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CITY of NOVI CITY COUNCIL

Agenda Item 3
September 26, 2011

SUBJECT: Consideration of Zoning Ordinance Text Amendment 18.252 to update the Novi Site Plan and Development Manual in its entirety and to amend the City of Novi Zoning Ordinance at Article 25, "General Provisions," Section 2516 "Site Plan Review (All Districts)" in order to update the existing Novi Site Plan and Development Manual. **FIRST READING**

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

CITY MANAGER APPROVAL: 

BACKGROUND INFORMATION:

The Plan Review Center staff has updated the City of Novi Site Plan and Development Manual, which is written for and provided to the development community to provide an overview of Novi's development review standards, provide requirements for development plan and application submittals, and answer frequently asked questions about the site plan and development review process. The update that is being presented would replace the current Site Plan and Development Manual which was published in 1999. The updated Novi Site Plan and Development Manual is attached in its entirety, including all forms submitted by applicants for Planning Division procedures.

One improvement to the manual is the hyperlinks that have been added to allow developers to directly link to required forms or relevant information. It is hoped that the new manual will provide easy electronic access, and reduce the number of paper copies currently distributed. When the new document is approved, it will be located under the Community Development tab on the City's webpage.

The entire manual has been updated to reflect current Zoning Ordinance standards and review procedures. The most significant revisions are highlighted below:

- A section addressing the Planned Rezoning Overlay Review Process has been added. (This option was not previously included in the Zoning Ordinance when the 1999 Site Plan Manual was drafted and adopted.)
- Similar concepts previously detailed in "sections" have been logically combined into chapters (i.e. Woodland and Wetland Permits are now discussed in a Natural Features Chapter).
- All Planning Division applications (included in Attachment A) have been updated to reflect current processes.
- Chapter 5: Additional Studies, Section 1: Traffic Impact Studies has been updated per the most current trip generation manual.
- To further streamline and shorten the length of the manual, the chapter detailing the Subdivision Review Process has now been eliminated. Most residential developers now propose site condominiums as opposed to platted subdivisions. The City Code still details how a platted subdivision is reviewed and approved but the updated Site Plan Manual, which is intended to provide an overview of the most commonly used processes, will not describe this procedure.

As part of the Zoning Ordinance, applicants are required to follow any procedures and policies detailed in the Site Plan and Development Manual or seek a variance or waiver of those procedures, just as they would do for deviations from the Zoning Ordinance. Therefore, any revisions to the Site Plan and Development Manual follow the usual course for revisions to the Zoning Ordinance and may be approved by the City Council following public hearing and recommendation from the Planning Commission.

Also attached is a minor change to the Zoning Ordinance text that would clarify that the Site Plan and Development Manual updated in 2011 is the version that is referenced in the Zoning Ordinance.

The Planning Commission held the public hearing on September 7th and recommended approval of the updated Site Plan and Development Manual. The Planning Commission action summary is attached.

RECOMMENDED ACTION: Approval of Zoning Ordinance Text Amendment 18.252 to update the Novi Site Plan and Development Manual in its entirety and to amend the City of Novi Zoning Ordinance at Article 25, "General Provisions," Section 2516 "Site Plan Review (All Districts)" in order to update the existing Novi Site Plan and Development Manual. **FIRST READING**

	1	2	Y	N
Mayor Landry				
Mayor Pro Tem Gatt				
Council Member Fischer				
Council Member Margolis				

	1	2	Y	N
Council Member Mutch				
Council Member Staudt				
Council Member Wrobel				

PROPOSED ZONING ORDINANCE AMENDMENT – STRIKE VERSION

STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF NOVI

ORDINANCE NO. 11- 18 – 252

AN ORDINANCE TO AMEND ORDINANCE NO. 97-18, AS AMENDED, THE CITY OF NOVI ZONING ORDINANCE, AT ARTICLE 25, GENERAL PROVISIONS SECTION 2516, SITE PLAN REVIEW (ALL DISTRICTS); IN ORDER TO UPDATE THE EXISTING CITY OF NOVI SITE PLAN MANUAL.

THE CITY OF NOVI ORDAINS:

Part I.

That Ordinance No. 97-18, the City of Novi Zoning Ordinance, as amended, Article 25, General Provisions, is hereby amended to read as follows:

ARTICLE 25. GENERAL PROVISIONS

Section 2500 – Section 2515. [Unchanged.]

Section 2516. Site Plan Review (All Districts)

1. – 7. [Unchanged.]

8. All provisions of the Novi Site Plan and Development Manual, as revised and dated 2011 and attached hereto, excluding any appendix or attachments thereto, are hereby adopted, enacted and made part of this Ordinance. The provisions of the Site Plan and Development Manual shall govern site plan review procedures and development requirements within the City of Novi; provided, if any provision of the Site Plan and Development Manual is in conflict with the City Charter, this or any other ordinance, or applicable statute, the conflicting provision shall not be interpreted as repealing said Charter, ordinance or statute, but rather said Charter, ordinance or statute shall govern.

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 _____, 2011.

DAVID LANDRY, MAYOR

MARYANNE CORNELIUS, CITY CLERK

Ayes:
Nayes:
Abstentions:
Absent:

**CITY OF NOVI
SITE PLAN
AND DEVELOPMENT
MANUAL**



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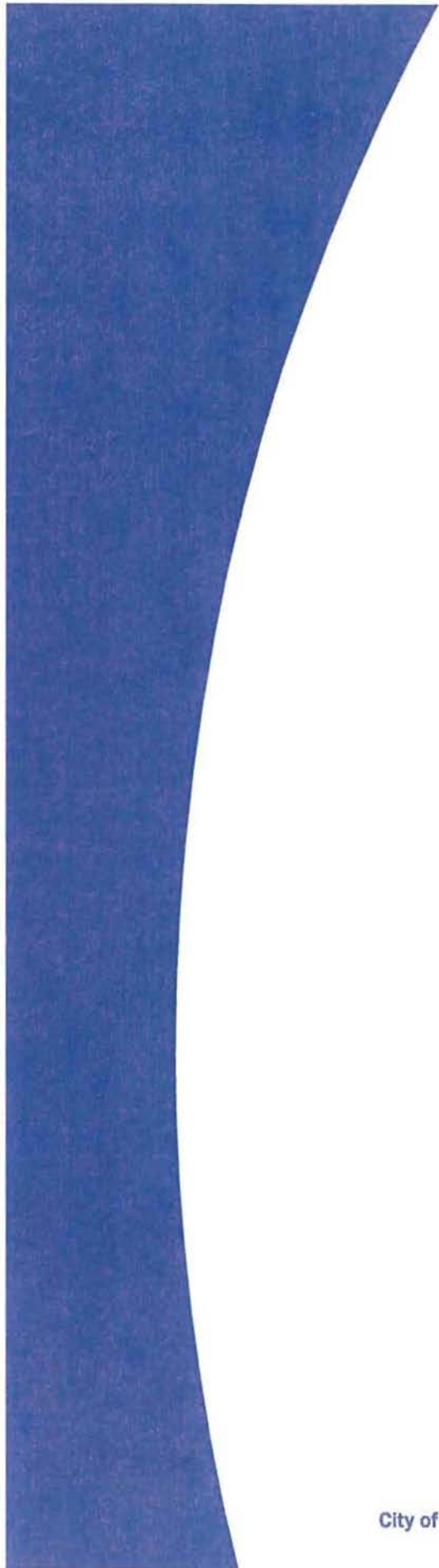
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CHAPTER 1

SITE PLAN

REVIEW PROCESS



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SITE PLAN REVIEW PROCESS

INTRODUCTION

This document is intended to provide a general overview of the City of Novi's site plan review process. Potential applicants should contact the Community Development Department to arrange a meeting to discuss specific site plan proposals and review procedures. Furthermore, the provisions of this manual are not intended to repeal, eliminate or otherwise limit any of the requirements or provisions contained in the Zoning Ordinance or City Code. City ordinances and codes should be thoroughly researched prior to application for site plan approval.

WHAT IS THE SITE PLAN REVIEW PROCESS?

The Site Plan Review Process is a four step process consisting of a Pre-Application review and meeting, Preliminary Site Plan review, Final Site Plan review and Stamping Set approval.

WHAT TYPES OF DEVELOPMENT MUST GO THROUGH THE SITE PLAN REVIEW PROCESS?

- Building of any structures or additions, including carports and outside mechanical equipment, other than single-family homes to be used as a residence
- Improvements to, modifications of, or expansion of off-street parking areas
- A change of use within an existing freestanding building or the interior modification of an existing use which results in an increase in off-street parking needs
- Improvements to, expansion or extension of or abandonment of any public or private overhead or underground utility or utility-related lines or easements (including oil and gas production facilities)
- Establishment of any site condominium or condominium development
- Proposed construction of public or private roads
- Revisions made to any previously approved site plan including, but not limited to:
 - Approved landscape plans
 - Modifying the location of or expanding the size of buildings
 - Changes to the façade, including material and color changes
 - Revisions in any phasing plan
- Special land uses (Principal Uses Permitted Subject to Special Conditions)
- Any of the above items that would intrude or cause impact into regulated woodlands or wetlands

SITE PLAN REVIEW PROCESS

INTRODUCTION

WHAT TYPES OF INFORMATION SHOULD BE INCLUDED ON A SITE PLAN?

The site plan shown below identifies and shows examples of some of the information staff would expect to see on a proposed site plan.

Provide ties to section corners using the Michigan Plane Coordinate System

Service connections to and/or extensions of sanitary sewer and watermain are required

Pedestrian and/or bicycle access and pathway(s) should be provided

Landscaping must be provided along building, within parking lot and along perimeter of site

See Zoning Ordinance for loading area and screening requirements

Dumpsters must be screened and placed in accessible locations away from residential and barrier free spaces

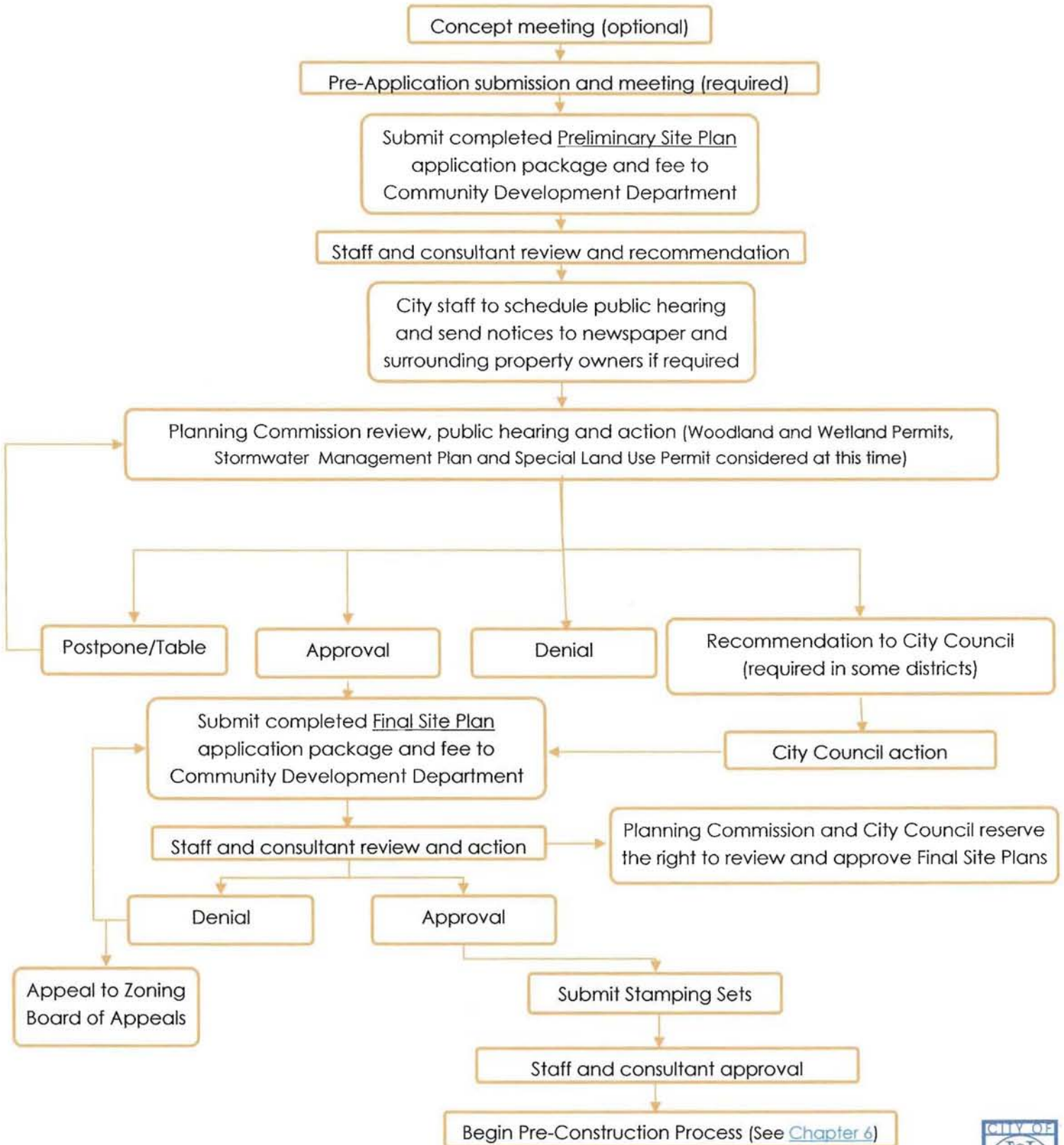
Stormwater detention is typically required

Two points of access are typically required



SITE PLAN REVIEW PROCESS

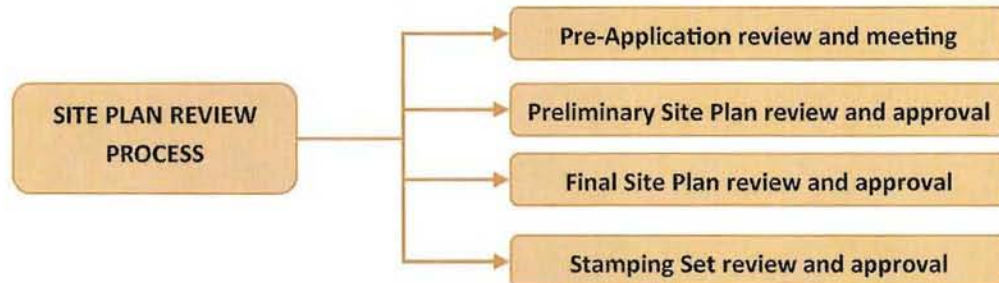
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SITE PLAN REVIEW PROCESS

OVERVIEW

WHAT ARE THE MAJOR COMPONENTS OF THE SITE PLAN REVIEW PROCESS?



PRE-APPLICATION REVIEW AND MEETING

WHAT SHOULD BE SUBMITTED TO BEGIN THE PRE-APPLICATION PROCESS?

An applicant must discuss the proposed development of a property with the Community Development Department staff at a Pre-Application meeting. Pre-Application meetings typically follow any previously held concept meetings. An applicant should submit the required [Pre-Application Meeting Request Form](#) (found in [Attachment A](#) and at cityofnovi.org) along with the nine sets of folded size 24" x 36" proposed concept plans and a brief narrative describing the use of the property. If the applicant wishes to receive an estimate of review fees, the [Request for Estimated Fees](#) form can also be submitted (found in [Attachment A](#) and at cityofnovi.org). Pre-Application plans are reviewed and Pre-Application meetings are held free of charge. Once the Pre-Application package is submitted a meeting can generally be scheduled within ten business days.

Prior to the Pre-Application submittal, an applicant should schedule a concept meeting with the Community Development Department staff to discuss the site plan review process and Zoning Ordinance requirements. There are no fees associated with this meeting and it can be arranged by contacting the Community Development Department at 248-347-0475. A concept meeting is not required but is recommended.

SITE PLAN REVIEW PROCESS

OVERVIEW

PRELIMINARY SITE PLAN REVIEW AND APPROVAL

WHAT NEEDS TO BE SUBMITTED TO BEGIN THE FORMAL PRELIMINARY SITE PLAN REVIEW PROCESS?

- A completed [Application for Site Plan and Land Use Approval](#) (found in [Attachment A](#) and at cityofnovi.org) listing the exact acreage of the following: entire site, regulated woodlands and regulated wetlands
- A completed [Preliminary Site Plan Checklist](#) (found in [Attachment A](#) and at cityofnovi.org) (All items listed in the Preliminary Site Plan Checklist must be shown on the plans.)
- Ten sets of signed and sealed size 24" x 36" folded plans, including stormwater detention information and woodland and wetland information, if applicable (All applicable disciplines must sign and seal the plans.)
- A Community Impact Statement, if required (This item will be discussed at the Pre-Application meeting. Refer to [Chapter 5](#) for additional information on Community Impact Statements.)
- A Traffic Impact Study, if required (This item will be discussed at the Pre-Application meeting. Refer to [Chapter 5](#) for additional information on Traffic Impact Studies.)
- A written statement describing the proposed use
- A completed [Hazardous Chemical Survey](#) (commercial and industrial users only - found in [Attachment A](#) and at cityofnovi.org)
- A completed [Non-Domestic Sewer Use Form](#) (commercial and industrial users only - found in [Attachment A](#) and at cityofnovi.org)
- A completed [Street and Project Name Request Form](#), if applicable (found in [Attachment A](#) and at cityofnovi.org)
- A check payable to the City of Novi for review fees (Fees are site specific and will be calculated at the time of submittal. An invoice will be sent to the applicant by City staff.)

WHAT ARE THE STEPS OF THE PRELIMINARY SITE PLAN REVIEW PROCESS?

STEP 1: Formal Preliminary Site Plan package is submitted by the applicant and reviewed by Community Development Department staff and consultants and comments are forwarded to the applicant via email.

SITE PLAN REVIEW PROCESS

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Letters recommending denial may necessitate a revised Preliminary Site Plan review. The applicant will need to submit the **Site Plan Revision Submittal Form** available in Attachment A or at cityofnovi.org along with ten sets of signed and sealed size 24" x 36" folded plans. Although not recommended, a Preliminary Site Plan may be considered by the Planning Commission with one or more staff and/or consultant letters recommending denial provided a written request is submitted by the applicant.

STEP 2: If a public hearing is required because of a requested Special Land Use Permit, Woodland Permit, Wetland Permit or Special Development Option, a notice and map are published in a newspaper of general circulation and mailed out to property owners within 300 feet of the subject property and public utilities at least five to fifteen days prior to the public hearing date, depending on the permit requested.

The applicant is required to submit an additional 11 size 24" x 36" copies of the same Preliminary Site Plan reviewed along with a letter responding to the staff and consultant review comments and one 8.5" x 11" colored copy of the Preliminary Site Plan prior to the Planning Commission meeting.

STEP 3: The Planning Commission will hold the public hearing (if required), review the Preliminary Site Plan and take one of the following actions on the Preliminary Site Plan (and associated permits and the Stormwater Management Plan, if applicable):

- Approve the Preliminary Site Plan (with or without conditions)
- Deny the Preliminary Site Plan
- Table the Preliminary Site Plan
- Recommend approval of the Preliminary Site Plan to City Council, if applicable
- Recommend denial of the Preliminary Site Plan to City Council, if applicable

The applicant or applicant's representative must attend the meeting in which their plans are scheduled for consideration. Failure to appear will cause the Planning Commission to postpone consideration of the project.

STEP 4: City Council consideration and approval of the Preliminary Site Plan and associated permits is required in certain zoning districts. Refer to the Zoning Ordinance for specific regulations. Most Preliminary Site Plans and associated permits can be approved by the Planning Commission.

The Planning Commission and/or City Council reserve the right to require Planning Commission and/or City Council approval of the Final Site Plan.

SITE PLAN REVIEW PROCESS

OVERVIEW

FINAL SITE PLAN REVIEW AND APPROVAL

WHAT NEEDS TO BE SUBMITTED TO BEGIN THE FORMAL FINAL SITE PLAN REVIEW PROCESS?

- A completed [Final Site Plan Application](#) (found in [Attachment A](#) and at cityofnovi.org)
- A completed [Final Site Plan Checklist](#) (found in [Attachment A](#) and at cityofnovi.org) (All items listed in the Final Site Plan Checklist must be shown on the plans.)
- Ten sets of signed and sealed size 24" x 36" folded plans, including stormwater detention information, a photometric plan and woodland and wetland information, if applicable (All applicable disciplines must sign and seal the plans.)
- A **No Revision Façade Affidavit** may be submitted if no changes to the façade have been made, if applicable (found in [Attachment A](#) and at cityofnovi.org)
- An itemized engineering cost estimate including sanitary sewer, watermain, storm sewer, paving and grading costs, size 8.5" x 11" (The cost estimate should not include soil erosion or demolition costs.)
- An itemized landscaping cost estimate including greenbelt and greenbelt ornamental trees, perennials, pond plantings, shrubs, edging, mulch, seed mix and seeded lawn, size 8.5" x 11" (The cost estimate should not include woodland trees, replacement trees or mitigation.)
- A written response to all of comments in the review letters describing changes to the plans
- A [Right-of-way Permit Application](#), recommended (found at cityofnovi.org)
- A [Soil Erosion Permit Application](#), recommended (found at cityofnovi.org)
- An [Other Agencies Checklist](#) (found in [Attachment A](#) and at cityofnovi.org)
- A check payable to the City of Novi for review fees (Fees are site specific and will be calculated at the time of submittal. An invoice will be sent to the applicant by City staff.)

WHAT ARE THE STEPS OF THE FINAL SITE PLAN REVIEW PROCESS?

STEP 1: Formal Final Site Plan package is submitted by the applicant and reviewed by Community Development Department staff and consultants and comments are forwarded to the applicant via email.

Letters recommending denial may necessitate a revised Final Site Plan review. The applicant will need to submit the [Site Plan Revision Submittal Form](#) available in [Attachment A](#) or at cityofnovi.org along with ten sets of signed and sealed size 24" x 36" folded plans.

STEP 2: Planning Commission / City Council Action: The Planning Commission and/or City Council may reserve the right to consider and approve the Final Site Plan at the time of Preliminary Site Plan approval. Final Site Plan approval is generally administratively granted by City staff.

SITE PLAN REVIEW PROCESS

If an applicant intends to begin construction immediately following the site plan approval process, the pre-construction process should be initiated following the issuance of Final Site Plan approval letters. Please refer to [Chapter 6](#) for additional information on the pre-construction process.

STAMPING SET REVIEW AND APPROVAL

WHAT NEEDS TO BE SUBMITTED FOR STAMPING SET REVIEW AND APPROVAL?

- Twelve sets of signed and sealed size 24" x 36" folded plans incorporating all the comments in the staff and consultant review letters. (Lesser numbers of plans may be needed for smaller projects. The exact number of Stamping Sets required will be noted in the planning Final Site Plan review letter. All applicable disciplines must sign and seal the plans.)
- Additional information (i.e. master deed revisions, easements, etc.) may be required and will be noted in the staff and consultant review letters

Staff will inform the applicant if additional corrections to the plans are needed necessitating sheet replacement. The applicant is responsible for disassembling the plans, replacing sheets and reassembling the plans.

WHAT ARE THE STEPS OF THE STAMPING SET REVIEW AND APPROVAL PROCESS?

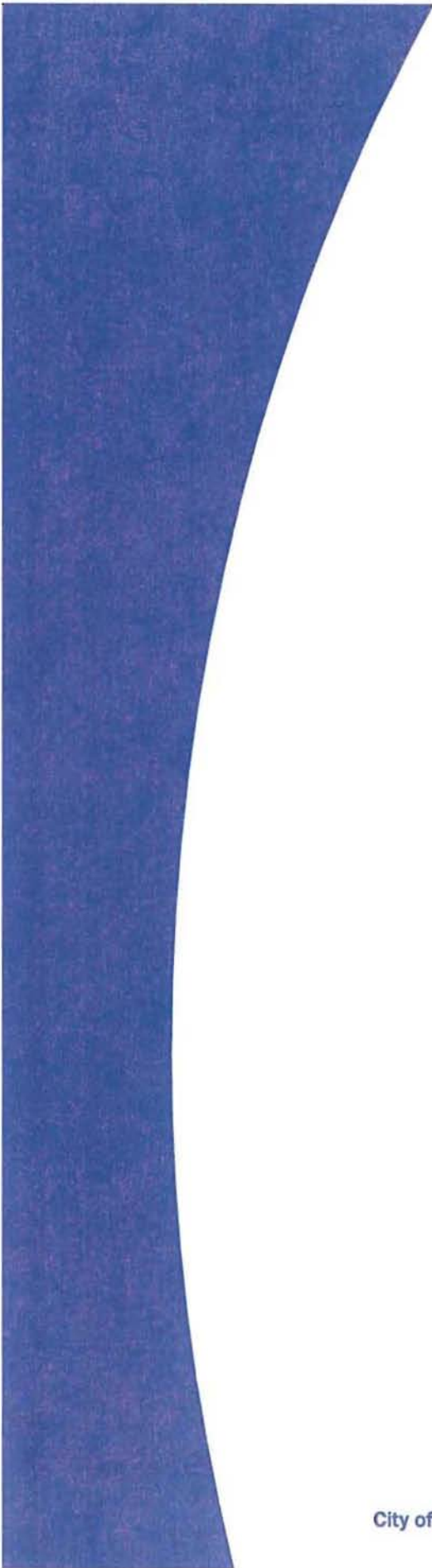
STEP 1: Stampings Sets are submitted by the applicant and reviewed by Community Development Department staff and consultants.

An applicant may apply for building permits after receiving Preliminary Site Plan review. However, this is at the risk of the applicant as changes required during Final Site Plan review may affect building plans.

STEP 2: City staff and consultants will stamp the plans "Approved" and pass the stamped plans along to the Building Division. The applicant is now free to apply for any required building permits. The applicant will receive a copy of the stamped plans with their building permit.

HOW LONG ARE SITE PLAN APPROVALS VALID AND CAN THEY BE RENEWED?

Preliminary Site Plan approvals are valid for two years from the date of Planning Commission/City Council or staff approval. Final Site Plan approvals are valid for two years from the date the Stamping Set is approved. An extension of a Preliminary or Final Site Plan approval must be requested in writing by the applicant. The request will be forwarded to and considered by the approving body (Planning Commission, City Council or staff). It is the applicant's responsibility to request the extension prior to expiration of approvals. Up to three one-year extensions may be granted.



CHAPTER 2

**SPECIAL LAND
USE PERMIT
REVIEW PROCESS**



SPECIAL LAND USE PERMIT REVIEW PROCESS

INTRODUCTION

This document is intended to provide a general overview of the City of Novi's special land use permit review process. Potential applicants should contact the Community Development Department to arrange a meeting to discuss specific special land use permit proposals and review procedures. Furthermore, the provisions of this manual are not intended to repeal, eliminate or otherwise limit any of the requirements or provisions contained in the Zoning Ordinance or City Code. City ordinances and codes should be thoroughly researched prior to application for a special land use permit.

WHAT IS A SPECIAL LAND USE PERMIT?

Referred to as "Principal Uses Permitted Subject to Special Conditions," special land use permits allow uses that may be permitted but require additional review and a public hearing prior to their approval within a zoning district. This is different than "Principal Uses Permitted," which are allowed by right anywhere in a district as long as an applicant adheres to the Zoning Ordinance requirements. Special land uses listed within a zoning district may not be permitted at all locations within the district. For example, some uses may be required to be located near an intersection of two major roads. Special land use permits require a public hearing and the approval of the Planning Commission (or City Council in some districts). The Planning Commission (and City Council, if required) will consider the requirements listed in Section 2516 of the Zoning Ordinance when determining whether or not to approve or deny a special land use permit request.

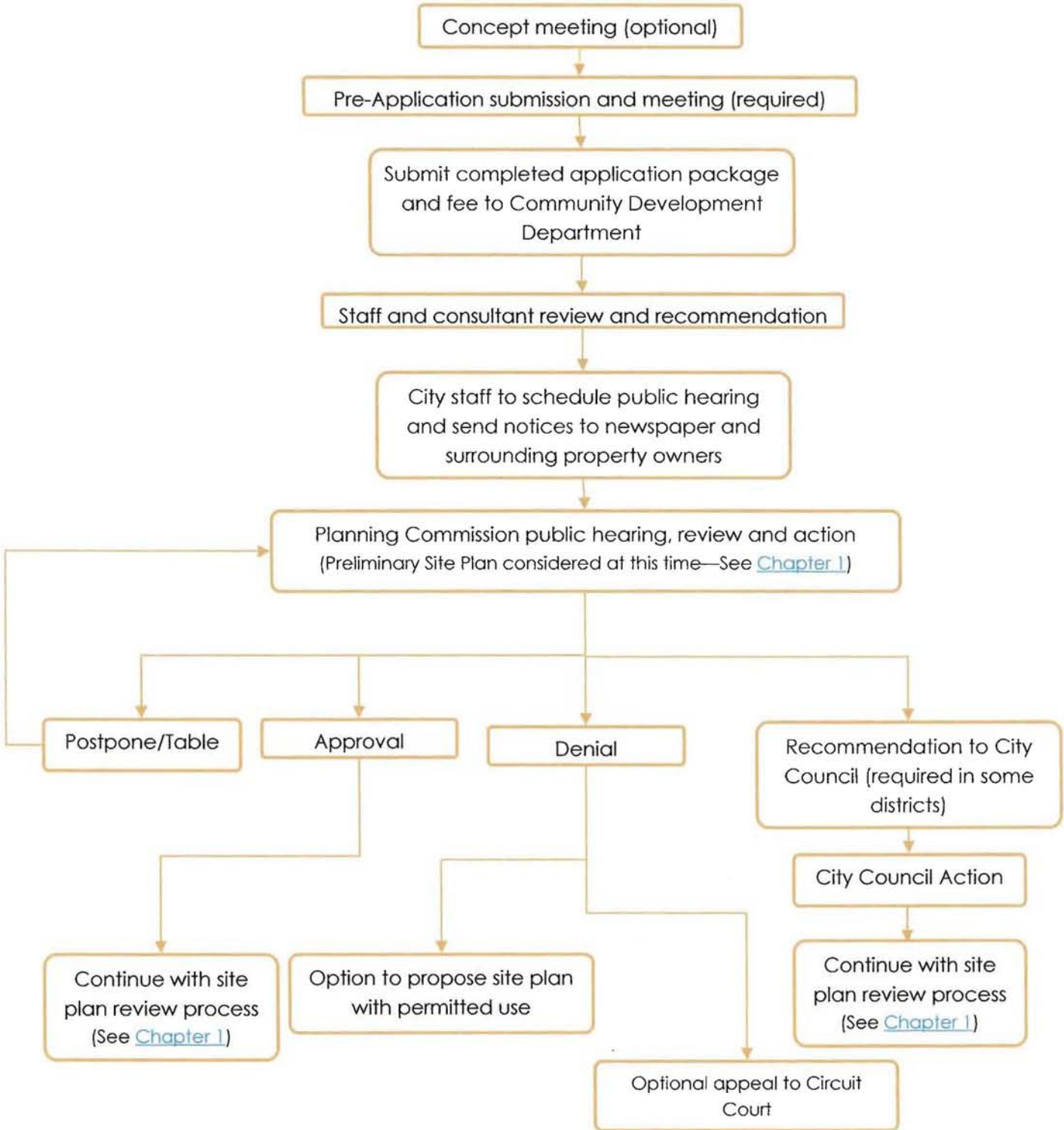
WHAT IS THE FIRST STEP IN THE SPECIAL LAND USE PERMIT REVIEW PROCESS?

An applicant should schedule a concept meeting with the Community Development Department staff to discuss the special land use permit review process. There are no fees associated with this meeting and it can be arranged by contacting the Community Development Department at 248-347-0475. A concept meeting is not required but is recommended. If site plan approval is required, any required special land use permits will be discussed as part of the Preliminary Site Plan review process outlined in [Chapter 1](#).

An applicant must discuss a proposed special land use permit request with the Community Development Department staff at a Pre-Application meeting. Pre-Application meetings typically follow any previously held concept meetings. An applicant should submit the required [Pre-Application Meeting Request](#) form (found in [Attachment A](#) and at cityofnovi.org) along with a brief narrative describing the proposed use and nine sets of site plans and floor plans. If the applicant wishes to receive an estimate of review fees, the [Request for Estimated Fees](#) form can also be submitted (found in [Attachment A](#) and at cityofnovi.org). Pre-Application plans are reviewed and Pre-Application meetings are held free of charge. Once the Pre-Application package is submitted a meeting can generally be scheduled within ten business days.

SPECIAL LAND USE PERMIT REVIEW PROCESS

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SPECIAL LAND USE PERMIT REVIEW PROCESS

OVERVIEW

WHAT NEEDS TO BE SUBMITTED TO BEGIN THE FORMAL REVIEW PROCESS?

- Completed Preliminary Site Plan package (Refer to [Chapter 1](#)) (Abbreviated application packages may be permitted if no exterior site alterations are proposed.)
- A Traffic Impact Study, if required (This item will be discussed at the Pre-Application meeting. Refer to [Chapter 5](#) for additional information on Traffic Impact Studies.)
- A Community Impact Statement, if required (This item will be discussed at the Pre-Application meeting. Refer to [Chapter 5](#) for additional information on Community Impact Statements.)
- A written statement describing the proposed use
- A Noise Impact Statement or a Noise Analysis, if required, or written statement requesting a waiver of this requirement and stating the reasons for the requested waiver, in accordance with the requirements described later in this section
- A check payable to the City of Novi for review fees (Fees are site specific and will be calculated at the time of submittal. An invoice will be sent to the applicant by City staff.)

WHAT ARE THE STEPS OF THE SPECIAL LAND USE PERMIT REVIEW PROCESS?

STEP 1: Community Development Department staff meets with the applicant at the Pre-Application meeting to go over the initial comments from staff and consultants.

STEP 2: Formal Preliminary Site Plan and special land use permit request is submitted by the applicant and reviewed by Community Development Department staff and consultants and comments are forwarded to the applicant via email.

STEP 3: A public hearing notice and map are published in a newspaper of general circulation and mailed out to property owners within 300 feet of the property at least fifteen days prior to the public hearing date.

The applicant is required to submit a letter responding to the staff and consultant review comments and one 8.5" x 11" colored copy of the site plan prior to the Planning Commission meeting.

STEP 4: The Planning Commission will hold the public hearing, review the application and take one of the following actions:

- Approve the special land use permit and Preliminary Site Plan with or without conditions
- Recommend approval of the special land use permit and Preliminary Site Plan to City Council (City Council approval required in some districts.)
- Deny the special land use permit and Preliminary Site Plan
- Table the request for further study

SPECIAL LAND USE PERMIT REVIEW PROCESS

OVERVIEW

The applicant or applicant's representative must attend the meeting at which the plans are scheduled for consideration. Failure to appear will cause the Planning Commission to postpone consideration.

STEP 5: If required, the request will be placed on the next available City Council agenda for consideration of the special land use permit and Preliminary Site Plan. (City Council approval required in certain districts.)

STEP 6: The City Council will take one of the following actions:

- Approve the special land use permit and Preliminary Site Plan with or without conditions
- Deny the special land use permit and Preliminary Site Plan
- Table the request for further study

STEP 7: The applicant continues with the site plan review process. (Refer to [Chapter 1.](#))

WHEN IS A NOISE IMPACT STATEMENT OR NOISE ANALYSIS REQUIRED?

Some uses requiring special land use permits also require the submission of a Noise Impact Statement or Noise Analysis. The Zoning Ordinance includes text indicating which document is required next to each Principal Use Permitted Subject to Special Conditions in each district. If neither document is noted next to the listed use then no additional documentation addressing the noise impacts of a use is required.

WHAT SHOULD BE INCLUDED IN A NOISE IMPACT STATEMENT AND NOISE ANALYSIS?

Both a Noise Impact Statement and Noise Analysis shall demonstrate that the proposed use, proposed mechanical equipment and activities anticipated to occur on the site will comply with the noise standards listed in Section 2519 of the Zoning Ordinance and shall include the following:

- Noise Impact Statement
 - Prepared by a design professional (project architect or engineer)
 - Note all external and internal sound-generating equipment including manufacturer's specifications
 - Include hours of operation
 - Include any proposed sound proofing measures or noise attenuation features (i.e., berm, wall, etc.)
 - Based on the proposed use and results of the Noise Impact Statement, staff and Planning Commission may request a Noise Analysis

SPECIAL LAND USE PERMIT REVIEW PROCESS

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- Noise Analysis
 - Prepared by a certified sound engineer
 - Contain all information generally evaluated by a licensed professional for purposes of determining compliance with noise limitations and attenuation requirements

An applicant may request a waiver of the Noise Impact Statement or Noise Analysis from the Planning Commission. In order to request a waiver, the applicant should submit a written statement requesting the waiver and demonstrating a practical difficulty in providing the noise information and/or stating how the proposed use clearly meets the noise standards in Section 2519.10 of the Zoning Ordinance.

DOES APPROVAL OF A SPECIAL LAND USE PERMIT ALLOW CONSTRUCTION TO BEGIN?

Approval of a special land use permit does not authorize construction or use of land. The applicant will need to complete the site plan review process outlined in [Chapter 1](#) before beginning construction. Building Permits may also be required.

CHAPTER 3

**REZONING AND
PLANNED REZONING
OVERLAY
REVIEW PROCESS**



SECTION 1 REZONING REVIEW PROCESS

INTRODUCTION

This document is intended to provide a general overview of the City of Novi's rezoning review process. Potential applicants should contact the Community Development Department to arrange a meeting to discuss specific rezoning proposals and review procedures. Furthermore, the provisions of this manual are not intended to repeal, eliminate or otherwise limit any of the requirements or provisions contained in the Zoning Ordinance or City Code. City ordinances and codes should be thoroughly researched prior to application for a change in zoning.

WHAT IS A REZONING?

An entity wishing to change the zoning designation of a parcel of land can apply to rezone said parcel. A rezoning can be initiated by the City or requested by the property owner.

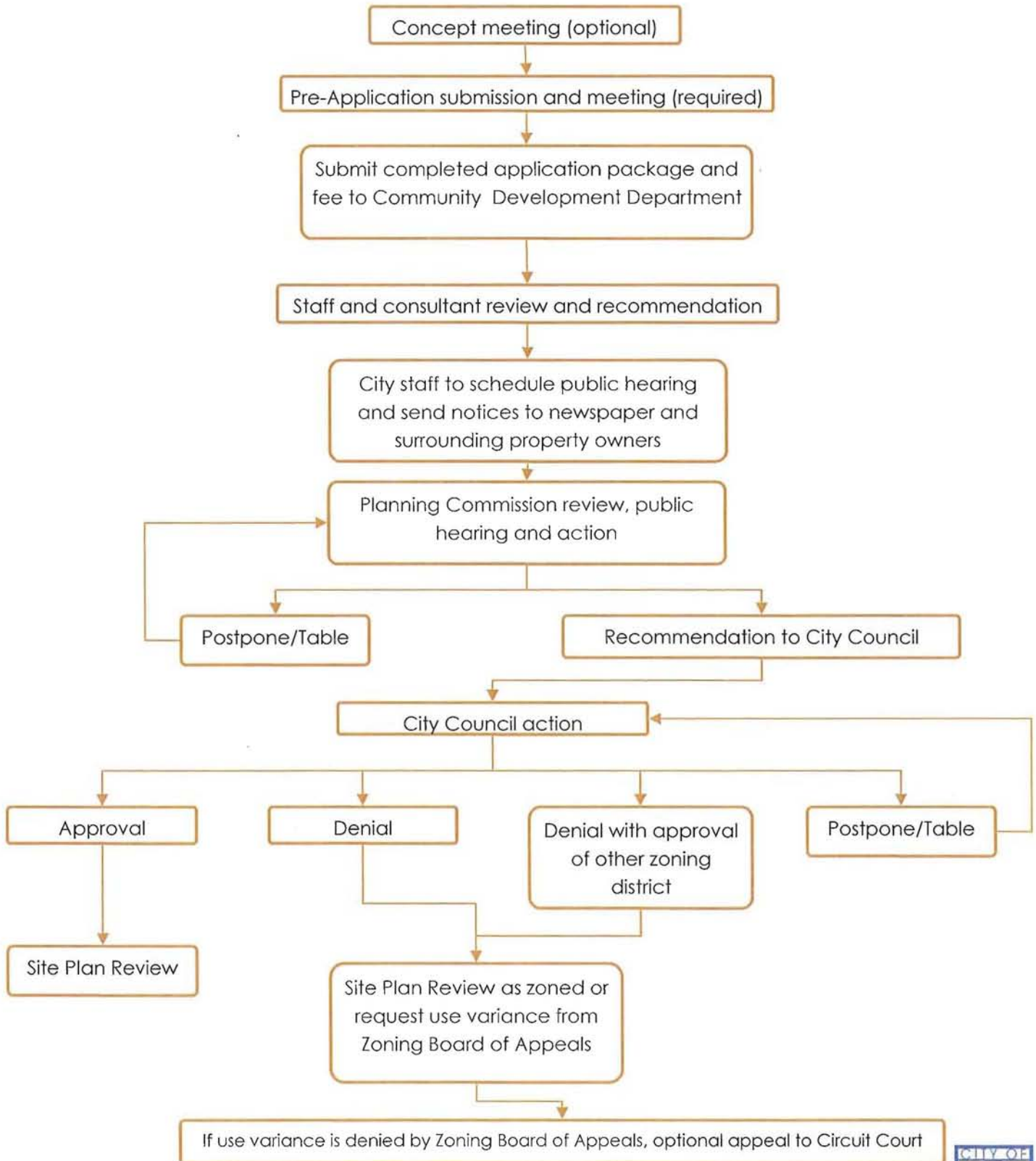
WHAT IS THE FIRST STEP IN THE REZONING REVIEW PROCESS?

An applicant should schedule a concept meeting with the Community Development Department staff to discuss the rezoning review process and Master Plan for Land Use recommendations for the property. There are no fees associated with this meeting and it can be arranged by contacting the Community Development Department at 248-347-0475. A concept meeting is not required but is recommended. A meeting with the Planning Commission's Master Plan and Zoning Committee may also be held to discuss the rezoning request.

An applicant must discuss the proposed rezoning of a property with the Community Development Department staff at a Pre-Application meeting. Pre-Application meetings typically follow any previously held concept meetings. An applicant should submit the required [Pre-Application Meeting Request Form](#) (found in [Attachment A](#) and at cityofnovi.org) along with the proposed rezoning engineering survey and a brief narrative of the reason for the proposed rezoning as well as any potential future development plans. If the applicant wishes to receive an estimate of review fees, the [Request for Estimated Fees](#) form can also be submitted (found in [Attachment A](#) and at cityofnovi.org). Pre-Application plans are reviewed and Pre-Application meetings are held free of charge. Once the Pre-Application package is submitted a meeting can generally be scheduled within ten business days.

SECTION 1 REZONING REVIEW PROCESS

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SECTION 1 REZONING REVIEW PROCESS

OVERVIEW

WHAT NEEDS TO BE SUBMITTED TO BEGIN THE FORMAL REZONING REVIEW PROCESS?

- A completed [Application for Site Plan and Land Use Approval](#) (found in [Attachment A](#) and at cityofnovi.org)
- Four copies of the engineering survey of the property to be rezoned
- A Rezoning Traffic Impact Study, if required (This item will be discussed at the Pre-Application meeting. Refer to [Chapter 5](#) for additional information on Traffic Impact Studies.)
- A written statement describing potential development under the proposed zoning and current zoning
- A sign location plot plan in accordance with the rezoning sign requirements described later in this section
- A Community Impact Statement, if required (This item will be discussed at the Pre-Application meeting. Refer to [Chapter 5](#) for additional information on Community Impact Statements.)
- A check payable to the City of Novi for review fees (Fees are site specific and will be calculated at the time of submittal. An invoice will be sent to the applicant by City staff.)

WHAT ARE THE STEPS OF THE REZONING REVIEW PROCESS?

STEP 1: Community Development Department staff meets with the applicant at the Pre-Application meeting to go over the initial comments from staff and consultants following any previously held concept meetings.

STEP 2: Formal rezoning request is submitted by the applicant and reviewed by Community Development Department staff and consultants and comments are forwarded to the applicant via email.

STEP 3: A public hearing notice and map are published in a newspaper of general circulation and mailed out to property owners within 300 feet of the proposed rezoning and public utilities at least fifteen days prior to the public hearing date. The applicant must post the rezoning signs in accordance with the rezoning sign requirements described later in this section at least fifteen days prior to the public hearing date. Failure to post these signs within the required time will lead to postponement of the public hearing. The applicant is responsible for re-notification costs.

The applicant is required to submit a letter responding to the staff and consultant review comments prior to the Planning Commission meeting.

STEP 4: The Planning Commission will hold the public hearing, review the rezoning application and take one of the following actions:

- Recommend approval of the rezoning to City Council
- Recommend denial of the rezoning to City Council
- Table the request for further study

SECTION 1 REZONING REVIEW PROCESS

OVERVIEW

No required public hearing or matter for consideration by the Planning Commission which otherwise meets the City's requirements may be delayed for more than two consecutive meetings (excluding special meetings). A formal application must appear before the Planning Commission no later than the third meeting for which it is eligible. The applicant or applicant's representative must attend the meeting in which their plans are scheduled for consideration. Failure to appear will cause the Planning Commission to postpone consideration of the rezoning.

STEP 5: The request will be placed on the next available City Council agenda. The applicant may request a delay in action by the City Council for up to four regularly-scheduled meetings beyond the meeting it is first eligible to appear.

If the applicant delays the request beyond the four City Council meeting limit allowed, the rezoning application will be considered withdrawn and rezoning signs shall be removed from the property. Should the applicant wish to continue the request, new application materials shall be submitted. In this case, the applicant does not have to schedule a new Pre-Application meeting.

STEP 6: The City Council will take one of the following actions:

- Approve the proposed rezoning
- Deny the proposed rezoning
- Deny the proposed rezoning and approve an alternate zoning classification
- Table the request for further study

DOES REZONING A PARCEL ALLOW CONSTRUCTION TO BEGIN?

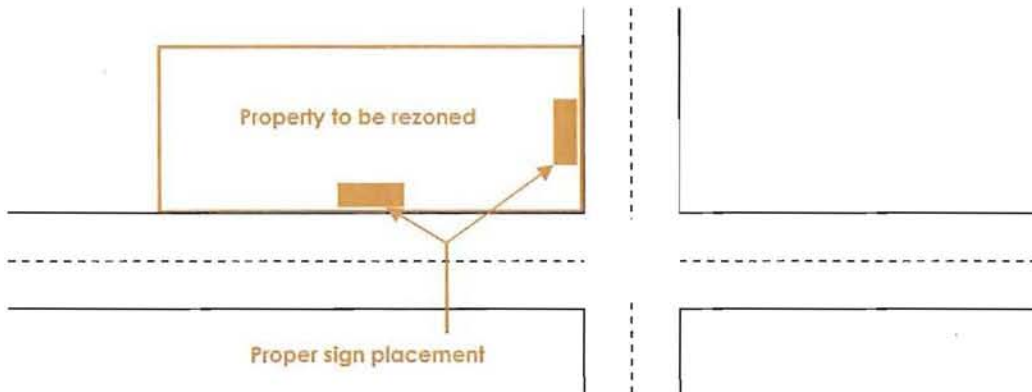
Rezoning does not authorize construction or use of land. If the requested rezoning is approved, a property owner can make a specific site plan review or land use request. Permits to allow construction will be granted once the site plan and/or land use is approved.

WHAT ARE THE REQUIREMENTS FOR REZONING SIGNS?

The applicant must install the rezoning sign a minimum of fifteen days prior to the Planning Commission public hearing. The sign must be placed on the property proposed for rezoning and in full public view along all of the property's road frontages. The sign must be located along the property line of the right-of-way at the midpoint of the property width. A corner lot will require a sign for each road frontage. The sign location must be identified on the sign location plot plan submitted with the initial application materials and approved by the Community Development Department staff prior to installation. The applicant shall notify the Community Development Department once signs have been posted. City staff will confirm signs are posted in the correct location(s).

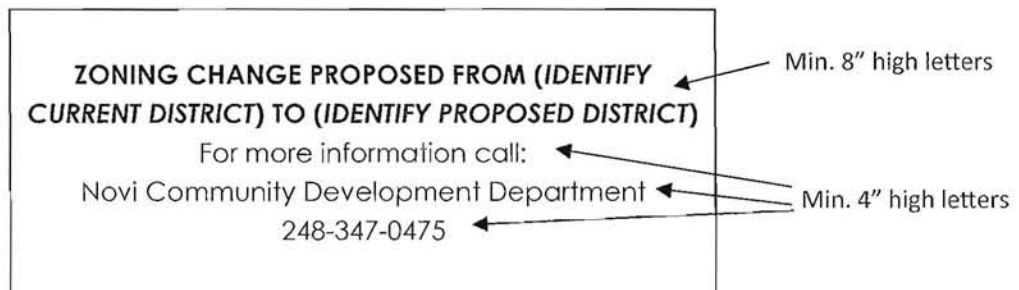
SECTION 1 REZONING REVIEW PROCESS

OVERVIEW



The sign must meet the following specifications:

- Black letters on white background;
- Size: Minimum four feet (vertical) by six feet (horizontal);
- Sign face must be exterior plywood, aluminum or a similar durable all-weather material;
- Sign support system must be structurally sound and able to withstand lateral wind of fourteen pounds per square foot; and
- Wording and font size shall be as follows:



Rezoning signs must be removed within:

- Seven days of enactment of the rezoning request by City Council;
- Seven days of withdrawing rezoning application (If the applicant delays the request beyond the four City Council meeting limit allotted, the rezoning application will be considered withdrawn.); or
- Seven days of denial of rezoning request by City Council.

Failure to remove the sign(s) within the allotted time period may require the removal of the sign by the City and/or prosecution at the owner's expense.

SECTION 2 PLANNED REZONING OVERLAY REVIEW PROCESS

INTRODUCTION

This document is intended to provide a general overview of the City of Novi's Planned Rezoning Overlay (PRO) review process. Potential applicants should contact the Community Development Department to arrange a meeting to discuss specific PRO proposals and review procedures. Furthermore, the provisions of this manual are not intended to repeal, eliminate or otherwise limit any of the requirements or provisions contained in the Zoning Ordinance or City Code. City ordinances and codes should be thoroughly researched prior to application for approval of a PRO.

WHAT IS A PLANNED REZONING OVERLAY (PRO)?

An entity wishing to change the zoning designation of a parcel of land and with a specific development plan in mind can apply to rezone the parcel with a Planned Rezoning Overlay (PRO). A rezoning with a PRO requires the submission of a concept plan showing the proposed site layout. In addition, an applicant must demonstrate that approval of the proposed PRO would be in the public interest and the City Council must find the benefits which would reasonably be expected to accrue from the proposed PRO would clearly outweigh the reasonable foreseeable detriments of the project. After the concept plan is approved, a PRO Agreement is written describing the proposed site layout, any deviations from the Zoning Ordinance and the public benefit offered. If the PRO is approved, any development on the site would need to conform to whatever is shown in the concept plan and described in the PRO Agreement. Refer to Section 3402 of the Zoning Ordinance for specific requirements.

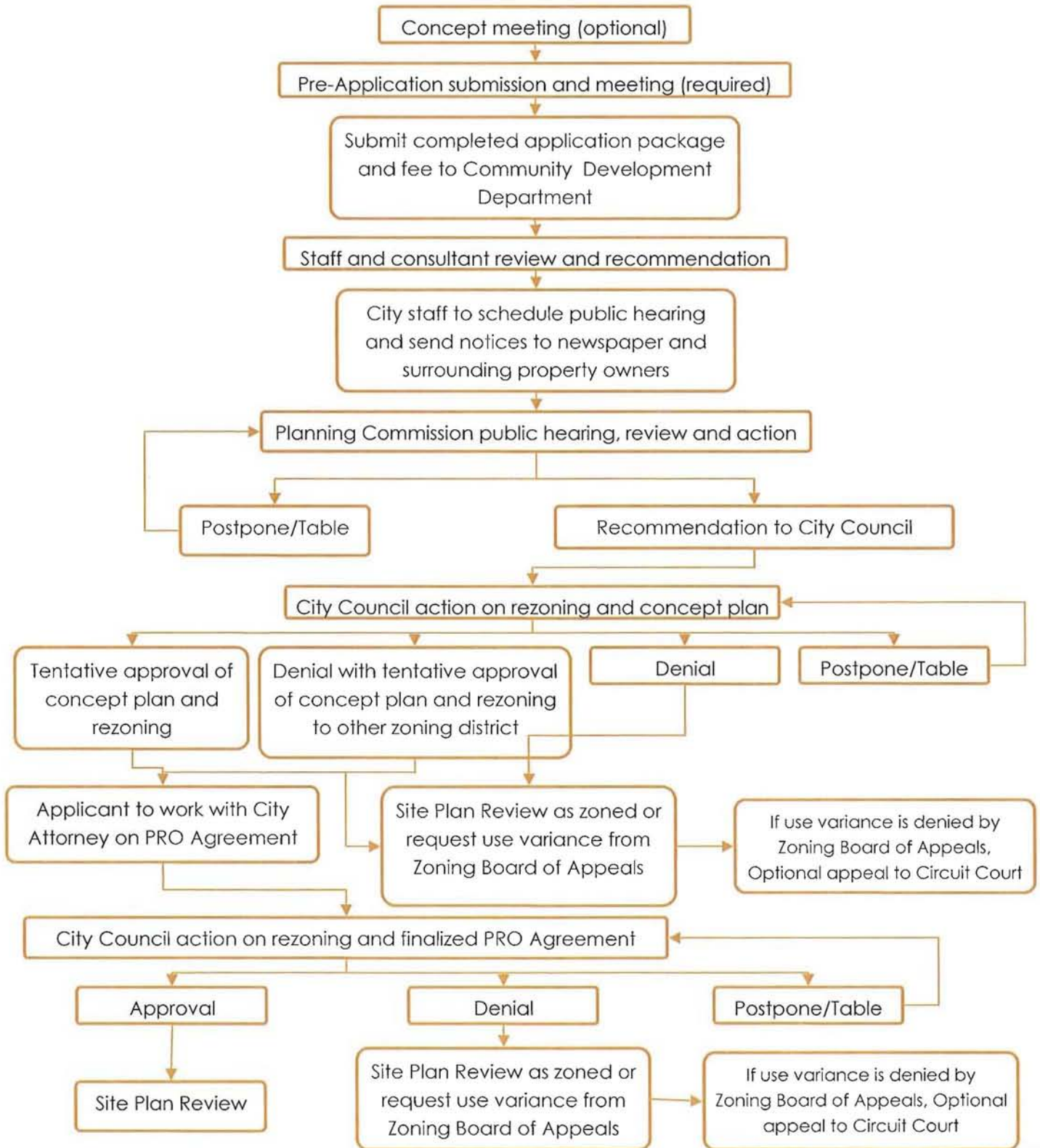
WHAT IS THE FIRST STEP IN THE PRO REVIEW PROCESS?

An applicant should schedule a concept meeting with the Community Development Department staff to discuss the PRO review process, Master Plan for Land Use recommendations for the property, potential site layouts and uses and the proposed public benefit(s). There are no fees associated with this meeting and it can be arranged by contacting the Community Development Department at 248-347-0475. A concept meeting is not required but is recommended. A meeting with the Planning Commission's Master Plan and Zoning Committee may also be held to discuss the rezoning request.

An applicant must discuss a proposed PRO with the Community Development Department staff at a Pre-Application meeting. Pre-Application meetings typically follow any previously held concept meetings. An applicant should submit the required [Pre-Application Meeting Request](#) form (found in [Attachment A](#) and at cityofnovi.org) along with the proposed rezoning engineering survey, a brief narrative of future development plans and the benefits of the development and nine sets of concept plans. If the applicant wishes to receive an estimate of review fees, the [Request for Estimated Fees](#) form can also be submitted (found in [Attachment A](#) and at cityofnovi.org). Pre-Application plans are reviewed and Pre-Application meetings are held free of charge. Once the Pre-Application package is submitted a meeting can generally be scheduled within ten business days.

SECTION 2 PLANNED REZONING OVERLAY REVIEW PROCESS

FLOW CHART



SECTION 2 PLANNED REZONING OVERLAY REVIEW PROCESS

OVERVIEW

WHAT NEEDS TO BE SUBMITTED TO BEGIN THE FORMAL REVIEW PROCESS?

- A completed [Application for Site Plan and Land Use Approval](#) (found in [Attachment A](#) and at cityofnovi.org)
- Four copies of the engineering survey and legal description of the property to be rezoned
- A Traffic Impact Study, if required (This item will be discussed at the Pre-Application meeting. Refer to [Chapter 5](#) for additional information on Traffic Impact Studies.)
- A Community Impact Statement, if required (This item will be discussed at the Pre-Application meeting. Refer to [Chapter 5](#) for additional information on Community Impact Statements.)
- A written statement describing potential development under the proposed zoning and current zoning
- A written statement describing the identified benefit(s) of the development
- A written description of conditions proposed for inclusion in the PRO Agreement (i.e., Zoning Ordinance deviations, limitation on total units, etc.)
- A sign location plot plan in accordance with the rezoning sign requirements described in [Section 1](#) of this chapter
- Ten sets of conceptual plans
- A check payable to the City of Novi for review fees (Fees are site specific and will be calculated at the time of submittal. An invoice will be sent to the applicant by City staff.)

WHAT ARE THE STEPS OF THE PRO REVIEW PROCESS?

STEP 1: Community Development Department staff meets with the applicant at the Pre-Application meeting to go over the initial comments from staff and consultants following any previously held concept meetings.

STEP 2: Formal rezoning with PRO request is submitted by the applicant and reviewed by Community Development Department staff and consultants and comments are forwarded to the applicant via email.

STEP 3: A public hearing notice and map are published in a newspaper of general circulation and mailed out to property owners within 300 feet of the proposed rezoning with PRO and public utilities at least fifteen days prior to the public hearing date. The applicant must post the rezoning signs in accordance with the rezoning sign requirements described [Section 1](#) of this chapter at least fifteen days prior to the public hearing date. Failure to post these signs within the required time will lead to postponement of the public hearing.

SECTION 2 PLANNED REZONING OVERLAY REVIEW PROCESS

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The applicant is required to submit 11 size 24" x 36" copies of the concept plan(s) along with a letter responding to the staff and consultant review comments and one 8.5" x 11" colored copy of the concept plan prior to the Planning Commission meeting.

STEP 4: The Planning Commission will hold the public hearing and take one of the following actions:

- Recommend approval of the rezoning with PRO to City Council
- Recommend denial of the rezoning with PRO to City Council
- Table the request for further study

No required public hearing or matter for consideration by the Planning Commission which otherwise meets the City's requirements may be delayed for more than two consecutive meetings (excluding special meetings). A formal application must appear before the Planning Commission no later than the third meeting for which it is eligible. The applicant or applicant's representative must attend the meeting in which their plans are scheduled for consideration. Failure to appear will cause the Planning Commission to postpone consideration of the PRO.

STEP 5: The request will be placed on the next available City Council agenda for consideration of the rezoning with PRO and PRO concept plan. The applicant may request a delay in action by the City Council for up to four regularly-scheduled meetings beyond the meeting it is first eligible to appear.

If the applicant delays the request beyond the four City Council meeting limit allowed, the rezoning with PRO application will be considered withdrawn and rezoning signs shall be removed from the property. Should the applicant wish to continue the request, new application materials shall be submitted. In this case the applicant does not have to schedule a new Pre-Application meeting.

STEP 6: The City Council will take one of the following actions:

- Tentatively approve the proposed rezoning with PRO and PRO concept plan
- Deny the proposed rezoning with PRO and PRO concept plan
- Tentatively approve the concept plan and deny the proposed rezoning and approve an alternate zoning classification
- Table the request for further study

STEP 7: The applicant works with the City Attorney to create a finalized draft of the PRO Agreement identifying all conditions and benefits of the rezoning with PRO and deviations from the Zoning Ordinance.

SECTION 2 PLANNED REZONING OVERLAY REVIEW PROCESS

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If the applicant delays the request beyond the four City Council meeting limit allotted, the rezoning with PRO application will be considered withdrawn and rezoning signs shall be removed from the property. Should the applicant wish to continue the request, new application materials shall be submitted.

STEP 8: The request will be placed on the next available City Council agenda for consideration of the rezoning with PRO, concept plan and PRO Agreement. The applicant may request a delay in action by the City Council for up to four meetings beyond the meeting it is first eligible to appear.

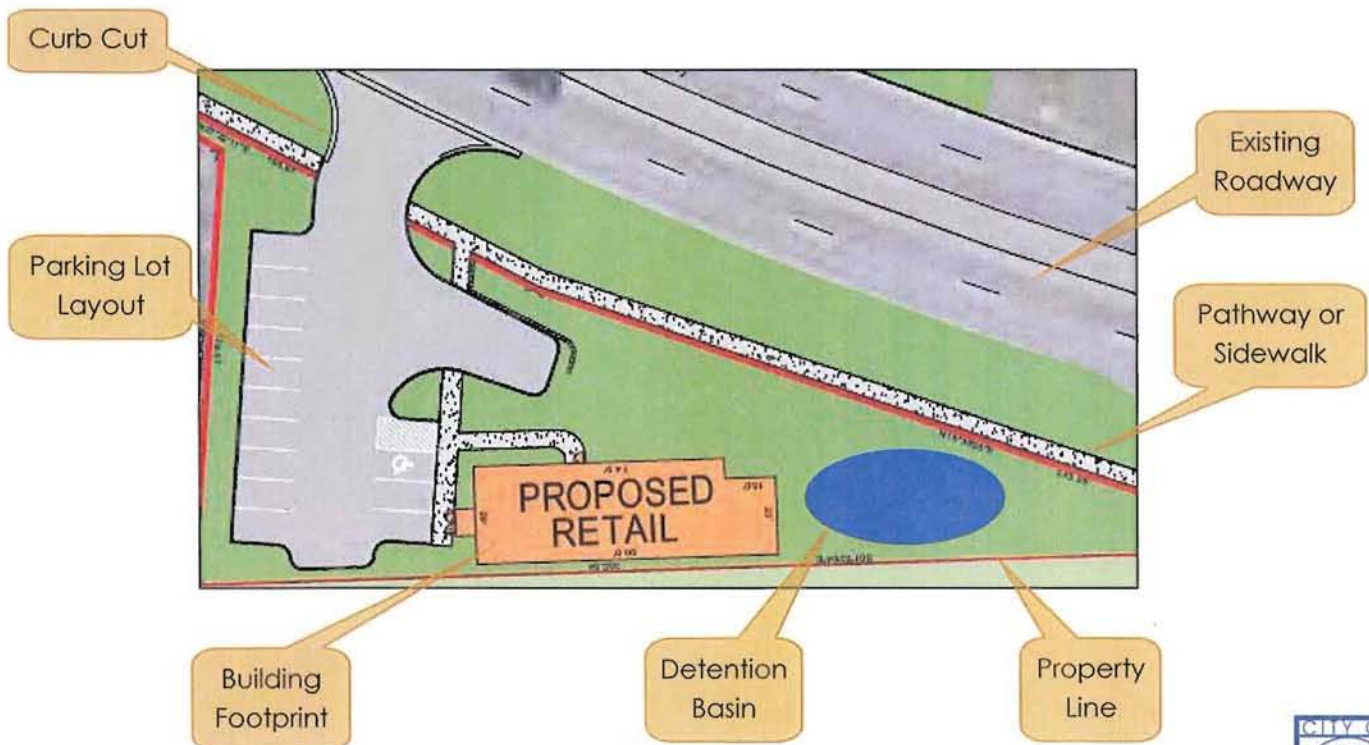
STEP 9: The City Council will take one of the following actions:

- Approve the proposed rezoning with PRO, PRO concept plan and PRO Agreement
- Deny the proposed rezoning with PRO, PRO concept plan and PRO Agreement
- Table the request for further study

WHAT SHOULD BE INCLUDED IN THE CONCEPT PLAN?

A concept plan must be prepared, signed and sealed by a registered architect or engineer and may include the location, size, height, design, architecture or other features of buildings, structures or site improvements. At a minimum the plan must identify the location of the proposed curb cuts.

Example: PRO Concept Plan



SECTION 2 PLANNED REZONING OVERLAY REVIEW PROCESS

OVERVIEW

DOES APPROVAL OF A PRO ALLOW CONSTRUCTION TO BEGIN?

Approval of a Planned Rezoning Overlay does not authorize construction or use of land. If the PRO is approved, a property owner can make a specific site plan review request. The site plan submitted would need to match what was shown in the approved concept plan and included in the PRO Agreement. Permits to allow construction will be granted once the site plan and/or land use is approved.

ARE REZONING SIGNS REQUIRED FOR PLANNED REZONING OVERLAYS?

Rezoning signs are required for a PRO and must be placed on the property a minimum of fifteen days prior to the Planning Commission hearing. The sign must be placed on the property proposed for rezoning and in full public view along all of the property's road frontages. The sign must be located along the property line of the right-of-way at the midpoint of the property width. A corner lot will require a sign for each road frontage. The sign location must be identified on the sign location plot plan submitted with the initial application materials and approved by the Community Development Department staff prior to installation. Refer to [Section 1](#) of this chapter for specific rezoning sign requirements.