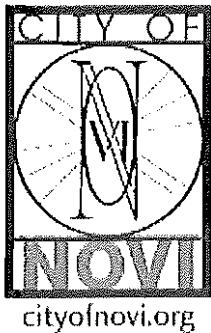


MEMORANDUM



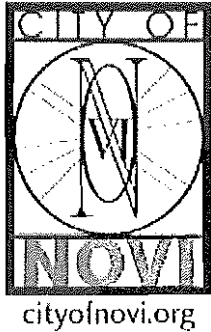
TO: Members of the Planning Commission
FROM: ^{Barbara} Barbara McBeth, AICP, Community Development
SUBJECT: Suburban Low Rise District – set a public hearing
DATE: April 21, 2011

The Implementation Committee is set to have a meeting on April 27th at 6 p.m., just prior to the regular Planning Commission meeting of that date. One item under consideration is the proposed text for the Suburban Low Rise District. Please see attached draft of the ordinance and cover memo.

If the Implementation Committee is inclined to recommend approval the text at the 6 p.m. meeting, staff would suggest that the Planning Commission set a public hearing to review and consider the proposed text at the May 23rd Planning Commission meeting. In the meantime, staff will continue to review the proposed ordinance standards with stakeholders who may be affected by the ordinance provisions, and include any comments from the committee or Planning Commission as a whole.

If any Commission member needs any additional information, please feel free to contact the department.

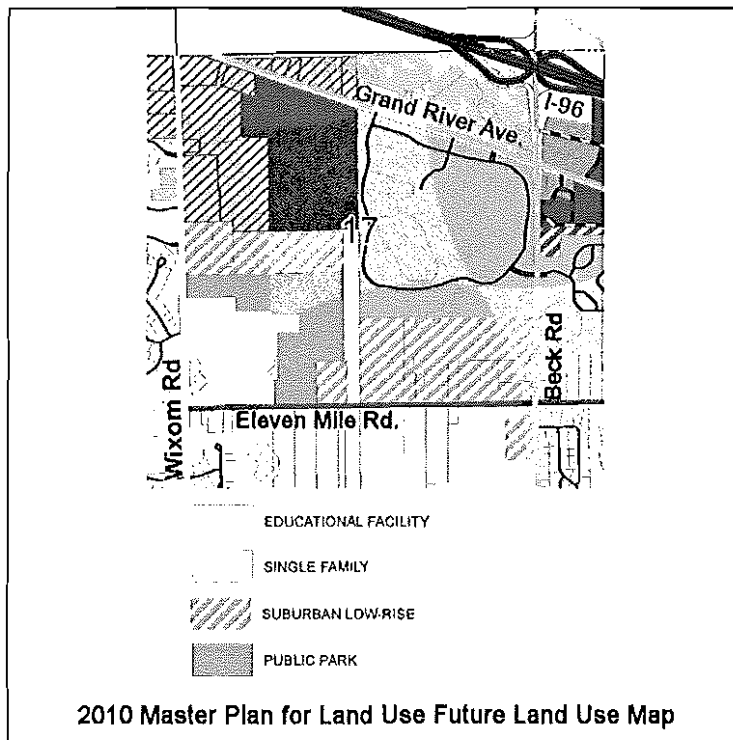
MEMORANDUM



TO: IMPLEMENTATION COMMITTEE
FROM: MARK SPENCER, AICP, PLANNER *Mark Spencer*
THROUGH: BARBARA MCBETH, DEPUTY DIRECTOR COMMUNITY DEVELOPMENT
SUBJECT: PROPOSED PLANNED SUBURBAN LOW-RISE DISTRICT
DATE: APRIL 7, 2011

Introduction

The 2010 City of Novi Master Plan for Land Use includes a new future land use category, Suburban Low-Rise. The use area is defined as an area for suburban low-rise uses with a single-family residential character that will provide a transition between one-family dwellings and higher density uses. The Master Plan includes a set of goals, objectives and implementation strategies that promote the creation of a Planned Suburban Low-Rise, PSLR, "form-based" zoning district that permits attached single family and low-density multiple family residential, community service, human care, civic, educational, public recreation and office facilities and prohibits detached one-family residential, retail and personal service uses. A proposed set of "form-based" standards would regulate the residential look of the area. Viewed from the section line roads (Wixom,



Eleven Mile and Beck Roads), a person would see buildings similar in height and design to detached single-family dwellings in the area and a landscaped berm. The view would be broken up by an occasional emergency access driveway and parking lot lighting that would be visible until the landscaping matured. Entrances to the developments would be off of new local streets. Along the new local streets, a person would view sidewalks and bike paths, pedestrian amenities, pedestrian scaled lighting, and moderate size buildings with single-family dwelling architectural features. The buildings would be located close to the street and parking areas would be located behind the

buildings and would be generally out of view. Limited size signage would identify the developments.

The area designated for planned suburban low-rise uses is located near Eleven Mile Road between Wixom and Beck Roads (see map to the left). These areas are generally separated from detached one-family uses by section line roads and areas planned for public parks and educational uses.

Staff recommends that properties could only be rezoned to the PSLR District if City Council approves a PSLR Concept Plan and a PSLR Development Agreement with the rezoning. Approval of a Concept Plan would at a minimum, establish the location of utilities, drainage facilities, new streets, and pedestrian and bicycle facilities and amenities. The Plan could also propose the location of open space, parking, building and uses, and propose landscaping and façade elements. The Plan could depict proposed deviations (if any) from ordinance regulations and development phases if a project is proposed for phased construction. The PSLR Agreement would set the terms of the rezoning and incorporate the PSLR Concept Plan.

PSLR Uses

The proposed Planned Suburban Low-Rise District would permit a large variety of moderate intensity land uses. These uses include the following:

- Attached single-family dwellings (townhouses which are technically defined as multiple family dwellings in the Zoning Ordinance);
- Low-rise multiple family dwellings;
- Independent and congregate elderly living facilities;
- Assisted living, convalescent and hospice care facilities;
- Live/work mixed use buildings;
- Day care centers;
- General offices;
- Medical offices, laboratories and clinics;
- Funeral homes and mortuaries;
- Religious centers and customary accessory uses;
- Public and private schools except "store front" type schools;
- Publicly owned recreational facilities;
- Community buildings or cultural facilities; and
- Mixed use buildings with two or more of the permitted uses.

The District would not permit detached one-family homes or the following higher intensity commercial uses:

- Personal services;
- Retail sales (except as an ancillary use to a photography, art or craft studio located in a Live/work building);
- Restaurants;
- Hotels/motels;
- Repair shops;
- Private recreation and fitness facilities;
- Theaters; drive through facilities;
- Financial institutions; and
- Private clubs.

"Form Based Requirements"

The scale and character of the permitted uses would be controlled with a set of "form based" provisions that include site layout, internal road and building façade requirements. These provisions include the following:

- A 50-foot wide buffer with a landscape berm along section line roads to soften the view from these roads and provide additional buffer from any nearby one-family residential developments;
- Buildings will only front and have access to local streets to help maintain a one-family residential look along the section line roads;
- Buildings will be setback a minimum of 30 feet from the road right-of-way or easement and a maximum of 75 feet to promote a one-family residential look and make the buildings more pedestrian and bicycle friendly.
- Buildings will have a maximum footprint of 25%, a maximum building length and width of 180 feet, and a maximum building height of 2 ½ stories and 35 feet. Also, the site will be limited to a maximum impervious surfaces footprint of 65%. These restrictions will limit the scale of any development to help maintain a transitional scale of development between the neighboring one-family homes and the higher intensity developments to the north;
- Buildings will have façade shifts at least every 50 feet, doors placed at least every 60 feet, single family residential design features, gabled or hip roofs, single family residential siding materials, and truck unloading facilities will be in rear of the building and screened to promote a single family residential look along the local streets;
- Streets will include pedestrian and bicycle facilities with pedestrian streetscape amenities and pedestrian scale lighting to make the area pedestrian and bicycle friendly;

Conclusion

The adoption of the proposed PLSR District will fulfill the Master Plan for Land Use's implementation strategy to create a Planned Suburban Low-Rise form-based zoning district. The new District would permit an expanded set of moderate intensity development opportunities that could benefit the City as a whole while at the same time protecting the values of the neighboring detached single-family home neighborhoods by limiting the scale and maintaining a residential character to any new development. Moderate scale and intensity development could increase City tax revenues beyond that which would occur if the properties were developed as currently zoned for detached single-family and light industrial uses. Moderate density residential development could also increase the demand for retail, office and industrial floor space in the City and increase housing options that could help attract more young families and seniors to the City.

At this time, the Planning Staff recommends that the Planning Commission's Implementation Committee review the proposed text amendment to create the PLSR District and recommend the Planning Commission set a public hearing to consider recommending the amendment to City Council. If you have any questions, please feel free to contact me.

EXCERPTS from the City of Novi 2010 Master Plan for Land Use

Suburban Low Rise

This land use is designated for suburban low rise uses including attached single family residential, multiple family residential, institutional and office uses when developed under a set of use and design guidelines to keep the residential character of the area and minimize the effect that the transitional uses would have on nearby single family residential properties.

GOAL: Provide for planned development areas that provide a transition between high intensity office, industrial and commercial uses and one-family residential uses.

Objective: Provide for form-based, low-rise, suburban development options to promote the development of key areas that can provide a transition from higher intensity office and retail uses to one-family residential developments that include access, design and uses standards that promote a residential character to the streetscape and provide increased economic value.

Implementation Strategy: Create a Planned Suburban Low-Rise form-based zoning district that permits attached single family and low-density multiple family residential, community service, human care, civic, educational, public recreation and office facilities. This new district will provide a transition area from higher intensity commercial, office or industrial areas to one-family residential uses. This district would be located where the natural and built environment provides defined borders to provide separation from one-family residential area. Detached one-family residential uses would not be permitted in this district. The district would be designed to reduce traffic, environmental and visual impacts while providing higher intensity use than detached one-family districts while maintaining a residential character.

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF NOVI
ORDINANCE NO. 11- 18 – ???

AN ORDINANCE TO AMEND ORDINANCE NO. 97-18 AS AMENDED, THE CITY OF NOVI ZONING ORDINANCE, ADDING ARTICLE 23B, PSLR, PLANNED SUBURBAN LOW-RISE DISTRICT TO PROVIDE A DISTRICT FOR THE DEVELOPMENT OF HIGH QUALITY USES SUCH AS ATTACHED SINGLE-FAMILY AND LOW-DENSITY MULTIPLE FAMILY RESIDENTIAL, QUASI-PUBLIC, CIVIC, EDUCATIONAL, AND PUBLIC RECREATION FACILITIES WHICH CAN SERVE AS TRANSITIONAL AREAS BETWEEN DETACHED ONE-FAMILY RESIDENTIAL AND HIGHER INTENSITY OFFICE AND RETAIL USES, AMEND ARTICLE 24, SCHEDULE OF REGULATIONS, SECTION 2400 HEIGHT, BULK, DENSITY AND AREA BY ZONING DISTRICT, TO ADD REQUIREMENTS FOR THE PSLR DISTRICT AND AMEND ARTICLE 25, GENERAL REQUIREMENTS, SECTION 2520 EXTERIOR BUILDING WALL FAÇADE MATERIALS TO ADD REQUIREMENTS FOR THE PSLR DISTRICT.

THE CITY OF NOVI ORDAINS:

Part I. That Article 23B, PSLR, Planned Suburban Low-Rise is added to read as follows:

ARTICLE 23B. PSLR, PLANNED SUBURBAN LOW-RISE DISTRICT

Sec. 2300B Intent

The intent of the PSLR, Planned Suburban Low-Rise District, is to promote the development of high-quality mixed uses, such as low-density multiple family residential, office, quasi-public, civic, educational, and public recreation facilities that can serve as transitional areas between lower-intensity detached one-family residential and higher-intensity office and retail uses. The district provides a rezoning process under Section 3503 of the Michigan Zoning Enabling Act, MCL 25.3101, et seq, as well as standards to protect the character of neighboring areas by encouraging high-quality development with single-family residential design features that will promote a residential character to the streetscape. Uses not contemplated in the district include detached one-family residential, personal services, retail sales (except as an ancillary use to a photography, art or craft studio located in a live work unit), restaurants, hotels, motels, repair shops, private recreation and fitness facilities, theaters, drive through facilities, financial institutions and private club uses.

Sec. 2301B Definitions

The following definitions shall apply in the interpretation of this Article.

PLANNED SUBURBAN LOW-RISE (PSLR) CONCEPT PLAN

A plan prepared by a licensed professional, for development of the property that is the subject of PSLR Rezoning Petition that shows the general location and size of buildings, structures, improvements and features on, and in some cases adjacent to, the property in the Petition, to be used as the guiding or general plan for the development of the area within the Rezoning Petition. The PSLR Concept Plan shall be made a part of the PSLR Development Agreement.

PLANNED SUBURBAN LOW-RISE (PSLR) DEVELOPMENT AGREEMENT

An agreement between the City and the property owner(s) of the land within the PSLR Petition that incorporates the PSLR Concept Plan and specifies the terms and provisions upon which City Council approval is based and the uses that will be contemplated.

Section 2302B. Planned Suburban Low-Rise Eligibility Criteria

The PSLR is an optional method of development that may be permitted only after review and recommendation by the Planning Commission and discretionary approval of the City Council finding that the following criteria will be met:

- 1. The property is within the areas shown on the City of Novi Master Plan for Land Use for Suburban Low-Rise development.
- 2. The proposed development shall be under single ownership and/or control such that there is a single person or entity having responsibility for completing the project in conformity with this Ordinance. This provision shall not prohibit a transfer of ownership and/or control, upon timely notice to the City.

Sec. 2303B. Principal Uses Permitted

In the PSLR, Planned Suburban Low Rise District, no building or land shall be used and no building shall be erected except for one or more of the following specified uses, unless otherwise provided for in this Ordinance:

- 1. Low-rise multiple-family, up to a maximum of 7.3 dwelling units per gross acre, excluding existing road rights-of-way.
- 2. Independent and Congregate Elderly Living Facilities, as defined by Section 201.
- 3. Assisted living facilities, convalescent homes, and hospice care facilities.
- 4. Live/work units – Dwelling units providing for living and working areas, subject to the following restrictions:
 - a. Units must contain at least one bedroom, one bathroom, and kitchen facilities;
 - b. Minimum floor area per live/work unit shall be seven hundred fifty (750) square feet.
 - c. In addition to residential uses the following uses shall be permitted:
 - i. Photography, art, craft, music and similar studios.
 - ii. Professional offices of architects, engineers, lawyers, accountants of other similar professionals.
 - d. Employees shall be limited to residents of the live/work unit and up to two (2) additional employees.

- e. Maximum 7.3 dwelling units per gross acre excluding existing road rights-of-way.
- 5. Day care centers and adult day care centers, subject to the standards provided in Section 402.4.b.1 and 402.4.b.2, except the limit on the maximum number of children or adults does not pertain.
- 6. General office uses for any of the following occupations: executive, administrative, professional, accounting, writing, clerical, drafting or sales.
- 7. Medical office, including laboratories and clinics.
- 8. Funeral Homes and Mortuaries.
- 9. Religious centers and other places of worship, along with rectories, parsonages, schools, recreation facilities and other uses customarily accessory to the place of worship.
- 10. Public and private K-12 schools, colleges, universities, business training schools, and trade schools. "Store Front" type schools such as, but not limited to, dance, martial arts, and tutoring schools are not permitted.
- 11. Publicly owned and operated parks and recreation facilities.
- 12. Community buildings and cultural facilities.
- 13. Mixed-use buildings with two (2) or more of any of the above permitted uses.
- 14. Principal uses similar to those listed above, as determined by the City Council.
- 15. Accessory buildings, structures and uses customary to a principal permitted use, subject to the following:
 - a. Accessory buildings and structures must be located in the rear yard or interior side yard.
 - b. Accessory buildings shall be constructed of the same materials as the principal building(s), and shall not exceed 25% of the floor space of the principal building.

Sec. 2304B. Required PSLR Standards/Conditions.

The following standards and requirements shall apply to all uses permitted in the PSLR District and shall be incorporated into all PSLR Concept Plans and Site Plans:

- 1. Site Standards.
 - a. To the extent possible, buildings shall front either on a dedicated non-section line public street or an approved private drive. An approved private drive is defined as a non-dedicated street constructed in accordance with the City of Novi Design and Construction Standards for private roads or streets and in accordance with specifications for site plan approval as referred to in this Ordinance.
 - b. All buildings and parking lots shall be separated from all section line road rights-of-way or planned section line rights-of-way as defined in Chapter 11 - Design and Construction Standards by a fifty (50) foot wide landscape buffer containing an undulating, three (3) to five (5) foot tall landscaped berm. Such berm(s) and plantings shall be a continuous undulating serpentine form, have a maximum slope ratio of three (3) feet horizontal to one (1) foot vertical, be designed with a flat horizontal area at the crest with a minimum width of four (4) feet. Plantings on the berm(s) shall provide an opacity of eighty (80) percent in winter and

ninety (90) percent in summer within two (2) years after planting with an intermittent visual obstruction height of three feet above the height of the berm.

- c. Buildings adjacent to roads and drives (other than planned or existing section line road rights-of-way), shall be set back a minimum of thirty (30) feet and a maximum of seventy-five (75) feet from all other public or private streets.
- d. Buildings shall be set back from each other a minimum of thirty (30) feet unless they have a corner-to-corner relationship and then they shall be set back from each other a minimum of fifteen (15) feet.
- e. Parking spaces for all uses in the District, except for townhouse style multiple-family dwellings that provide private garages for each dwelling unit, shall meet the following requirements:
 - i. Off-street parking shall be located only in the rear yard or interior side yard, behind the principal building.
 - ii. Off-street parking shall be screened from the view from adjacent streets and buildings by a three (3) to five (5) foot undulating landscape berm that, within two years of occupancy of the building, will provide for 90% opacity in the summer and 80% opacity in the winter at a height of 6 feet from the highest point in the parking lot.
 - iii. Parking spaces and access aisles shall be a minimum of fifteen (15) feet from all buildings, except in cases where the access aisle leads to the entrance of a parking structure.
 - iv. Parking lots and access aisles shall be set back a minimum of fifty (50) feet from any section line street right-of-way and thirty (30) feet from any other public or private street right-of-way or private road easement. Access aisles that are perpendicular to the frontage street may cross the above required thirty (30) foot setback.

Parking spaces for townhouse style developments shall be permitted in the front yard setback when the parking area is also a driveway access to a parking garage that is for the exclusive use of one dwelling unit.

- f. Maximum building footprint lot coverage shall be twenty-five percent (25%).
- g. Maximum impervious surface lot coverage shall be sixty-five percent (65%).
- h. Residential developments shall provide open space recreation areas that meet the following requirements:
 - i. Each dwelling unit shall have a minimum of two-hundred (200) square feet of private open space adjacent to and accessible directly from the dwelling unit. This open space may include covered porches, patios and balconies.
 - ii. All residential developments shall provide common open space areas, enhanced with play structures, furniture, and landscaping as central to the project as possible.
 - iii. Active recreation areas shall be provided in all residential developments, with at least fifty percent of the open space area provided to be designed for active recreation.
 - iv. Active recreation area nodes shall have an area of at least twenty percent (20%) of the first five (5) acres of the site, fifteen percent

- (15%) of the second five (5) acres of the site and ten percent (10%) of the area of the site over ten (10) acres.
- v. Open water and storm water ponds shall be excluded from active recreation open space calculations.
 - i. Truck loading and unloading areas, not including access drives, and all overhead doors shall be totally screened from view from any public right-of-way, and adjacent properties. Such screening shall be accomplished by the courtyard design of the principal building itself, by a solid ornamental wall of a design, construction and materials similar to that of the principal building, or by an earth berm and plantings, or combination thereof. Such berm and plantings shall be a continuous undulating serpentine form. It shall have a maximum slope ratio of three (3) feet horizontal to one (1) foot vertical. A flat horizontal area at the crest is required to be four (4) feet in width. The berm shall range in height from six (6) to ten (10) feet depending upon the requirement to screen truck service and loading/unloading areas. Opacity requirements are to be eighty (80) percent in winter and ninety (90) percent in summer within two (2) years after planting with an intermittent visual obstruction height of three feet above the berm.
 - j. Off-street parking shall be provided as required in Section 2505 and Section 2506 of this Ordinance. Required parking for uses specified under Section 2301B, 2-4 inclusive shall be computed based upon amount of floor area utilized for various purposes in accordance with the standards of Section 2505, provided that a floor plan indicating such uses, and gross leaseable floor space, as defined, is graphically and statistically shown on site plan.
 - k. The maximum overall horizontal length of any one building or group of buildings attached together over any portion of a common party wall, or other architectural feature which attaches buildings together, shall not exceed one hundred eighty (180) feet. The overall horizontal length requirement may be modified by the City Council if the following conditions are met:
 - i. The building includes common areas with a minimum capacity of fifty (50) persons for recreation, dining or social activities; and
 - ii. The building is setback an additional one (1) foot for every three (3) feet of building length in excess of 180 feet from all property lines abutting a residential district.
 - iii. In no case shall the building length exceed three hundred and sixty (360) feet.
 - l. Landscaping throughout the site shall be provided as set forth and regulated in Section 2509 of this Ordinance.
 - m. All sites shall include streetscape amenities such as but not limited to benches, pedestrian plazas, etc.
 - n. Outdoor lighting of parking lots, access drives, and pedestrian and bicycle facilities, shall meet the requirements of Section 2511 and the following additional special conditions:
 - i. The height of light fixtures shall not exceed twenty (20) feet.

- ii. All fixtures shall have a cut-off angle of ninety (90) degrees or less. Decorative pedestrian and bicycle facility lighting fixtures are excluded from this requirement.
- iii. No direct light source shall be visible at any property line abutting a section line road right of way at ground level. Decorative pedestrian and bicycle facility lighting fixtures are excluded from this requirement.
- iv. Maximum illumination at the property line shall not exceed one-half (½) foot-candle.

2. Circulation Standards.

- a. All uses that include the construction of a new building shall be designed to the extent possible with access drives connected only to non-section line roads. Emergency access routes normally closed with an emergency access gate may be connected to section line roads when no other practical location is available.
- b. New public or private local streets shall be designed to provide public access connections to neighboring properties at a location acceptable to the City.
- c. All new streets shall include public pedestrian and bicycle facilities. At the discretion of the City, new bicycle facilities may be on- or off-street facilities.
- d. All new streets shall be designed as bicycle/pedestrian focused corridors as outlined in the City of Novi Non-Motorized Master Plan and include design features that will result in motorists naturally driving at speeds of 30 mph or less.
- e. All buildings and active recreation open space areas shall be connected to the City's existing or proposed bicycle and pedestrian facilities.
- f. Where existing non-motorized facilities do not exist on adjacent neighboring properties, facilities shall be stubbed to the property line.

3. Building Design Standards

All buildings shall meet the following requirements:

- a. Maximum building height shall be thirty-five feet or two and one-half (2 ½) stories.
- b. All buildings shall be constructed with a "single-family residential character" and include the following design features, unless the Planning Commission, upon recommendation from the City's façade review consultant, determines that the feature(s) does not add to the residential character of the building:

Building Footprint/Shape

Buildings shall include façade variations with shifts in the plane of walls, set backs, stepbacks, reveals, overhangs, and details in order to create variations in a building's façade and shall include the following footprint features:

- Façade shifts shall be provided at least every fifty (50) feet with at least a four (4) foot offset.

- All building front and rear building elevations shall have ground floor pedestrian entrance doors spaced not more than every sixty (60) feet.
- All pedestrian entrance doors shall be recessed by at least four (4) feet or under a covered porch that has a minimum width of at least six (6) feet and a depth of at least four (4) feet.

Roofs

All building roofs shall meet the following requirements:

- Roofs shall be designed with gable and/or hip roof lines. Attached accessory structures for utility boxes and HVAC or with a similar function may be of an alternative roof design provided the it is less than ten percent (10%) of the total roof area.
- Roof designs shall include multiple dormers and/or gable roof features to limit the amount of roofing material visible on any façade elevation to a maximum of seventy percent (70%) of any elevation above the eave or gutter line of the roof.
- Roof designs shall include a minimum of a one (1) foot roof overhang,, be fully equipped with gutters and downspouts to prevent sheet flow of water from the roof, and have a minimum roof pitch of 6:12.
- All roofs shall be of a shingle or tile design and of fiberglass, asphalt, wood, slate, ceramic tiles, or metal.
- Notwithstanding the above, solar collectors may replace any portion of a roof.

Windows

- All windows shall be of a multiple pane or divided light design with the maximum pane or undivided light size shall not exceed six (6) square feet.
- Windows shall not exceed fifteen (15) feet in width and shall be separated from another window by at least two (2) feet.
- Windows shall be framed by window trim such as shutters or decorative moldings.

Façade Materials

All building façades shall be include a variety of siding textures and colors, and be of materials found on single-family residential homes in Novi and shall not exceed the maximum allowable percentages as listed for Façade Region 4 in Section 2520.

The Planning Commission may permit building designs that do not meet the above requirements if it makes a finding upon recommendation from the City's consulting architect that the proposed façade meets the intent of this section and has a "single-family residential character" and is in general compliance with the approved PSLR Development Agreement and Concept Plan.

Sec. 2305B Rezoning Petition Requirements

The establishment of a Suburban Low-Rise (PSLR) District shall require City Council approval of a Zoning Ordinance amendment to amend the City of Novi Zoning Map and approve a PSLR Development Agreement between the City and the property owner(s). The City Council, in the exercise of its legislative discretion, following a public hearing held by the Planning Commission and receipt of a recommendation from the Planning Commission may approve the rezoning together with a Concept Plan and a Development Agreement setting forth the uses and improvements authorized and the terms and conditions upon which they are authorized.

An Applicant, in seeking approval of a Planned Suburban Low-Rise District rezoning, shall submit to the City a rezoning petition and a proposed Concept Plan. The following items shall be included with the petition.

1. A Suburban Low-Rise (PSLR) Concept Plan, prepared by a professional engineer, landscape architect or architect registered in the State of Michigan, that includes the following minimum components:
 - a. Requirements listed for Preliminary Site Plan in the City's adopted Site Plan Development Manual except as noted below.
 - b. General parking plan (if applicable).
 - c. General bicycle and pedestrian facilities and amenities plan.
 - d. General building size, use, type, footprint and location (if applicable).
 - e. Residential density calculations, number and types of units (if applicable).
 - f. Open space/recreation plan (if applicable).
 - g. Graphic depiction (if applicable) of each deviation from the applicable ordinance regulations which will be sought to be approved.
 - h. Phasing plan (if applicable).
2. A Community Impact Statement when the petition area is ten (10) acres or larger.
3. A Traffic Impact Study as required in the Site Plan Development Manual or as required for a rezoning.
4. Proposed ordinance deviations and supporting narrative(s).

