

MEMORANDUM



TO: MEMBERS OF THE PLANNING COMMISSION
FROM: CHRISTIAN CARROLL, PLANNER
THROUGH: BARBARA MCBETH, AICP, CITY PLANNER
SUBJECT: INTRO TO TA18.301 - ZONING ORDINANCE CLEAN-UP
DATE: MAY 15, 2023

Background

The City of Novi Zoning Ordinance is an important document for the City that 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 seem appropriate in certain circumstances. This proposed zoning ordinance amendment is intended to update zoning ordinance standards to reflect the current and future uses of land anticipated in the City of Novi.

As part of this proposed text amendment, there are several updates to the zoning ordinance. The main changes proposed include removing the EXPO zoning district, modifying microbreweries and brewpubs use standards to match restaurant uses more closely, updating standards related to daycares due to a change in state law, updating some standards related to site lighting, and the removal/modification of some conflicting sections of the Zoning Ordinance. 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 3.1.12.B B-3 General Business District, Principal Permitted Uses
- Section 3.1.24.C RC Regional Center District, Special Land Uses
- Section 3.1.25.C TC Town Center District, Special Land Uses
- Section 3.1.26.C TC-1 Town Center – 1 District, Special Land Uses
- 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

- Section 2.2 Definitions
- Section 3.1.18 I-1 Light Industrial District
- Section 4.4 Home Occupations
- Section 4.6 Raising of Plant Material
- Section 4.9 Limited Nonresidential Use of Historic Buildings
- 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 4.84 Outdoor Restaurants
- Section 5.16 Bicycle Parking Facility Requirements

Staff believes that the removal of the EXPO zoning district, which no longer applies to any property in the City, will help clarify the current requirements for the EXO Overlay District and help with consistency. The EXPO zoning district was initially created for the former site of the EXPO center where Adell Center is now located, and the property was entirely rezoned as a part of a PRO Agreement. As for the modification of microbreweries and brewpubs, the provisions in the zoning ordinance created some additional barriers for such restaurants as they generally are similar to the fast-food and/or sit-down restaurant standards that currently exist in the zoning ordinance. The exterior lighting standards are also 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. All other changes proposed are for consistency or for compliance with changes in state and federal law.

On May 24, we are asking the Planning Commission for any feedback, and to set a public hearing. Following the public hearing, the Planning Commission will be asked to make a recommendation to the City Council on the proposed ordinance amendment. The attached draft version of the proposed amendment is subject to review and changes by the City staff and/or the City Attorney's Office, and the Planning Commission and City Council. Please contact the Planning Department with any questions or concerns.

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: ARTICLE 2, DEFINITIONS, SECTION 2.2, DEFINITIONS; ARTICLE 3, ZONING DISTRICTS, SECTION 3.1 DISTRICTS ESTABLISHED; ARTICLE 3, ZONING DISTRICTS, SECTION 3.1.18 LIGHT INDUSTRIAL DISTRICT; ARTICLE 3, ZONING DISTRICTS, SECTION 3.6 NOTES TO DISTRICT STANDARDS; 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 MICROBREWRIES 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, REMOVE BUSINESSES IN CHARACTER OF A DRIVE-IN OR OPEN FRONT STORE, MODIFY REQUIREMENTS FOR MICROBREWRIES 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 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. 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.

Part II. 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 III. 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 IV. 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 V. 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, ~~EXO~~, 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 VI. 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 VII. 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 in a manner consistent with the appearance of the building, subject to any conditions listed in Section 5.15.

a.b. One carport may be permitted on any lot, regardless of size. ~~More than two~~ Two or more carports may be permitted on any lot if the lot is greater than ~~21,780 square feet~~ 2 acres in size, provided they comply with accessory building setback and height requirements.

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 when a lot has more than one frontage and if it does not abut a residentially zoned district.

ii. – vii. [Unchanged]

G. – I. [Unchanged]

Part VIII. 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 IX. 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 X. 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 XI. 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 XII. 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 XIII. 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 XIV. 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 XV. 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 XVI. 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 XVII. 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 XVIII. 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 xvii 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 XIX. 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. Sit-down; Microbreweries; brewpubs	One (1) for each seventy (70) square feet gross floor area (14.3 spaces per one-thousand (1,000) square feet), or one (1) for each two (2) employees, plus one (1) for each two (2) customers allowed under maximum capacity (including waiting areas), whichever is greater
b. Fast Food	One (1) for every two (2) employees, plus (1) for every two (2) customers allowed under maximum capacity (including waiting areas) plus compliance with the requirements for stacking spaces outlined in Section 5.3.11

Microbreweries; brewpubs	One (1) for each seventy (70) square foot of gross floor area (14.3 spaces per one thousand (1,000) square foot), 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.
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PART XX. 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 XXI. 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]

~~iv.~~ [unchanged]

~~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

Use	Zoning	Berm Located	Requirements						
			Greenbelt width (feet)	Min. berm crest width (feet)	Min. Berm Height (feet)	3 Foot Wall /Fence	Deciduous canopy or large evergreen trees: 1 per X linear feet frontage	Deciduous sub-canopy trees: 1 per X linear feet frontage	In area between sidewalk and curb, plant 1 Deciduous canopy tree per X linear feet frontage
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

~~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 XXII. 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. ~~unless the proposed site plan qualifies for administrative approval as outlined in Section 6.1.C. 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.

~~H~~. [unchanged]

~~I~~. [unchanged]

~~J~~~~K~~. [unchanged]

~~K~~~~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.

~~L~~~~M~~. [unchanged]

~~M~~~~N~~. [unchanged]

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

i. ~~provide~~ lighting at each entrance intersecting with a major thoroughfare sufficient to illuminate the entrance of the development. A major thoroughfare shall be defined as a major arterial, arterial or minor arterial road as designated in the City of Novi Master Plan's Thoroughfare Classification Map. Minimum illumination shall be 0.2 footcandles. Fixtures shall not exceed twenty five (25) feet in height. Lighting shall be subject to the 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. ~~Developments consistent with residential style that are not part of a mixed-use development~~ 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.KL along building frontages so long as site lighting requirements for any off-street parking lots, property lines, and proper security lighting is provided.

PART XXIII. 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	Day Hours	Time Decibels	Night Hours	Day Hours	Time Decibels
55	60		70	75	

PART XXIV. 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]

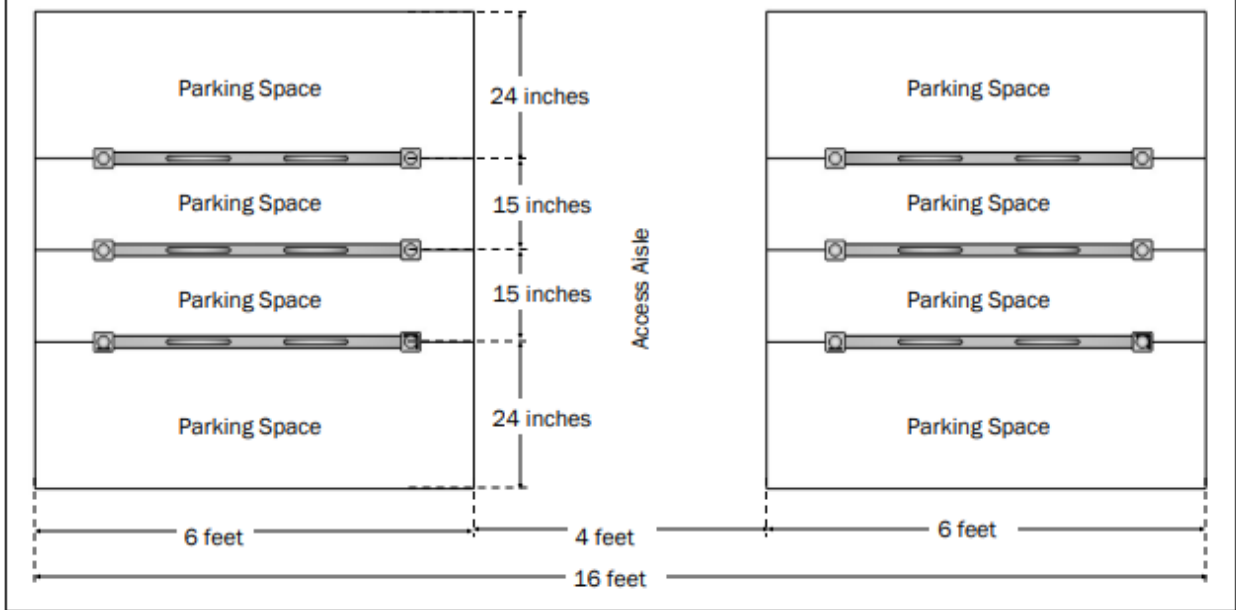
5. Bicycle parking facility layout, location and design standards. Bicycle parking area(s) shall be laid out, constructed and maintained in accordance with the following standards and regulations:

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 32 inches	Six (6) feet Seven (7) feet	Ten (10) feet Eleven (11) feet	Sixteen (16) feet Eighteen (18) feet

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

5.16.6 Bicycle Parking Lot Layout



PART XXV. 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. [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. [unchanged]
 - 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 XXVI.

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 XXVII.

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 XXVIII.

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 XXIX.

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: