



CITY of NOVI CITY COUNCIL

Agenda Item C
May 7, 2018

SUBJECT: Approval of Zoning Ordinance Text Amendment 18-125.24 to amend the City of Novi Woodlands Protection Ordinance at Section 37-8, Relocation of replacement of trees, within Article 1, In General, to update the Woodland Tree Replacement Chart in order to align it more closely with the stated goals of the ordinance, and to update the Reforestation Credit Table to increase the effectiveness of on-site replacement plantings.
SECOND READING.

SUBMITTING DEPARTMENT: Community Development Department – Planning *Bauby*

CITY MANAGER APPROVAL: *PA*

BACKGROUND INFORMATION:

Periodically, the City staff reviews ordinance standards to determine the need for updates. The current Woodlands Protection ordinance was introduced in 2009 and there have been no updates to it since that time. The City's landscape architect, Rick Meader, has reviewed the ordinance over the past three years and has made notes to address concerns he and our environmental consultant, Environmental Consulting and Technology, Inc. (ECT), have had in enforcing the ordinance. Revisions are proposed to Section 37-8 of Section 37 Woodlands Protection with these objectives in mind:

- Removal of species not native to Michigan from the Woodland Tree Replacement Chart
- Addition of some native species not currently included in the Woodland Tree Replacement Chart
- Restriction of a provision in the Reforestation Credit Table that is difficult to manage and evaluate
- Addition of a provision in the Reforestation Credit Table that can be used to increase species diversity of replacement plantings

The proposed changes have been shared with thirteen landscape architects who frequently work on projects in Novi in order to seek impressions and comments. One of the two replies received has been incorporated in the revised Reforestation Credit Table. The general hope and expectation in making these revisions is that the city will benefit from well-landscaped sites that are beneficial to our environment and community character, and that they will help on-site replacement plantings make a more beneficial ecological impact in keeping with the stated goals of the ordinance.

The Planning Commission held a Public Hearing on March 28, 2018 and provided a favorable recommendation to the City Council.

The City Council approved the First Reading of the proposed changes on April 23, 2018. At that meeting, the City Council requested an additional change to allow transplants from on-site to be used for replacements, was requested. The requested change was added to Section 37-8 and is included with this proposal for the Second Reading:

- (i) As a part of the approval of a development plan or plot plan, the approving body may allow credit for transplanting of existing on-site trees from one location on the site to another location, provided that such trees are native species and are in good health. The credits for

such transplants shall be calculated per their size, in accordance with Section 37-8 (a) and (c). Transplanting shall be carried out per Section 9.3 of the Landscape Design Manual.

RECOMMENDED ACTION: Approval of Zoning Ordinance Text Amendment 18.283 to amend the City of Novi Woodlands Protection Ordinance (Section 37) at Section 37-8 within Article 1, In General, to update the Woodland Tree Replacement Chart and the Reforestation Credit Table in order to align the ordinance provisions more closely with the ordinance goals. **SECOND READING**

**INFORMATIONAL MEMO
UPDATED THROUGH APRIL 30, 2018**



MEMORANDUM

TO: PETE AUGER, CITY MANAGER
FROM: RICK MEADER, LANDSCAPE ARCHITECT
THROUGH: BARBARA MCBETH, AICP, CITY PLANNER
SUBJECT: WOODLAND ORDINANCE UPDATE
DATE: APRIL 30, 2018

Periodically, the City staff reviews ordinance standards to determine the need for updates. The original Woodland Protection Ordinance was introduced in 1986 and the current ordinance was adopted in 2009. The City's landscape architect, Rick Meader, and Environmental Consultant, Pete Hill, have worked with and reviewed the ordinance over the past three years and have made notes to address concerns encountered with enforcing the ordinance. Three amendments to the ordinance are proposed at this time to help provide better adherence to the goals of the ordinance.

1. An ongoing concern has been with the Woodland Replacement Chart, which has allowed some trees that aren't consistent with the stated goal of the ordinance to "provide for the ... replacement ... of trees and woodlands..." (Sec 37-1(b)(1)). Revisions are proposed to the Woodland Replacement Chart in Section 37 of the Code of Ordinances (Woodlands Protection) with these objectives in mind:
 - Removal from the chart of species not native to Michigan as allowed species for woodland replacements.
 - Addition to the chart of some native species to increase design flexibility and habitat enhancement.
 - Restriction of some plant genera listed in the chart to include just native species. For example, both the American Beech and European Beech are now allowed as we only show "Beech" on the table. The revision restricts the choice to just American Beech.

The proposed changes have been shared with our environmental consultants to get their opinion on species that should and should not be part of the woodland replacement chart. The changes are summarized here:

- Limit *Fagus* (Beech) to American Beech (*Fagus grandifolia*)
- Limit *Juglans* (Walnut) to Black walnut (*Juglans nigra*) and Butternut (*Juglans cinerea*)
- Add: Smooth shadbush (*Amelanchier laevis*)
- Add: Pagoda Dogwood (*Cornus alternifolia*)
- Add: Flowering Dogwood (*Cornus florida*)
- Remove: Yellowwood (*Cladrastis lutea*) - not native to Michigan
- Remove: Sweetgum (*Liquidambar styraciflua*) - not native to Michigan
- Remove: American Bladdernut (*Staphylea trifolia*) - actually a shrub
- Remove: Bald cypress (*Taxodium distichum*) - not native to Michigan
- Remove: Eastern Hemlock (*Tsuga canadensis*) - wooly adelgid is negatively impacting it

In addition, the chart will be sorted by Botanical Name. Currently it is not sorted, making it more difficult to use than it needs to be.

The general hope and expectation in making these revisions is that the city will benefit from a greater number of native species planted around the city which are more beneficial to wildlife and the surrounding environment.

2. A second change proposed is to the Replacement Credit Table. This change would limit the percentage of replacement credits that can be gained through the use of native seed mixes on the site. Currently, the table allows 1 credit per 70 square yards of seeded area, with no limit in the amount of credits gained through this provision. Most projects have made only moderate use of this provision, if any, but two recent projects have made significant use of it. One used it for 32.9% of its woodland replacement credits and another used it for 32.5% of its credits. The table has limits ranging from 70% for undersized canopy trees to 30% for small shrubs, but no limit on seed mixes.

The difficulty with seeding is that there is no way to verify the effectiveness of plantings of native seed mixes until 3 years after the seeding occurs, and few if any developments actually maintain naturally seeded areas to get the desired results. Most areas end up being mowed as lawn, or are allowed to be overtaken by weeds, so there is little visual or ecological benefit from this option.

The change proposed here is to limit the percentage of woodland replacement credits that can be provided with seeding to a maximum of 5 percent. This would allow some areas that would be planted densely to provide true woodlands with a woodland mix to provide a more complete habitat than just a lawn seed mix. The same problems mentioned above related to maintenance would probably still be encountered, but as the shade density of the woods increased, it is likely that the woodland plants in the mix would have an advantage over weeds that need sunlight.

3. A third change is based on a recommendation made by a local landscape designer in response to the proposed changes above. A new category is being added to the Reforestation Credit Table. Projects would now be able to get 1 woodland replacement credit for planting 50 tree or shrub whips at least 24" tall. This is proposed because many desirable species of native trees and shrubs are not commonly available in nurseries at the larger sizes we require. This will allow much more species diversity to be included in replacement plantings. For now, we will restrict the use of this option to just 5% of the total credits required in order to see how it goes from a survival and verification standpoint.
4. A fourth change was added **per a request from City Council during the First Reading** of the proposed modifications, based on comments from the public made during the meeting. Wording has been added to the ordinance to allow the use of transplants from on-site to be used as replacements on other areas of the site. The credits gained from these transplants will be in line with other replacements per sections 37-8 (a) and (c). Thus, a 2.5 inch caliper transplanted tree would receive one credit and smaller sized trees would receive credit per the Woodland Replacement Credit Table (Section 37-8 (c)).

All of these proposed changes are fairly minimal but will provide greater ecological benefits to the city without unduly penalizing residents or developers. The draft ordinance amendments have been prepared by staff and reviewed by the City Attorney's Office. The proposed changes were shared with landscape architects who frequently do business with the City of Novi to solicit additional comment. The 3rd change is a result of those comments.

On March 28, 2018, the Planning Commission reviewed the proposed amendments and held a Public Hearing. No changes to the proposed revisions were requested by the Planning Commission at that meeting.

**STRIKE-THROUGH ORDINANCE
SECOND READING**

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF NOVI
ORDINANCE NO. 18-125.24

AN ORDINANCE TO AMEND THE CITY OF NOVI WOODLANDS PROTECTION ORDINANCE AT SECTION 37-8, RELOCATION OF REPLACEMENT OF TREES, WITHIN ARTICLE 1, IN GENERAL, TO UPDATE THE WOODLAND TREE REPLACEMENT CHART IN ORDER TO ALIGN IT MORE CLOSELY WITH THE STATED GOALS OF THE ORDINANCE, AND TO UPDATE THE REFORESTATION CREDIT TABLE TO INCREASE THE EFFECTIVENESS OF ON-SITE REPLACEMENT PLANTINGS.

THE CITY OF NOVI ORDAINS:

PART I.

That the City of Novi Ordinance, Section 37, Woodland Protection, is hereby amended to read as follows:

Section 37: Woodland Protection

ARTICLE I. - IN GENERAL

Sec. 37-1. through Sec. 37-7. [Unchanged]

Sec. 37-8. - Relocation or replacement of trees.

- (a) Whenever an approved site plan or woodland use permit allows the removal of trees eight-inch d.b.h. or greater, such trees shall be relocated or replaced by the permit grantee. Such woodland replanting shall not qualify toward the landscaping requirements of the subdivision ordinance or the zoning landscaping, section ~~25095.5~~. All replacement trees shall be two and one-half (2½) inches caliper or greater. Tree replacement shall be at the following ratio:

Replacement Tree Requirements

Removed Tree d.b.h. (In Inches)	Ratio Replacement/ Removed Trees
8 < 11	1
> 11 < 20	2
> 20 < 29	3

> 30	4
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(b) All replacement trees shall satisfy American Association of Nurseryman standards, and be:

- (1) through (4) [Unchanged]
- (5) Staked, watered and mulched in accordance with section ~~2509-5.5 of appendix A~~, planted in accordance with the city tree planting details, and approved through inspection by the city landscape architect or designee.
- (6) [Unchanged]
- (7) Planted in accordance with the city tree planting detail, and approved through inspection by the city.
- (8) through (9) [Unchanged]

Woodland Tree Replacement Chart

Common Name	Botanical Name
Red Pine	Pinus resinosa
Paper Birch	Betula papyrifera
Yellow Birch	Betula alleghaniensis
Downy Serviceberry	Amelanchier arborea
Eastern Redbud	Cercis canadensis
Northern Hackberry	Celtis occidentalis
American Bladdernut	Staphylea trifolia
Kentucky Coffeetree	Gymnocladus dioica
Ohio Buckeye	Aesculus glabra
Black Cherry	Prunus serotina
Black Maple	Acer nigrum

Striped Maple	<i>Acer-Pennsylvanicum</i>
Mountain Maple	<i>Acer-spicatum</i>
Beech	<i>Fagus</i>
Sugar Maple	<i>Acer-saccharum</i>
Swamp White Oak	<i>Quercus-bicolor</i>
Shingle Oak	<i>Quercus-imbricaria</i>
Scarlet Oak	<i>Quercus-coccinea</i>
Chinkapin Oak	<i>Quercus-muehlenbergii</i>
Red Oak	<i>Quercus-rubra</i>
White Oak	<i>Quercus-alba</i>
Burr Oak	<i>Quercus-macrocarpa</i>
Black Oak	<i>Quercus-velutina</i>
Walnut	<i>Juglans</i>
Shagbark Hickory	<i>Carya-ovata</i>
Pignut Hickory	<i>Carya-glabra</i>
Bitternut Hickory	<i>Carya-cordiformis</i>
Sweetgum	<i>Liquidambar-styraciflua</i>
White Pine <u>(1.5:1 ratio) (6' ht.)</u>	<i>Pinus-strobus</i>
Hemlock <u>(1.5:1 ratio) (6' ht.)</u>	<i>Tsuga-canadensis</i>
White Spruce <u>(1.5:1 ratio) (6' ht.)</u>	<i>Picea-glauca</i>

Black Spruce _ (1.5:1 ratio) (6' ht.)	<i>Picea mariana</i>
Bald Cypress	<i>Taxodium distichum</i>
Yellowwood	<i>Cladrastis lutea</i>
Red Maple	<i>Acer rubrum</i>
American Basswood	<i>Tilia americana</i>
American Sycamore	<i>Platanus occidentalis</i>
Tupelo	<i>Nyssa sylvatica</i>
Tuliptree	<i>Liriodendron tulipifera</i>
Thornless Honeylocust	<i>Gleditsia triacanthos inermis</i>
American Hornbeam	<i>Carpinus caroliniana</i>
American Hophornbeam	<i>Ostrya virginiana</i>
Eastern Larch	<i>Larix laricina</i>

<u>Common Name</u>	<u>Botanical Name</u>
Black Maple	Acer nigrum
Striped Maple	Acer pennsylvanicum
Red Maple	Acer rubrum
Sugar Maple	Acer saccharum
Mountain Maple	Acer spicatum
Ohio Buckeye	Aesculus glabra
Downy Serviceberry	Amelanchier arborea
Smooth Shadbush	Amelanchier laevis
Yellow Birch	Betula alleghaniensis
Paper Birch	Betula papyrifera
American Hornbeam	Carpinus caroliniana
Bitternut Hickory	Carya cordiformis
Pignut Hickory	Carya glabra

Shagbark Hickory	Carya ovata
Northern Hackberry	Celtis occidentalis
Eastern Redbud	Cercis canadensis
Pagoda Dogwood	Cornus alternifolia
Flowering Dogwood	Cornus florida
American Beech	Fagus grandifolia
Thornless Honeylocust	Gleditsia triacanthos inermis
Kentucky Coffeetree	Gymnocladus dioicus
Walnut	Juglans nigra or Juglans cinerea
Eastern Larch	Larix laricina
Tuliptree	Liriodendron tulipifera
Tupelo	Nyssa sylvatica
American Hophornbeam	Ostrya virginiana
White Spruce (1.5:1 ratio) (6' ht.)	Picea glauca
Black Spruce (1.5:1 ratio) (6' ht.)	Picea mariana
Red Pine (1.5:1 ration) (6' ht.)	Pinus resinosa
White Pine (1.5:1 ratio) (6' ht.)	Pinus strobus
American Sycamore	Platanus occidentalis
Black Cherry	Prunus serotina
White Oak	Quercus alba
Swamp White Oak	Quercus bicolor
Scarlet Oak	Quercus coccinea
Shingle Oak	Quercus imbricaria
Burr Oak	Quercus macrocarpa
Chinkapin Oak	Quercus muehlenbergii
Red Oak	Quercus rubra
Black Oak	Quercus velutina
American Basswood	Tilia americana

- (c) The ~~planning-Planning commission-Commission~~ may approve the planting of a variety of native woodland plants toward required woodland replacements credits. The combined total of plant credits must meet or exceed the total DBH normally required for standard 2.5-inch caliper woodland tree replacement. Reforestation plants will receive credit as depicted in the reforestation credit table below. For example, two (2) 1.5-inch caliper hickory trees could be planted and credited as one (1) replacement for a removed eight-inch regulated woodland tree. In order to assure a variety of plant types, the maximum allowable percentage of replacement credits for any plant type are as listed below. Site plans including proposed reforestation credits should include a chart such as above documenting the percentages of vegetation types utilized.

Reforestation Credit Table

Type	Minimum Size	DBH Credit Proposed Plant:	Max. Use
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		Required Replacement.	Percentage
Canopy Trees	1.5" Caliper	2:1	70%
Evergreen trees	36" Height	3:1	30%
Understory trees	1" Caliper	5:1	30%
Large shrubs	30" Height	6:1	30%
Small shrubs	18" Height	8:1	30%
Tree, shrub whips	24" height	50:1	5%
Perennials	1 Gallon Cont.	25:1	50%
Groundcover seeding	Per seed source recommendations	70 SY area:1	None 5%

(d) The location of replacement trees shall be subject to the approval of the planning commission and shall be such as to provide the optimum enhancement, preservation and protection of woodland areas. Where woodland densities permit, tree relocation or replacement shall be within the same woodland areas as the removed trees. Such woodland replanting shall not be used for the landscaping requirements of the subdivision ordinance or the zoning landscaping, section ~~25095.5~~.

(e) through (h) [Unchanged]

(i) As a part of the approval of a development plan or plot plan, the approving body may allow credit for transplanting of existing on-site trees from one location on the site to another location, provided that such trees are native species and are in good health. The credits for such transplants shall be calculated per their size, in accordance with Section 37-8 (a) and (c). Transplanting shall be carried out per Section 9.3 of the Landscape Design Manual.

Sec. 37-9. Through 37-25. [Unchanged]

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 _____, 2018.

ROBERT J. GATT, MAYOR

CORTNEY HANSON, CITY CLERK

Ayes:

Nays:

Abstentions:

Absent:

**CLEAN ORDINANCE
SECOND READING**

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF NOVI
ORDINANCE NO. 18-125.24

AN ORDINANCE TO AMEND THE CITY OF NOVI WOODLANDS PROTECTION ORDINANCE AT SECTION 37-8, RELOCATION OF REPLACEMENT OF TREES, WITHIN ARTICLE 1, IN GENERAL, TO UPDATE THE WOODLAND TREE REPLACEMENT CHART IN ORDER TO ALIGN IT MORE CLOSELY WITH THE STATED GOALS OF THE ORDINANCE, AND TO UPDATE THE REFORESTATION CREDIT TABLE TO INCREASE THE EFFECTIVENESS OF ON-SITE REPLACEMENT PLANTINGS.

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PART I.

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- (a) Whenever an approved site plan or woodland use permit allows the removal of trees eight-inch d.b.h. or greater, such trees shall be relocated or replaced by the permit grantee. Such woodland replanting shall not qualify toward the landscaping requirements of the subdivision ordinance or the zoning landscaping, section 5.5. All replacement trees shall be two and one-half (2½) inches caliper or greater. Tree replacement shall be at the following ratio:

Replacement Tree Requirements

Removed Tree d.b.h. (In Inches)	Ratio Replacement/ Removed Trees
8 < 11	1
> 11 < 20	2
> 20 < 29	3

> 30

4

(b) All replacement trees shall satisfy American Association of Nurseryman standards, and be:

(1) through (4) [Unchanged]

(5) Staked, watered and mulched in accordance with section 5.5, planted in accordance with the city tree planting details, and approved through inspection by the city landscape architect or designee.

(6) [Unchanged]

(7) Planted in accordance with the city tree planting detail, and approved through inspection by the city.

(8) through (9) [Unchanged]

Woodland Tree Replacement Chart

Common Name	Botanical Name
Black Maple	<i>Acer nigrum</i>
Striped Maple	<i>Acer pennsylvanicum</i>
Red Maple	<i>Acer rubrum</i>
Sugar Maple	<i>Acer saccharum</i>
Mountain Maple	<i>Acer spicatum</i>
Ohio Buckeye	<i>Aesculus glabra</i>
Downy Serviceberry	<i>Amelanchier arborea</i>
Smooth Shadbush	<i>Amelanchier laevis</i>
Yellow Birch	<i>Betula alleghaniensis</i>
Paper Birch	<i>Betula papyrifera</i>
American Hornbeam	<i>Carpinus caroliniana</i>
Bitternut Hickory	<i>Carya cordiformis</i>
Pignut Hickory	<i>Carya glabra</i>
Shagbark Hickory	<i>Carya ovata</i>
Northern Hackberry	<i>Celtis occidentalis</i>
Eastern Redbud	<i>Cercis canadensis</i>
Pagoda Dogwood	<i>Cornus alternifolia</i>
Flowering Dogwood	<i>Cornus florida</i>
American Beech	<i>Fagus grandifolia</i>
Thornless Honeylocust	<i>Gleditsia triacanthos inermis</i>
Kentucky Coffeetree	<i>Gymnocladus dioica</i>
Walnut	<i>Juglans nigra</i> or <i>Juglans cinerea</i>
Eastern Larch	<i>Larix laricina</i>
Tuliptree	<i>Liriodendron tulipifera</i>

Tupelo	<i>Nyssa sylvatica</i>
American Hophornbeam	<i>Ostrya virginiana</i>
White Spruce_(1.5:1 ratio) (6' ht.)	<i>Picea glauca</i>
Black Spruce_(1.5:1 ratio) (6' ht.)	<i>Picea mariana</i>
Red Pine_(1.5:1 ration) (6' ht.)	<i>Pinus resinosa</i>
White Pine_(1.5:1 ratio) (6' ht.)	<i>Pinus strobus</i>
American Sycamore	<i>Platanus occidentalis</i>
Black Cherry	<i>Prunus serotina</i>
White Oak	<i>Quercus alba</i>
Swamp White Oak	<i>Quercus bicolor</i>
Scarlet Oak	<i>Quercus coccinea</i>
Shingle Oak	<i>Quercus imbricaria</i>
Burr Oak	<i>Quercus macrocarpa</i>
Chinkapin Oak	<i>Quercus muehlenbergii</i>
Red Oak	<i>Quercus rubra</i>
Black Oak	<i>Quercus velutina</i>
American Basswood	<i>Tilia americana</i>

(c) The Planning Commission may approve the planting of a variety of native woodland plants toward required woodland replacements credits. The combined total of plant credits must meet or exceed the total DBH normally required for standard 2.5-inch caliper woodland tree replacement. Reforestation plants will receive credit as depicted in the reforestation credit table below. For example, two (2) 1.5-inch caliper hickory trees could be planted and credited as one (1) replacement for a removed eight-inch regulated woodland tree. In order to assure a variety of plant types, the maximum allowable percentage of replacement credits for any plant type are as listed below. Site plans including proposed reforestation credits should include a chart such as above documenting the percentages of vegetation types utilized.

Reforestation Credit Table

Type	Minimum Size	DBH Credit Proposed Plant: Required Replacement.	Max. Use Percentage
Canopy Trees	1.5" Caliper	2:1	70%
Evergreen trees	36" Height	3:1	30%
Understory trees	1" Caliper	5:1	30%
Large shrubs	30" Height	6:1	30%
Small shrubs	18" Height	8:1	30%

Tree, shrub whips	24" height	50:1	5%
Perennials	1 Gallon Cont.	25:1	50%
Groundcover seeding	Per seed source recommendations	70 SY area:1	5%

(d) The location of replacement trees shall be subject to the approval of the planning commission and shall be such as to provide the optimum enhancement, preservation and protection of woodland areas. Where woodland densities permit, tree relocation or replacement shall be within the same woodland areas as the removed trees. Such woodland replanting shall not be used for the landscaping requirements of the subdivision ordinance or the zoning landscaping, section 5.5.

(e) through (h) [Unchanged]

(i) As a part of the approval of a development plan or plot plan, the approving body may allow credit for transplanting of existing on-site trees from one location on the site to another location, provided that such trees are native species and are in good health. The credits for such transplants shall be calculated per their size, in accordance with Section 37-8 (a) and (c). Transplanting shall be carried out per Section 9.3 of the Landscape Design Manual.

Sec. 37-9. Through 37-25. [Unchanged]

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 _____, 2018.

ROBERT J. GATT, MAYOR

CORTNEY HANSON, CITY CLERK

Ayes:
Nays:
Abstentions:
Absent: