

MEMORANDUM



TO: MEMBERS OF THE PLANNING COMMISSION
FROM: BARBARA MCBETH, AICP, CITY PLANNER
SUBJECT: RESIDENTIAL TEXT AMENDMENTS
DATE: APRIL 14, 2023

In connection with the school and park property exchange, and with the expectation that the Novi Community Schools likely intends at some point in the future to use a portions of the exchanged property for school uses, staff is proposing ordinance modifications to the Single Family Residential districts related to the standards for public and private elementary, intermediate or secondary school uses, and to clarify the standards and remove inconsistencies that have been noted. Explanations of the draft versions of the amendments are included in this memo followed by the text of the ordinance with proposed changes highlighted in red text.

RA, RESIDENTIAL ACREAGE DISTRICT

In the RA, Residential Acreage District, elementary schools are currently considered a Principal Permitted Use. Intermediate or secondary schools are considered a Special Land Use. In review of the ordinance, staff identified an inconsistency in the ordinance placing elementary schools in both categories, Principal Permitted Uses and Special Land Uses. The proposed ordinance correction below will allow elementary schools in the RA, Residential Acreage District as a Principal Permitted Use, as we believe the original ordinance intended.

Staff is also recommending adding the word "other" to references to "Public, parochial, and *other* private schools" throughout the ordinance for consistency.

3.1.1 RA Residential Acreage

B. Principal Permitted Uses

- iv. Public, parochial, and other private elementary Schools. SS 4.3

C. Special Land Uses

- v. Public, parochial, and other private ~~elementary~~, intermediate or secondary schools. SS 4.3

R-1 THROUGH R-4 DISTRICTS

In the R-1 through R-4 Districts, public, parochial, and other private elementary, intermediate or secondary schools are considered a Special Land Use, subject to the standards of Section 4.3.2. There are no significant changes proposed to these sections, but the standards of Section 4.3.2 are proposed to be updated to amend this section, as noted below.

3.1.2 R-1 One-Family Residential

C. Special Land Uses

- ii. Public, parochial, and other private elementary, intermediate or secondary schools SS 4.3.2

SECTION 4.3 USE STANDARDS

Section 4.3 provides use standards for schools and is referenced in the RA, and the R-1 through R-4 Districts. Two clean-ups to this section are proposed. First, Section 4.3.1 is proposed to be updated to reflect more accurately that different schools are permitted either as a Principal Permitted Use or as a Special Land Use, as provided in Section 3.1.1. The second clean-up is to Section 4.3.2 to note that, in the ordinance most school uses are considered a Special Land Use, except for elementary schools in the RA District.

Finally, a new section is added to 4.3.2 noting that an existing public school use on the R-1 through R-4 properties may expand to occupy adjacent properties, and shall be considered a Principal Permitted use. It also clarifies that "adjacent" in this situation shall include property that is separated from a street or road. The amendments are being made at the request of the school district to confirm in the ordinance that adjustments or additions to existing developed public school properties have typically been reviewed and approved through the Site Plan Review process without the need for new review of a Special Land Use once the primary use as a school has been established.

SECTION 4.3 SCHOOLS

1. In the RA district, public, parochial, and other private elementary schools offering courses in general education, not operated for profit, and not including dormitories are permitted as a Principal Permitted Use.
2. In the RA, R-1, R-2, R-3 and R-4 districts, public, parochial, and other private elementary, intermediate or secondary schools offering courses in general education, not operated for profit, and not including dormitories are a permitted special land use, except as otherwise noted. Access to the site shall be in accordance with Section 5.13. A noise impact statement is required subject to the standards of Section 5.14.10.B. Notwithstanding anything in this Section 4.3 of the Zoning Ordinance, as well as Article 3.0 and Article 3.1, a public school that has been approved and constructed under the Michigan School Code, MCL 380.1263 on property zoned R-1, R-2, R-3, or R-4 may expand or extend to occupy adjacent property and shall be considered a principal permitted use thereon.

The Planning Commission is asked to review the amendments, and if acceptable, to set the matter for a public hearing at an upcoming meeting. Additional modifications to the ordinance language may be made by staff or the City Attorney's office prior to the public hearing.