As part of the approval of a PSLR Concept Plan and PSLR Development Agreement, departures from compliance with the standards in this Article and other articles of the Zoning Ordinance may be authorized on the condition that there are specific, identified features or planning mechanisms deemed beneficial to the City by the City Council and they are designed into the project for the purpose of achieving the objectives for the District. Any deviations from the requirements of Section 2103B shall require the Applicant to provide substitute safeguards for each regulation for which there is noncompliance, in whole or in part, in the PSLR Concept Plan.

Section 2306B Petition Review and Approval.

PSLR, Planned Suburban Low-Rise Rezoning Petitions may be approved subject to review and approval as provided for in this Section

1. Pre-Application Conference. Prior to submittal of a Rezoning Petition and Concept Plan, the Applicant shall apply for and attend a Pre-Application Conference with the Planning Division, and other appropriate officials deemed necessary by the Planning Division. Prior to the meeting, the Applicant shall provide to the Planning Division a brief narrative of how the development meets or exceeds the standards of this ordinance.
2. Planning Commission Review. After the Pre-Application Conference and upon receipt of Rezoning Petition and Concept Plan submittal, the Petition shall be referred to the Planning Commission. The Concept Plan shall include the information required in Section 2304B above. The Planning Commission shall hold a public hearing and provide its report and recommendation to the City Council with regard to the rezoning and the Concept Plan. In making its recommendation to the City Council, the Planning Commission shall evaluate the eligibility criteria set forth in Section 2302B and make findings as to whether the rezoning and proposed Concept Plan comply with the following:
 - a. The PSLR, Concept Plan, and Development Agreement will result in a recognizable and substantial benefit to the ultimate users of the project and to the community
 - b. In relation to the existing zoning or the potential uses contemplated in the City of Novi Master Plan, the proposed type and density of use shall not result in an unreasonable increase in the use of public services, facilities and utilities, and shall not place an unreasonable burden upon the subject and/or surrounding land and/or property owners and occupants and/or the natural environment.
 - c. In relation to the existing zoning or the potential uses contemplated in the City of Novi Master Plan , the proposed development shall not result in an unreasonable negative economic impact upon surrounding properties.
 - d. The proposed development shall be consistent with the goals and objectives of the Master Plan of the City of Novi, and shall be consistent with the requirements of this Article.
3. City Council Review. The City Council, after review of the Planning Commission's recommendation, consideration of the input received at the public hearing, and review of other information relative to the Planned Suburban Low-Rise Rezoning Petition and associated Concept Plan, may take one of two actions:
 - a. Indicate its tentative approval of the Concept Plan and direct the City administration and City Attorney to cause to be prepared, for review and approval by the City Council, a PSLR Development Agreement; or
 - b. Deny the proposed rezoning.

If the rezoning petition is denied, the City Council shall make findings with regards to the standards set forth in Section 2302B and paragraph 2 above, subsections a thru d.

Following preparation of a proposed PSLR Development Agreement, the Council shall make a final determination with regard to the proposed rezoning. The Council may deny the proposed rezoning or may approve the proposed rezoning, Concept Plan, and Development Agreement. The City Council shall make findings with regard to the criteria established in Section 2302B and paragraph 2 above, subsections a thru d.

4. PSLR Development Agreement. The approved Development Agreement and Concept Plan shall be executed by the City and the Applicant and recorded in the office of the Oakland County Register of Deeds. Final approval of the Concept Plan shall be effective upon recording. Physical development of the site shall be in accordance with the approved Development Agreement and incorporated Concept Plan and shall not be commenced until after a Final Site Plan is approved for any site within the area in the petition.
5. Amendments. Amendments to the approved PSLR Agreement and/or PSLR Concept Plan shall follow the same procedure as would a new Rezoning Petition.

Section 2307B Review and Approval of Site Plans.

Submission of a site plan for a development permitted within the PSLR District may be made after City Council approval of the Zoning Ordinance amendment, PSLR Development Agreement and PSLR Concept Plan.

- a. Preliminary site plans shall be reviewed and approved by the Planning Commission.
- b. Final Site Plans may be reviewed and approved administratively unless the Planning Commission directs otherwise at the time of Preliminary Site Plan approval.
- c. Site plans meeting the requirements for administrative review in Section 2516.1.c shall be reviewed and approved administratively.
- d. No building permit shall be issued for any building or structure within the petition area until a Final Site Plan for the project has been approved. Site plans shall be reviewed in accordance with the requirements of Sections 2516 and 2302B of this Ordinance and for general compliance with the approved PSLR Development Agreement and PSLR Concept Plan.

Part II. That **24 SCHEDULE OF REGULATIONS** is amended to read as follows:

ARTICLE 24 SCHEDULE OF REGULATIONS

Section 2400 Schedule limiting height, bulk, density and area by zoning district.

RA to GE requirements in table – [unchanged]

Add PSLR requirements to table.

		Minimum Zoning Lot Size for Each Unit		Maximum Height of Structures		Minimum Yard Setback (Per Lot in Feet)			Minimum Pkg. Setback*, ** (Per Lot in Feet)				
Zoning District		Area in Sq. Ft. or Ac.	Width in Feet	Stories	Feet	Front	Each Side	Rear	Front	Each Side	Rear	Open Space Area	Maximum % of Lot Area Covered (By All Buildings)
PSLR	Planned Suburban Low Rise	(g)	(g)	2 1/2	35	See Sec. 2303B	15(c), t)	20 (l, t)	See Sec. 2303B	10(a)	10(a)	See Sec. 2303B	25%

Table footnotes – [unchanged]

Balance of Article – [unchanged]

Part III. That **ARTICLE 25 GENERAL PROVISIONS** is amended to read as follows:

ARTICLE 25 GENERAL PROVISIONS

Section 2420 Exterior Building Wall Façade Materials

Paragraphs 1. – 14. [unchanged]

SCHEDULE REGULATING FACADE MATERIALS

FAÇADE REGIONS

REGION 1	BUILDINGS LOCATED IN THE TC, TC-1 (NOTE 7), RC, RA, R, RM-1, RM-2 AND GE DISTRICTS AND ALL BUILDINGS LOCATED WITHIN 500 FEET OF THE R.O.W. OF A FREEWAY OR MAJOR THOROUGHFARE, AS DEFINED IN THE CITY'S MASTER PLAN FOR LAND USE.
REGION 2	ALL BUILDINGS IN DISTRICTS OTHER THAN I-1 AND I-2, OTHER THAN THOSE IN REGION 1 AND REGION 4.
REGION 3	BUILDINGS IN I-1 AND I-2 DISTRICTS, OTHER THAN THOSE IN REGION 1.
REGION 4	BUILDINGS LOCATED IN THE PSLR DISTRICT

WALL MATERIALS	REGION 1	REGION 2	REGION 3	REGION 4
Brick natural clay	100 (note 9)	100	100	100 (note 9)
Glazed brick & ceramic tile	25	75	100 (note 1)	25
Panel brick	0	15	15	0
Limestone	50	100	100	25
Stone field, cobble, etc.	50	75	100	100
Granite/marble, polished	50	100	100	0
Fluted & split faced c.m.u.	10	50	75 (note 2, note 13)	10 (note 15)
Striated scored c.m.u.	0	0	25 (note 2, note 13)	0
Concrete "C" brick (note 14)	25	50	75	0
Precast colored exposed agg.	0	25	50	0
Precast, other	0	0	0	0
Flat metal panels (urethane backed)	50 (note 10)	50	75	0
Standing seam metal	25 (note 3)	50	75 (note 8)	0
Ribbed metal panels	0	25	50 (note 8)	0
Spandrel glass	50	50	50	0
Glass block	0	25	50	0
Display glass	25	25	25 (note 4)	0
Molded cornices, trim, columns, surrounds	15	15	15	25 (note 16)
Wood siding, painted, t & g and batten siding	0 (note 11)	25 (note 11)	50	50
Vinyl & aluminum siding	0	0	50 (note 12)	0
E.I.F.S. (dryvit)	25	50	75 (note 5)	0
Cast stone & G.F.R.C.	25	50	75	0
Cement plaster	0	25	25	0
Canvas awnings	10	15	15 (note 6)	0
Asphalt shingles	25	25	50	35

MAXIMUM ALLOWABLE PERCENTAGES

NOTES:

1. - 14. [unchanged]

15. Limited to only the area parallel to and below the lower four (4) feet of the front façade.

16. 10 percent minimum.

GENERAL NOTES: [unchanged]

PART IV.

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 V.

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 VI.

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 VII.

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:
Nays:
Abstentions:
Absent: