

MEMORANDUM



TO: MEMBERS OF THE PLANNING COMMISSION
FROM: SARA ROEDIGER, AICP, PLANNER
THROUGH: BARBARA MCBETH, AICP, COMMUNITY DEVELOPMENT
DEPUTY DIRECTOR
SUBJECT: SET PUBLIC HEARING FOR ABOVE GROUND STORAGE TANKS
IN OST DISTRICT
DATE: JUNE 30, 2014

Attached is a proposed ordinance amendment submitted by Somnio Global L3C that would allow for above ground storage tanks in the OST, Office Service Technology zoning district, with conditions similar to those currently in the I-1 Light Industrial Districts.

Planning staff and the City Attorney's office are reviewing the attached copy of the proposed ordinance amendment, which had been discussed previously with the applicant. The ordinance is generally in a form ready for review consideration by the Planning Commission, with additional comment from staff to be provided prior to the public hearing.

The Planning Commission is asked review the proposed language, and if acceptable, to set a Public Hearing for the ordinance amendment on August 13th. At that time the Commission will hold the public hearing and forward a recommendation to the City Council, for reading and adoption. If any Commissioner has any questions related to this request, please feel free to contact me at sroediger@cityofnovi.org or 248.735.5607.

STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF NOVI

ORDINANCE NO. 14- 18 – 270

AN ORDINANCE TO AMEND ORDINANCE NO. 97-18 AS AMENDED, THE CITY OF NOVI ZONING ORDINANCE, AMENDING ARTICLE 23A, OST PLANNED OFFICE SERVICE TECHNOLOGY DISTRICT, AMEND SECTION 2303A, TO ALLOW ABOVE GROUND STORAGE TANKS.

THE CITY OF NOVI ORDAINS:

Part I.

That Ordinance No. 97-18, the City of Novi Zoning Ordinance, as amended, 23A, OST Planned Office Service Technology District, is hereby amended to read as follows:

SEC. 2303A. – Required Conditions.

6. The outdoor storage of goods or materials shall be prohibited, unless otherwise permitted in this Section.
8. Outdoor placement of above-ground storage tanks as an accessory to an otherwise permitted use. Placement and use of the above-ground storage tanks shall be in compliance with the City's adopted fire prevention code and any State of Michigan regulations related to such use.

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 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.

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 _____, 2014.

ROBERT J. GATT, MAYOR

MARYANNE CORNELIUS, CITY CLERK

Ayes:
Nays:
Abstentions:
Absent: