



**CITY OF NOVI CITY COUNCIL**  
**JULY 22, 2024**

**SUBJECT:** Approval of Text Amendment 18.301 to amend various sections of the Zoning Ordinance to fix inconsistencies, clarify ordinance language, remove the unused EXPO Zoning District and associated Sections, modify the requirements for Microbreweries and Brewpubs, update the photometric standards, and other items as deemed necessary.  
**SECOND READING**

**SUBMITTING DEPARTMENT:** Community Development – Planning Division

**BACKGROUND INFORMATION:**

The attached City-initiated text amendment was presented to the City Council in July and August of 2023, and was approved for First and Second Readings. Due to staff's inadvertent missing of the required publication deadline following the City Council's August 14, 2023 approval of the Second Reading of the text amendment, the City Attorney's office has advised that the same text amendment be presented for a Second Reading once more for Council's consideration. If approved, publication of the ordinance will follow within 15 days of the adoption of the ordinance amendment. The information below relates to the text amendment considered in 2023:

The Zoning Ordinance helps guide and regulate development projects throughout the City. As new state laws are passed and as the use(s) of land continues to shift, certain requirements in the zoning ordinance may no longer be relevant or appropriate. This proposed zoning ordinance amendment is intended to fix inconsistencies, clarify ordinance language, remove the EXPO Zoning District and associated Sections, modify the requirements for Microbreweries and Brewpubs, update the photometric standards, and other items as deemed necessary. Listed below are the sections and changes related to such sections:

**EXPO Zoning District**

- Section 3.1.14 EXPO Exposition District
- Section 3.6.2.E Notes to District Standards

- Section 3.24 EXPO District Required Conditions
- Section 4.12.1.C.ii Group Day Care Homes, Day Care Centers, and Adult Day Care Centers
- Section 4.31 Veterinary Hospitals or Clinics
- Section 4.44 Industrial Office Sales, Service, and Industrial Office Related Uses
- Section 4.45 Select I-1 and EXPO District Uses
- Section 4.47 Motion Picture, Television, Radio, and Photographic Production Facilities
- Section 4.76 Retail Sale of Products or Services Occurring as part of a Scheduled Exposition Function
- Section 4.77 I-1 Uses in the EXPO District
- Section 5.4.3 Off-Street Loading and Unloading
- Section 5.5.3.A.ii Landscape Standards
- Section 5.5.3.B.ii.f Landscape Standards
- Section 5.5.3.C.iii Landscape Standards
- Section 5.14.10.A.ii Performance Standards

### **Microbreweries and Brewpubs**

- Section 2.2 Definitions
- Section 4.35 Microbreweries and Brewpubs
- Section 5.2.12.C Off-Street Parking Spaces, Business and Commercial
- Section 5.4.2 Off-Street Loading and Unloading

### **Exterior Lighting**

- Section 5.7 Exterior Lighting
- Section 6.1 Site Plan Review (All Districts)

### **Other Changes**

- How to Use This Ordinance, Part 4, Use Matrix
- Section 2.2 Definitions
- Section 3.1.18 I-1 Light Industrial District
- Section 4.12 Group Day Care Homes, Day Care Centers, and Adult Day Care Centers
- Section 4.18 Bed and Breakfast Operations
- Section 4.19 Accessory Uses
- Section 4.25 Mixed-Use Developments
- Section 4.27 Retail Business or Service Establishments
- Section 4.40 Restaurants in the Character of a Fast Food Carryout, Drive-In, Fast Food Drive-Through, or Fast-Food Sit Down
- Section 4.47 Motion Picture, Television, Radio, and Photographic Production Facilities
- Section 4.50 Automobile Service Establishment
- Section 5.16 Bicycle Parking Facility Requirements

The following highlights some of the more substantial changes to the ordinance:

- The removal of the EXPO zoning district, which no longer applies to any property in the City, is no longer needed and will help clarify the current requirements for the EXO Overlay District. The EXPO zoning district was initially created for the former site of the EXPO center at the southwest corner of Novi Road and I-96, and the property was entirely rezoned as a part of a PRO Agreement.
- The modification to the standards for microbreweries and brewpubs is intended to reduce barriers and some additional requirements for these uses. Staff notes that microbreweries and brewpubs are similar to the sit-down restaurant uses and could be regulated in a similar manner.
- The exterior lighting standards are proposed to be updated to include modern-day lighting measurements and to allow for administrative review of photometric plans that propose improvements to existing exterior lighting at sites throughout the City.
- A provision for carports is included to allow for administrative review and create a distinction between carports and fuel-filling station canopies.
- The Use Matrix found at the beginning of the ordinance contains a number of inconsistencies that are now being addressed to better reflect current ordinance standards.

All other changes proposed are for consistency or for compliance with changes in state law or regulations.

The Planning Commission held a public hearing on July 12<sup>th</sup> and forwarded a favorable recommendation to the City Council. The City Council approved the First Reading of the ordinance amendment on July 31<sup>st</sup> with no changes suggested. Staff has made one minor adjustment to the draft ordinance to remove the requirement for Special Land Use approval for retail sales of products as a part of a scheduled exposition function in Section 4.76, as this Section was intended to apply to the EXPO Zoning District, which is now being removed from the ordinance.

**RECOMMENDED ACTION:** Approval of Text Amendment 18.301 to amend various sections of the Zoning Ordinance to fix inconsistencies, clarify ordinance language, remove the unused EXPO Zoning District and associated Sections, modify the requirements for Microbreweries and Brewpubs, update the photometric standards, and other items as deemed necessary. This motion is made because the ordinance amendment resolves inconsistencies and other concerns found in the ordinance language. **SECOND READING**