

## MEMORANDUM



**TO:** MEMBERS OF THE PLANNING COMMISSION  
**FROM:** KRISTEN KAPELANSKI, *AICP*, PLANNER *Kristen*  
**THROUGH:** BARBARA MCBETH, *AICP*, COMMUNITY DEVELOPMENT  
DEPUTY DIRECTOR  
**SUBJECT:** REVIEW OF PROPOSED TEXT AMENDMENT 18.273  
**DATE:** OCTOBER 3, 2014

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The applicant, Brightmoor Christian Church, is proposing modifications to Article 4, R-1 through R-4 One-Family Residential Districts, Section 402, Principal Uses Permitted Subject to Special Conditions to allow for additional building height of up to 65 feet for places of worship. The applicant is proposing the ordinance change to 'accommodate modern worship sanctuaries with a seating capacity over 2,000 persons in a riser configuration as well as the pre-service and post-service lobby areas'.

### Staff Review

Planning staff recommends approval of the proposed text amendment (with the suggested staff modifications as attached) to allow for additional height for places of worship located on larger development sites. On initial review, staff agrees with the applicant's proposed condition to require an additional 1.5 feet of setback for each foot of height above 35 feet (the current maximum height for all uses within the district). Staff's review of two local ordinances revealed Places of Worship may exceed the height standards of the district, provided that one foot of additional building setback is provided for each one foot of additional building height that is proposed:

- Troy: Buildings of greater than the maximum height allowed in the District in which a place of worship is located, may be allowed provided that the front, side and rear yards are increased one (1) foot for each foot of building height which exceeds the maximum height allowed.

- Southfield: Height of Public and Semi Public Buildings. The height of public and semi public buildings such as churches, cathedrals, temples, hospitals, sanitariums, or schools shall not exceed fifty-five (55) feet, provided that if any such building exceeds the height limitation for the district in which it is located, then, in addition to the required setback, the building shall be set back an additional one (1) foot for each foot by which the building exceeds the height standard.

The applicant has also proposed an increase in the required minimum site size and minimum site width along the front yard. Staff's version of the ordinance allows increased height for Churches and Places of Worship that would be located on larger sites – 30 acres is provided as recommended by the applicant -- while still allowing for sites as small as 3 acres to accommodate a place of worship of up to 35 feet in height. Planning staff and the City Attorney's office will provide further review of these standards as the ordinance amendment is brought forward for public hearing.

Staff has attached a revised amendment and suggested conditions. The applicant was asked to review this memo along with the attached language and contact the Planning Division to indicate whether they would like to make any additional revisions to their proposed amendment in accordance with staff's recommendations. The applicant has asked that the request move forward as provided in this packet.

The Planning Commission is asked to review the proposed ordinance amendment and set the public hearing for the proposed text amendment for November 12, 2014. At that time, the Planning Commission will be asked to make a recommendation to the City Council, who will ultimately approve or deny the amendment and may propose alterations as well. The attached staff version of the proposed amendment is subject to review and changes by City staff and/or the City Attorney's Office. Please contact Kristen Kapelanski (248) 347-0586 or [kkapelanski@cityofnovi.org](mailto:kkapelanski@cityofnovi.org)) with any questions or concerns.

## APPLICANT VERSION

STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF NOVI

ORDINANCE NO. 14- 18 – 273

AN ORDINANCE TO AMEND ORDINANCE NO. 97-18 AS AMENDED, THE CITY OF NOVI ZONING ORDINANCE AT ARTICLE 4, R-1 THROUGH R-4 ONE-FAMILY RESIDENTIAL DISTRICTS, SECTION 402, PRINCIPAL USES PERMITTED SUBJECT TO SPECIAL CONDITIONS; IN ORDER TO ALLOW ADDITIONAL HEIGHT FOR PLACES OF WORSHIP.

THE CITY OF NOVI ORDAINS:

**Part I.** That Ordinance No. 97-18, the City of Novi Zoning Ordinance, as amended, hereby amended to read as follows:

### ARTICLE 4. R-1 THROUGH R-4 ONE-FAMILY RESIDENTIAL DISTRICTS

Section 400. [Unchanged.]

Section 401. [Unchanged.]

Section 402. Principal Uses Permitted Subject to Special Conditions

1. Churches and other facilities normally incidental thereto subject to the following conditions
  - a. Minimum site size shall be ~~three (3) acres~~ thirty (30) acres.
  - b. Minimum site width shall be ~~two hundred (200)~~ seven hundred fifty (750) feet along the front yard.
  - c. All access to the site shall be onto a Major Arterial, Arterial or Minor Arterial road as shown on the City's Thoroughfare Plan.
  - d. Minimum building setbacks shall be seventy-five (75) feet from all property lines.
  - e. Buildings may be constructed up to sixty-five (65) feet in height with building setbacks increased by one and one-half (1.5) feet for every one (1) foot of building height in excess of thirty-five (35) feet.
  - f. There shall be no parking in the front yard, nor closer than twenty (20) feet from any side or rear lot line, except in those instances where the lot abuts a residential lot and in those instances, no closer than thirty-five (35) feet.
  - g. Screening of vehicular parking areas shall be in conformity with requirements at Section 2514.
  - h. A noise impact statement is required subject to the standards of Section 2519.10(c).

### 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.

## APPLICANT VERSION

### PART III.

**Savings Clause.** The amendment of the Novi Code of Ordinances set forth in this Ordinance does not affect or impair any act done, offense committed, or right accruing, accrued, or acquired or liability, penalty, forfeiture or punishment, pending or incurred prior to the amendment of the Novi Code of Ordinances set forth in this Ordinance.

### **PART IV.**

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

### **PART V.**

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

MADE, PASSED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, ON THE \_\_\_ DAY OF \_\_\_\_\_, 2014.

\_\_\_\_\_  
ROBERT J. GATT, MAYOR

\_\_\_\_\_  
MARYANNE CORNELIUS, CITY CLERK

Ayes:  
Nays:  
Abstentions:  
Absent:

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COUNTY OF OAKLAND

CITY OF NOVI

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**STAFF VERSION**

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ROBERT J. GATT, MAYOR

\_\_\_\_\_  
MARYANNE CORNELIUS, CITY CLERK

Ayes:  
Nays:  
Abstentions:  
Absent: