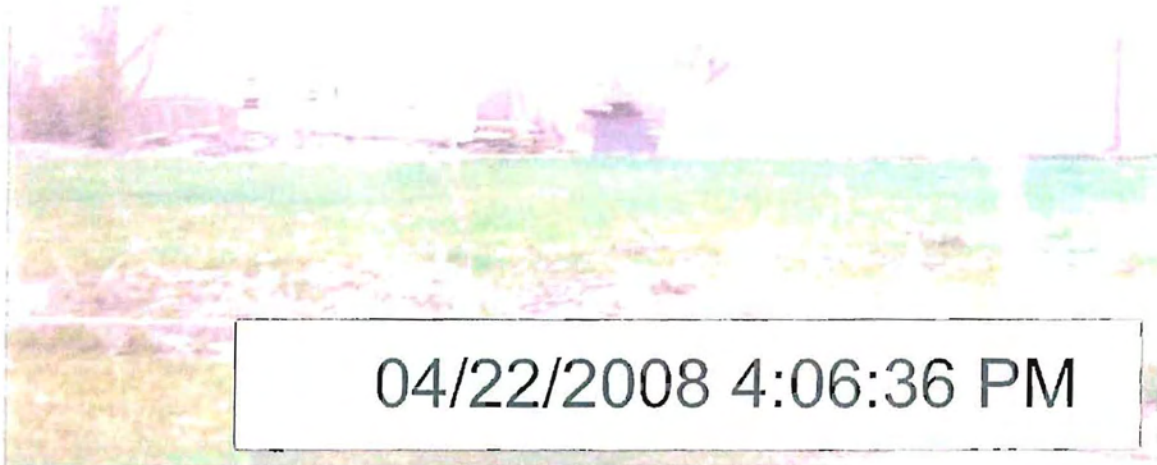
City of Novi
45175 W. Ten Mile Road
Novi, Michigan 48375

cityofnovi.org



5





04/22/2008 4:06:36 PM



04/22/2008 4:06:03 PM



Sec. 2504. Commercial and Recreational Vehicle Parking and Storage.

The off-street parking or storage of any mobile home or recreational equipment in any residential district shall be subject to the following conditions:

1. Except where otherwise permitted in this Ordinance, the off-street parking of a mobile home for periods exceeding twenty-four (24) hours on lands not approved for mobile homes or mobile home parks, shall be expressly prohibited, except that the Building Official may extend temporary permits allowing the parking of a mobile home in a rear yard on private property, not to exceed a period of two (2) weeks.
 2. All mobile homes owned by residents of the City of Novi and stored only within the confines of the rear yard shall further respect the requirements of Section 2503.1, Accessory Buildings, of this Ordinance, insofar as distances from principal structures, lot lines and easements are concerned.
 3. Any such mobile home so parked or stored shall not be connected to sanitary facilities and shall not be occupied.
 4. Recreational equipment may be temporarily parked or stored anywhere on a residential premises for a period not to exceed seventy-two (72) consecutive hours for the purpose of active loading, unloading, trip preparation, or minor routine maintenance and repair. Removal of the equipment from the premises for a period of greater than twenty-four (24) hours shall commence a new seventy-two (72) hour period. For purposes of enforcement, in addition to parking or storage for a period in excess of seventy-two (72) hours, the presence of the same equipment on the same premises within a seven (7) day period shall be considered a violation of this provision, unless the property owner can establish the removal of the equipment as provided herein.
 5. Any recreational equipment less than six (6) feet in height above the ground may be
1. nance, refuse bins and their screening enclosures shall be located in the rear yard.
 2. If a refuse bin enclosure is structurally attached to a main building, it is subject to regulations applicable to the main building.
 3. No refuse bin screening enclosure shall be located closer than ten (10) feet to any building, unless structurally attached to the building.
 4. No refuse bin screening enclosure shall be located closer to the property line than the minimum parking lot setback established in Section 2400 for the district in which it is located. If no parking lot setback is established, the refuse bin screening enclosure shall not be located closer than ten (10) feet to the property line.
 5. In those instances where the rear lot line abuts an alley right-of-way, the refuse bin screening enclosure shall be no closer than one (1) foot to such rear lot line. In no instance shall a refuse bin screening enclosure be located within an easement or dedicated right-of-way.
 6. In those instances where the rear lot line abuts a street right-of-way, the refuse bin screening enclosure shall be no closer to this line than the required front yard setback in the district in which the property is located.
 7. Refuse bin screening enclosure shall be located as far away as possible from barrier free parking spaces.

(Ord. No. 2000-18.161, Pt. I, 7-10-00; Ord. No. 2004-18.185, Pt. II, 1-5-04; Ord. No. 2004-18.164, § 1, 8-21-04)



stored in any required side or rear yard. In addition to the general six (6) foot height permitted, minor portions of such equipment not exceeding three (3) square feet in vertical cross section as viewed perpendicular to the adjacent lot line may be permitted to exceed six (6) feet in height.

3. Recreational equipment exceeding six (6) feet in height may be stored in any rear yard or in any nonrequired interior side yard subject to the applicable conditions of this Section regarding Accessory Buildings, with respect to height, yard coverage, and setbacks.
4. Recreational equipment shall not be parked or stored in such a manner as to create a dangerous or unsafe condition on the property. The ground under and surrounding any parked or stored equipment shall be free of noxious weeds, overgrowth of grass or weeds, litter, excessive dirt, or debris. Broken windows and flat tires are prohibited. All covers or tarps or other material employed to protect such equipment shall be secured and weather proof. Rocks, bricks, or other weighted items shall not be used to secure a weatherproofing cover. No more than one motor home may be stored on any one (1) residential premises.
5. Recreational equipment parked or stored on residential premises shall be kept in good repair and carry current license plate and registration. The requirement of carrying current registration shall be deemed satisfied for equipment issued a six-month registration pursuant to MCL 257.226(11), where such six-month registration is current or was current within the previous six (6) months.
6. At no time shall recreational equipment be used for living or housekeeping purposes, nor may it be connected to water or sanitary sewer facilities.
7. The outdoor storage of recreational equipment on any residential lot or parcel shall be limited to only that equipment owned by, licensed or registered to, the occupant of the residential lot or parcel on which the equipment is stored.
8. In the case of a multiple-family dwelling, a complex of multiple family dwellings, or mobile home parks, the City shall require a screened area, in addition to off-street parking spaces, be provided on the site for the parking and storage of recreational vehicles.
9. (a) A person shall not park, nor a vehicle's registered owner permit to be parked, nor the owner of residentially-zoned property permit to be parked, any commercial vehicle or a commercial trailer on any residentially-zoned property in the city for any purpose or length of time other than for expeditious loading and delivery or pick-up and unloading of materials, goods, or merchandise, or for the purpose of carrying on a principal use permitted on the property on which the vehicle is parked, or as permitted in subpart (b), below.
 - (b) A commercial vehicle may be parked on residentially-zoned property if all of the following conditions are met:
 - (1) The vehicle is used as the principal means of transportation for a resident in the conduct of his employment or profession or is the resident's sole means of motor vehicle transportation;
 - (2) The vehicle is not a dump truck, stake truck, flatbed truck or semi-tractor; and
 - (3) The vehicle does not exceed five thousand (5,000) pounds, empty weight, as defined in 1949 PA 300, as amended.
 - (c) In any proceeding for violation of this ordinance, where a motor vehicle displays commercial license registration plates, such registration

shall constitute prima facie presumption that it is a commercial vehicle at the time of any alleged violation.

- (d) In any proceeding for violation of the weight limitation provision of this Ordinance, the weight indicated on the vehicle's registration shall constitute a prima facie presumption of the weight of the vehicle at the time of any alleged violation, and any gross vehicle weight classification indicated on the vehicle's registration or plate shall constitute a prima facie presumption that the weight of the vehicle was within such classification at the time of any alleged violation.

(Ord. No. 18.205, Pt. I, 7-10-06)

Sec. 2505. Off-Street Parking Requirements.

There shall be provided in all districts at the time of erection or enlargement of any main building or structure, automobile off-street parking space with adequate access to all spaces. The number of off-street parking spaces, in conjunction with all land or building uses shall be provided, prior to the issuance of a certificate of occupancy, as hereinafter prescribed:

1. Except as specifically permitted in the P-1 Vehicular Parking District, off-street parking or off-street parking lots shall not be permitted as the sole or principal permitted use in any zoning district.
2. Off-street parking spaces may be located within a rear yard or within a side yard which is in excess of the minimum side yard setback unless otherwise provided in this Ordinance. Off-street parking shall not be permitted within a front yard nor within a minimum side yard setback unless otherwise provided in this Ordinance.
3. Off-street parking for other than residential use shall be either on the same parcel of and or within three hundred (300) feet of the building it is intended to serve, measured along a pedestrian walkway from the nearest point of such building to the nearest point of the off-street parking

lot. The pedestrian walkway shall be on the applicant's property or within a dedicated right-of-way, provided that a pedestrian walkway approved by the planning commission may cross intervening parcels of land under separate ownership where the applicant has secured necessary permanent easements from the owners of the intervening parcels and the walkway provides a reasonably safe method of pedestrian access between the parking area and the building served.

The purpose of the sidewalk is to permit safe and convenient pedestrian access for employees and/or customers who may use the parking lot. If the pedestrian walkway crosses an intervening major arterial, arterial, or minor arterial road, the applicant shall be responsible for improvements required by the planning commission, including the requirement of an overhead crosswalk, necessary to provide a safe pedestrian crossing. No crossing shall be permitted unless approved by the Planning Commission as a safe crossing.

Ownership shall be shown of all lots or parcels intended for use as parking by the applicant. Off-street parking required to meet the minimum standards specified at Section 2505.14. shall be located within the corporate limits of the City of Novi.

Notwithstanding Section 2516.1.(d)(1) (permitting administrative site plan review of expansion of existing off-street parking areas), all off-premises parking lots must be approved by the Planning Commission in accordance with requirements of Section 2516.2.(c) for special land uses and subject to the public hearing requirements set forth and regulated in Section 3006 of this Ordinance.

Required parking for an exposition facility permitted pursuant to Subsection 1001.1 may be located up to three thousand (3,000) feet from the facility provided:

- (a) There is an agreement between the operator of the exposition facility

8. In the instance of dual function of off-street parking spaces by more than one land use, the Planning Commission may permit a reduction in the number of parking spaces required in the Ordinance. Said reduction may be considered by the Planning Commission only after the submittal by the Applicant of a Shared Parking Study, prepared by an individual or firm with demonstrated experience in parking analysis. The methodology used in the report shall generally follow the guidelines set for in the following documents: Shared Parking - Potential for Application within the Town Center Districts (December 1993), prepared for the City of Novi, and Shared Parking (4th Printing 1990), prepared for the Urban Land Institute. In the instance of multi-phased projects, the Applicant shall present evidence during the review of all phases subsequent to Phase 1 that the assumptions included in the shared parking analysis are reasonably being met by the previous phases.
9. The sale or storage of construction trailers, merchandise, motor vehicles or trailers for sale or rent, trucks, or the repair of vehicles is prohibited on off-street parking lots.
10. For those uses not specifically mentioned, the requirements for off-street parking facilities shall be in accord with a use which the Planning Commission considers is similar in type. If no use is deemed to be similar, the Planning Commission may accept the recommendation of its Traffic Consultant or undertake a study to determine the most appropriate standard to use.
11. When units or measurements determining the number of required parking spaces result in the requirement of a fractional space, any fraction up to and including one-half ($\frac{1}{2}$) shall be disregarded and fractions over one-half ($\frac{1}{2}$) shall require one (1) parking space.
12. (Reserved)
13. Wherever the City Council shall establish off-street parking facilities by means of a special assessment district, or by any other means, the City Council may determine, upon completion and acceptance of such off-street parking facilities by the City Council, all existing buildings and uses and all buildings erected or uses established thereafter within the special assessment district or districts, shall be exempt from the requirements of this Section for privately supplied off-street parking facilities.
14. The minimum number of off-street parking spaces by type of use shall be determined in accordance with the following schedule:

10. Storage facilities for building materials, sand, gravel, stone, lumber, storage of contractor's equipment and supplies, provided such is enclosed within a building.
11. Municipal uses such as water treatment plants, and reservoirs, sewage treatment plants, acid all other municipal buildings and uses.

(Ord. No. 90-18,149, Pt. VIII, 4-5-99)

Sec. 1904. Nonconforming Office, Commercial and I-1 Light Industrial Uses.

The following uses shall be permitted subject to the conditions hereinafter imposed for each use:

1. If there exists a lawful office, commercial or I-1 light industrial use of land that would not be permitted because of an amendment rezoning the land to an I-1 District, or as a result of this amendment, this use and uses accessory thereto, may be continued and enlarged on the same lot, provided the following conditions are met:
 - a. The identical office, commercial or I-1 light industrial use must be used on the lot (examples of identical office, commercial or industrial use would be a real estate office replaced by a real estate office, a drugstore replaced by a drugstore and a metal plating [plating] operation replaced by a metal plating [plating] operation. A real estate office replaced by a medical office or a drugstore replaced by a shoe store would not be identical replacement); and
 - b. Any enlargement of the use shall conform with the height, bulk and area requirements of the I-1 District, and the required conditions of Section 1905. Off-street parking shall comply with the locational requirements of the I-1 District, and with the applicable office, commercial or industrial use requirements of Section 2505 and Section 1905 of the Zoning Ordinance, whichever is more restrictive.



Sec. 1905. Required Conditions.

All uses within the I-1 District shall comply with the following required conditions:

1. a. Except as provided in subpart (b), below, all uses shall be conducted wholly within a completely enclosed building.
- b. The following uses may be conducted outside of a completely enclosed building:

- (1) Off-street parking.
- (2) Outdoor placement of an above-ground storage tank of not more than a six hundred-gallon capacity where outdoor placement is necessary for compliance with Chapter 15 of the Novi Code of Ordinances.

All such storage tanks must be enclosed or screened from public view. Such screening shall consist of a wall not less than one (1) foot higher than the height of the storage tank placed therein, which completely conceals the tank from public view. The inside dimensions of the enclosure shall be such as will permit adequate access to the tank, as well as completely enclose the tank so that it does not project outside of the enclosure.

Screening materials shall consist of masonry, consisting of those materials permitted under the exterior building wall material standards contained in Section 2520, herein, or reinforced concrete. Other materials may be used for the gate or doorway to the enclosure.

2. Unless otherwise provided, dealing directly with consumer at retail, is prohibited.
3. See Section 2520 of this Ordinance regulating exterior building wall facade treatments, where applicable.

vided they shall be parked not closer than twenty (20) feet from any free-way right-of-way and shall be screened by a four and one-half (4.5) foot brick-on-brick wall or landscaped berm pursuant to requirements at Section 2509.

- 7. Site plans shall be prepared in accordance with the requirements of Section 2516 of this Ordinance and shall be subject to approval by the Planning Commission prior to issuance of a building permit.
- 8. See Article 25, General Provisions relating to off-street parking, off-street parking layout, landscaping and screening requirements, performance standards and other sections of the Article as they relate to uses permitted in the district.
- 9. See Article 24, Schedule of Regulations limiting the height and bulk of buildings and providing minimum yard setbacks.

(Ord. No. 99-18.153, Pt. II, 12-6-99; Ord. No. 99-18.156, Pt. VIII, 12-20-99)

ARTICLE 20. I-2 GENERAL INDUSTRIAL DISTRICTS

Sec. 2000. Intent.

The I-2 General Industrial Districts are designed primarily for manufacturing, assembling and fabrication activities including large scale or specialized industrial operations, whose external physical effects will be felt to some degree by surrounding districts. The I-2 District is so structured as to permit the manufacturing, processing and compounding of semifinished or finished products from raw materials.

Sec. 2001. Principal Uses Permitted.

In a General Industrial District, no building or land shall be used and no building shall be erected except for one or more of the following specified uses unless otherwise provided in this Ordinance:

- 1. Any use permitted in an I-1 District and as regulated in that District with regard

to special conditions, provided, there shall be no necessity for a public hearing (as set forth in Section 3006) and approval as a special land use by the Planning Commission. Provided further, uses permitted under Section 1903 shall be permitted within the I-2 District irrespective of adjacency to a residentially-zoned district.

- 2. Heating and electric power generating plants.
- 3. Outdoor storage yards either as principal use of a site or as a use accessory to a principal use of a site when such yards are totally obscured by a masonry wall, landscaped earth berm, chain link fence with heavy screen plantings, or combinations thereof, the height, location and extent of which shall be according to the requirements of Section 2509 and Section 2514 of this Ordinance, except as hereinafter exempted in Section 2002.1 for a location within a planned industrial park. Whenever outdoor storage is the principal use of the parcel, no outdoor storage shall extend into the required front yard setback of the district and no wall, fence or other screening devices shall extend into the required front yard setback.
- 4. Commercial sale of new and used heavy trucks and heavy off-road construction equipment such as but not limited to: track laying machinery, graders, earth moving or earth hauling vehicles. The outdoor storage of any such equipment shall comply with the outdoors storage requirements of the Section, except that up to five (5) such pieces of new or rebuilt equipment may be displayed within any yard when placed on concrete pads and made an integral part of the yard's landscaping.
- 5. Any of the following production or manufacturing uses provided that they are located not less than eight hundred (800) feet distant from any residential district and not less than three hundred (300) feet distant from any other district:
 - a. Junkyards, provided such are entirely enclosed within a building or



within an eight (8) foot obscuring wall and provided further that one (1) property line abuts a railroad right-of-way.

- b. Incineration of garbage or refuse when conducted within an approved and enclosed incinerator plant.
 - c. Blast furnace, steel furnace, blooming or rolling mill.
 - d. Manufacture of corrosive acid or alkali, cement, lime, gypsum or plaster of paris.
 - e. Petroleum or other inflammable liquids, production, refining or storage.
 - f. Smelting of copper, iron or zinc ore.
6. Indoor tennis courts, roller skating rinks, and ice-skating rinks when, together with accessory uses such as off-street parking, they are located at least one hundred (100) feet from any adjacent residential district.
 7. Auto engine and body repair shops.
 8. Lumber and planing mills when located in the interior of the district so that no property line shall form the exterior boundary of the I-2 District.
 9. Motor freight terminals and trucking facilities.
 10. Ready-mix or transit mix concrete operations.
 11. Any other use which shall be determined by the City Council upon recommendations from the Planning Commission after a public hearing as set forth and regulated in Section 3006 of this Ordinance to be of the same general character as the above permitted uses in Section 2001. The City Council may impose any required setback, performance standards and/or screening so as to ensure public health, safety and the general welfare.
 12. Accessory buildings and uses customarily incident to any of the above permitted uses.

Sec. 2002. Required Conditions.



1. Outdoor storage of any equipment or material shall be conducted so as not to extend to a greater height than the on-site obscuring screen. This restriction shall include trucks and cranes, the booms of which shall be stored in an horizontal position. When an I-2 use is located within a planned industrial park of not less than forty (40) acres, the screening requirements may be satisfied by screening of the perimeter of the entire planned industrial park as opposed to screening of each individual site. The park design and screening shall comply with the requirements of Sections 2509, 2514, and footnotes (i) and (m) of Section 2400.

2. See Section 2520 of this Ordinance regulating exterior building wall facade treatments, where applicable.

When any loading, unloading area shall be visible from any residential or commercial district, or road or street, it shall be effectively screened from view so as not to be visible from those areas.

3. Site plans shall be prepared in accordance with the requirements of Section 2516 of this Ordinance and shall be subject to approval by the Planning Commission prior to issuance of a building permit.

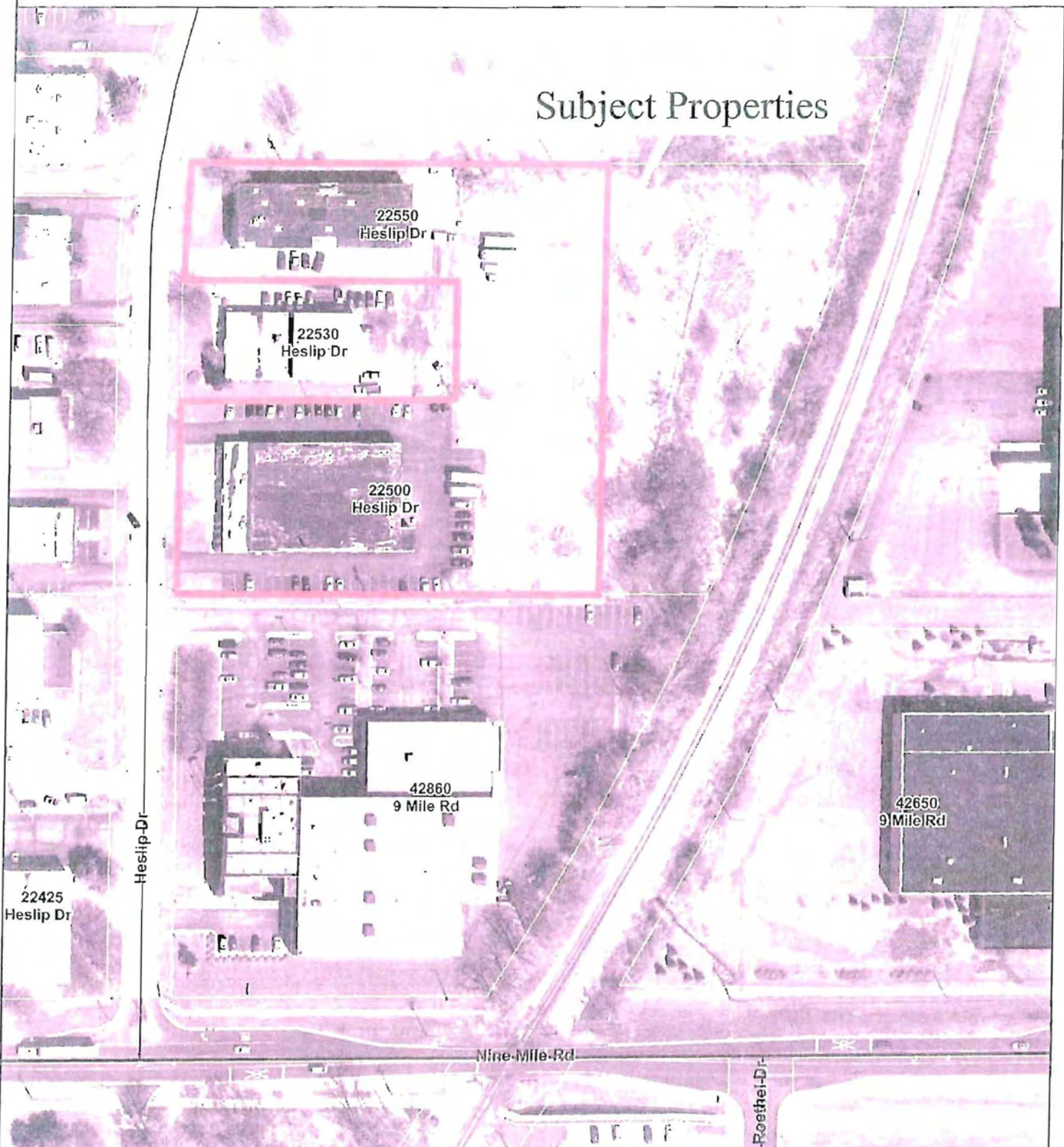
4. Where a permitted use abuts a residential district the requirements at Section 1905-4 shall apply, provided, the berm required pursuant to subpart 1905.4.e. shall be of a minimum height of ten (10) feet. The irrigation requirements of Subpart 1905.4.e. may be eliminated upon recommendation of the Planning Consultant when the berm landscaping is of natural low-maintenance planting not requiring irrigation. Fencing shall be erected on the interior side of any such berm. Notwithstanding the provisions of Section 37-8(a) of the Novi Code of Ordinances, landscaping of such berm area in an I-2 planned industrial park may be considered in calculating woodland replacement credits.

5. See Article 25, General Provisions, relating to off-street parking layout, landscaping and screening requirements, performance standards and other sections of the Article as they relate to uses permitted in the district.

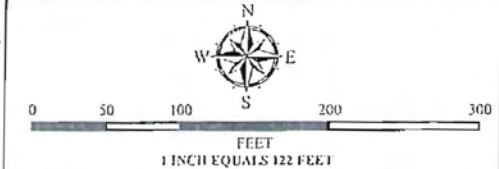
Recreational Vehicle Storage in the I-1 District

22550 Heslip Drive

Subject Properties



CITY OF NOVI
DEPARTMENT OF COMMUNITY DEVELOPMENT
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