

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF NOVI
ORDINANCE NO. 18.308

AN ORDINANCE TO AMEND THE CITY OF NOVI CODE OF ORDINANCES, ORDINANCE 14-271, THE CITY OF NOVI ZONING ORDINANCE, AT THE FOLLOWING LOCATIONS: ARTICLE 2: "DEFINITIONS"; ARTICLE 3, SECTION 3.1.18 "I-1 LIGHT INDUSTRIAL DISTRICT"; SECTION 3.1.19 I-2 "GENERAL INDUSTRIAL DISTRICT" ; SECTION 3.1.23 "OST OFFICE SERVICE TECHNOLOGY DISTRICT AND ARTICLE 4, SECTION 4.93 "DATA CENTERS"; IN ORDER TO CLARIFY THE DEFINITION OF DATA CENTERS AND DATA PROCESSING AS AN ACCESSORY USE, REMOVE DATA CENTERS AS AN PERMITTED USE IN THE I-1 AND OST DISTRICTS, AND RECLASSIFY AS SPECIAL LAND USE IN I-2 DISTRICT AND TO ADD USE STANDARDS TO BE MET BY NEW DATA CENTERS.

THE CITY OF NOVI ORDAINS:

Part I.

That the City of Novi Zoning Ordinance, as amended, Article 2, Definitions, to add the following definitions: "Data Center" and "Data Processing and Computer Centers" is hereby amended to read as follows:

Data Center: A facility or group of buildings whose primary function is the storage, management, processing, and transmission of digital data, and that houses computer or network equipment, systems, servers, appliances and associated infrastructure used for digital data operations. Such facilities may include air handlers, power generators, energy storage systems, water cooling and storage systems, fuel storage, utility substations, security infrastructure, and other associated utility infrastructure to support operations. This term does not include server rooms or data-processing facilities that are accessory and incidental to a primary permitted use that are less than 10,000 square feet.

Data processing and computer centers: A data storage or processing facility that meets all of the criteria (a through d below) may be considered an accessory use and is not subject to the requirements of Data Centers in Section 4.93.

- a. The facility exclusively serves the enterprise functions of the on-site property owner or tenant.
- b. The facility does not lease data storage or processing services to off-site or third parties.
- c. The facility occupies no more than 15% of the building footprint, up to a maximum of 10,000 square feet.
- d. The operations shall not be housed in a separate, standalone building.

Part II.

That the City of Novi Zoning Ordinance, as amended, Article 3, Section 3.1.18 "I-1, Light Industrial District", Section 3.1.18.B is hereby amended to read as follows:

Section 3.1.18 I-1 Light Industrial District

- A. [UNCHANGED]**
- B. PRINCIPAL PERMITTED USES**

i.– vi. [unchanged]

- ~~vii.~~ **Data processing and computer centers**
- ~~viii.~~ **vii.** Warehousing and wholesale establishments §4.43
- ~~ix.~~ **viii.** Manufacturing §4.43
- ~~x.~~ **ix.** Industrial office sales, service and industrial office related uses §4.44
- ~~xi.~~ **x.** Trade or industrial schools
- ~~xii.~~ **xi.** Laboratories experimental, film or testing §4.43
- ~~xiii.~~ **xii.** Greenhouses
- ~~xiv.~~ **xiii.** Public utility buildings, telephone exchange buildings, electrical transformer stations and substations, and gas regulator stations, other than outside storage and service yards
- ~~xv.~~ **xiv.** Public or private indoor recreation facilities
- ~~xvi.~~ **xv.** Private outdoor recreational facilities

C. SPECIAL LAND USES [unchanged]

Part III.

That the City of Novi Zoning Ordinance, as amended, Article 3, Section 3.1.19 "I-2 General Industrial District" Section 3.1.19.A Intent and 3.1.19.B Principal Permitted Uses and Section 3.1.19.C Special Land Uses are hereby amended to read as follows:

Section 3.1.19 I-2 General Industrial District

A. INTENT

The I-2, General Industrial district is designed primarily for manufacturing, assembling and fabrication activities including large scale or specialized industrial operations, including data centers, whose external physical effects will be felt to some degree by surrounding districts. The I-2 district is so structured as to permit the manufacturing, processing and compounding of semi-finished or finished products from raw materials.

[unchanged]

B. PRINCIPAL PERMITTED USES

i. – xvi [unchanged]

- ~~xvii.~~ **Data processing and computer centers**
- ~~xviii.~~ **xvii.** Warehousing and wholesale establishments
- ~~xix.~~ **xviii.** Manufacturing §4.43
- ~~xx.~~ **xix.** Industrial office sales, service and industrial office related uses §4.44
- ~~xxi.~~ **xx.** Laboratories experimental, film or testing §4.43
- ~~xxii.~~ **xxi.** Greenhouses
- ~~xxiii.~~ **xxii.** Public utility buildings, telephone exchange buildings, electrical transformer stations and substations, and gas regulator stations, other than outside storage and service yards
- ~~xxiv.~~ **xxiii.** Public or private indoor recreation facilities
- ~~xxv.~~ **xxiv.** Private outdoor recreational facilities
- ~~xxvi.~~ **xxv.** Pet boarding facilities §4.46

- ~~xxvii.~~ xxvi. Veterinary hospitals or clinics §4.31
- ~~xxviii.~~ xxvii. Motion picture, television, radio and photographic production facilities §4.47
- ~~xxix.~~ xxviii. Other uses of a similar and no more objectionable character to the above uses
- ~~xxx.~~ xxix. Metal plating, buffing, polishing and molded rubber products §4.48
- ~~xxxi.~~ xxx. Uses which serve the limited needs of an industrial district (subject to Section 4.43), as follows:
 - a. Financial institutions (banks, savings and loan associations, credit unions), union halls, and trade or industrial schools or industrial clinics
 - b. Industrial tool and equipment sales, service, storage and distribution
 - c. Eating and drinking establishments (restaurants: sit-down, fast food carryout, fast food sit-down, or fast food drive-through) and motels §4.49
- ~~xxii.~~ xxi. Automobile service establishment §4.50
- ~~xxiii.~~ xxii. Self-storage facilities §4.51
- ~~xxiv.~~ xxiii. Retail sales activities, ancillary §4.52
- ~~xxv.~~ xxiv. Central dry-cleaning plants or laundries §4.53
- ~~xxvi.~~ xxv. Railroad transfer, classification and storage yards §4.43
- ~~xxvii.~~ xxvi. Tool, die, gauge and machine shops §4.43
- ~~xxviii.~~ xxvii. Storage facilities for building materials, sand, gravel, stone, lumber, storage of contractor's equipment and supplies §4.54
- ~~xxix.~~ xxviii. Municipal uses §4.43

C. SPECIAL LAND USES

- i. ~~Reserved.~~ Data Center §4.93

Part IV.

That the City of Novi Zoning Ordinance, as amended, Article 3, Section 3.1.23 "OST Office Service Technology District" is hereby amended to read as follows

Section 3.1.23 OST Office Service Technology District

A. [Unchanged]

B. PRINCIPAL PERMITTED USES

- i. Professional office buildings, offices and office sales and service activities

- ~~ii. Data processing and computer centers~~

- iii. – xix. [unchanged] RENUMBER LIST

Part V.

That the City of Novi Zoning Ordinance, as amended, Article 3, Section 3.6.2 Notes, to remove the reference to "data processing and computer centers" and is hereby amended to read as follows

Section 3.6.2 Notes to District Standards

A. - N. [unchanged]

O. On properties located within one-thousand one-hundred (1,200) feet of a limited access freeway right of way line and not adjacent to residentially zoned properties, buildings may be constructed up to sixty five (65) feet in height, with all building setbacks increased by two (2) feet for every one (1) foot of building height in excess of the maximum height permitted in that district, except as follows: In the I-1 and I-2 districts, only office buildings, research and development facilities, ~~and data processing and computer centers~~ and similar facilities which do not include a substantial manufacturing or warehousing component may be permitted the additional height.

P. through Q. [unchanged]

Part VI.

That the City of Novi Zoning Ordinance, as amended, "How to Use this Ordinance," Section 4, "Use Matrix" (page xi) to modify the use "Data Processing and Computer Centers" to the following use: "Data Center" is hereby amended to read as follows

Section 4 Use Matrix

~~Data Processing and Computer Centers~~ Data Centers I-2 District marked with an "S" for Special Land Use. Remove "P" from I-1 and OST columns.

Part VII.

That the City of Novi Zoning Ordinance, as amended, Article 4.0, "Use Standards", to add a new Section 4.93 DATA CENTERS to read as follows:

Section 4.93 DATA CENTERS

A. Applicability.

~~Data Center. All Data Centers as a principal use shall be located, developed, and operated in compliance with the standards established in this Section, in addition to those development standards set forth elsewhere in this Chapter.~~

- B. Purpose.** ~~Data Centers are an increasingly prominent land use that presents unique considerations related to land use compatibility, infrastructure demand, and environmental impact. Data Centers are frequently heavy utility users and may require substantial utility infrastructure, including electrical power, cooling systems, and broadband capacity, which can significantly affect surrounding development and municipal services, including the availability and distribution of utilities to other City customers. The operation of Data Centers can generate impacts such as noise from mechanical equipment, heat discharge, 24-hour activity, and large-scale building footprints, all of which require appropriate development standards to ensure compatibility with nearby uses. The City seeks to support technological innovation and economic development while maintaining land use compatibility, environmental stewardship, and high-quality design. Establishing zoning regulations and development standards specific to Data Centers will provide clarity to applicants, promote the public health, safety, and general welfare, and ensure Data Centers are appropriately sited and designed within the community.~~

- C. Community Information.** ~~All of the following informational measures are strongly advised:~~

1. Community Meetings. The applicant is advised to hold a minimum of two (2) public meetings to describe the project, including the project design, purpose, mitigation measures, vehicular access and traffic control, and litter control measures. A representative of the developer or owner with decision-making authority shall attend the community meetings.
2. Meeting Notification. The applicant is advised to notify by mail all property owners and homeowners' associations within a half-mile radius of the exterior boundary of the property that is the subject of the application, based on the last assessment. Written notice shall be provided by first class mail a minimum of 15 days prior to each meeting.
3. Site Posting. The applicant is advised to post a sign on the proposed Data Center site at least 15 days before each community meeting.
4. Online Posting. The applicant is advised to maintain a project website and post all meeting notices and other public documents, including the developer's application and all reports associated therewith, 15 days in advance of any community meeting.

D. Approval Procedures. The Planning Department review shall confirm the use of the property conforms to the building and zoning requirements of the City Code and shall be transmitted with a recommendation for approval or disapproval transmitted to the Planning Commission. Planning Commission review shall be conducted in accordance with Section 6.1.2.C for special land uses and subject to the applicable site standards set forth in this Section. Except as otherwise provided herein, neither the Planning Commission nor the Zoning Administrator shall waive any requirement of this Chapter.

E. Application Requirements. In addition to the application requirements otherwise set forth in this Chapter, all development applications for a Data Center shall include all the following:

1. **Required Application Submittals** shall include the requirements for Special Land Use and Site Plan Review as provided in Zoning Ordinance, the Site Plan and Development Manual, the Design and Construction Standards, in addition to the following materials:
 - a. A narrative describing the project in detail and a written assessment of the compatibility of the proposed development with surrounding land uses and the City's Master Plan.
 - b. A Community Impact Statement as described in the Novi Site Development Manual
 - c. Delineation of onsite Regulated Woodland and Wetland areas, if existing on the site, including an analysis of environmental impacts.
 - d. A Traffic Impact Study including the quantity of truck traffic anticipated at the site during construction and for ongoing operations.
 - e. A phasing plan, if proposed, shall include an anticipated timeline and order for construction of each phase. If proposed, other required reports should reflect the phasing timeline and capacity issues, if needed.
 - f. A staffing plan, including the anticipated number of employees on the largest shift for the full buildout to assist in determining the required number of parking spaces.
 - g. Written verification from the electric utility provider confirming available capacity and identifying any required system upgrades shall be provided.

- h. Electrical Demand Statement. An estimate of average and peak electrical demand expressed in kilowatts (kW) and megavolt-amperes (MVA), including a description of redundancy and resiliency systems.
 - i. Cooling and Water Use Plan & Report. A report with a description of cooling methods to be used, estimated average and peak daily water usage, and identification of potable versus non-potable water sources for review by water and sewer services to determine availability and capacity, and ensure adequate infrastructure to support the Data Center as it is built, and future buildout. Cooling water discharged to the City's wastewater treatment plant shall meet all applicable local, state and federal laws and regulations for pollutant discharge. If the impacts of the applicant's water use place a burden on the City's water system that would cause the City to violate the terms of its water supply agreement with the Great Lakes Water Authority, or its successor or assigns, the City may require as a condition of approval that the applicant install a water tower, or other improvement as determined to be necessary to mitigate impacts on the City's water system, upon the recommendation of the City Engineer, to mitigate large draws of water from the City's water system over short periods of time.
 - j. A Noise and Vibration Impact Statement prepared by a certified sound engineer for review based on the site plan, including noise and vibration associated with the main facility and any supporting equipment.
 - k. Heat Mitigation Plan outlining the strategies for waste heat reuse or dissipation and vegetative or green roof and/or site design to offset urban heat island effects.
 - l. Emergency Management Plan outlining procedures for dealing with emergencies resulting from flood, fire, explosion, or catastrophic weather events.
 - m. Statements of any other measurable performance thresholds such as requirements for renewable-energy procurement, and water-recycling targets.
 - n. Backup power and fuel storage plan including the number, size and location of generators, type and volume of storage, containment methods, and fire suppression measures.
 - o. Security and access plan showing any proposed fencing, controlled access points, coordination with emergency services, and any security lighting that is proposed.
 - p. Decommissioning Plan describing the procedures for the shutdown of the facility, removal of equipment, and restoration or reuse of the site. Nothing in this Section shall prohibit maintaining a vacant site or building pending reuse without removal of improvements so long as it is secured and maintained in compliance with applicable property maintenance code standards.
 - q. Collection of reasonable escrow fees for city review of submitted technical documents shall be required as determined by resolution of the City Council.
2. Site Standards
- a. Data Centers in the I-2, General Industrial District shall adhere to the standards provided in Section 3.1.19 except as noted herein.
 - b. Data Centers shall not be located adjacent to residentially zoned or used property, and no building or equipment associated with a Data Center shall be located within 1000 feet of existing or planned residential areas, except where separated by a limited-access highway or railroad, within 500 feet of a hotel or motel, or the minimum distance needed to achieve the noise limitation standards of the ordinance in Section 5.14, whichever is greater.

- c. Minimum setbacks of 100 feet from all property lines.
 - d. To provide screening and reduce noise levels, all equipment for cooling, ventilation, or otherwise operating at the facility, including generators and other power supply equipment, must be fully screened. In addition, any accessory electrical substation must be screened from adjacent nonindustrial properties by a wall or similar barrier. Rooftop mounted sound barriers shall not exceed 15 feet in height above the surrounding roof surface.
 - e. Landscaping and berm requirements shall comply with the standards of Section 5.5.3 of the ordinance.
 - f. Data Centers shall comply with the standards in Section 5.14 Performance Standards of the Zoning Ordinance, which includes odor, vibration and noise standards. However, Tonal noise (e.g., drone, hum, screech) levels shall be 10 dB less than those standards.
 - g. Water Usage. Water-cooled systems must be closed-loop or equivalent, if approved by the Planning Commission.
 - h. All on-site fuel storage shall comply with all applicable local, state and/or federal regulations and may be subject to additional setbacks, screening, or secondary containment requirements as determined by the Fire Marshal.
 - i. One parking space shall be required for each employee on the peak shift plus a minimum of 10 parking spaces for visitors and company vehicles.
 - j. Data centers must comply with Section 5.15 Façade standards, and upon review and approval by the Planning Commission include either:
 - i. A change in the primary façade surface for every 150 horizontal feet of at least one of the following building material, pattern, texture, color, or accent material; and
 - ii. A minimum of thirty percent (30%) of the primary façade shall be comprised of windows, doors, or similar fenestration design features such as faux windows that are generally distributed horizontally and vertically across the façade.
 - iii. For purposes of these requirements, the primary façade shall be any façade that fronts on a public street.
3. The Planning Commission shall require an agreement be established between the City and the applicant to include the following:
- a. Where a Data Center requires on- of off-site public or private infrastructure, utility improvements, public safety, fire, and/or public works equipment upgrades, as a condition of approval as required to mitigation the impacts of the development, financial guarantees and/or applicant funded improvements or equipment shall be required.
 - b. As determined necessary by the Planning Commission, short-term or long-term continuous monitoring to confirm compliance with noise standards, including backup power supplies prior to the issuance of the first certificate of occupancy for the project, and annually thereafter.
 - c. Confirmation of compliance with vibration standards prior to the issuance of the first certificate of occupancy for the project, and annually thereafter.
 - d. On-going evidence from the operator of actual water/sewer use, energy use, and copies of EGLE or other outside agency reports for review by the City on a yearly basis.
4. The Planning Commission may impose reasonable conditions to ensure compliance with the ordinance and to mitigate impacts on surrounding properties and on public services.

PART III.

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 IV.

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 V.

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 VI.

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.

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MADE, PASSED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, ON THE ____ DAY OF _____, 2025.

JUSTIN P. FISCHER, MAYOR

CORTNEY HANSON, CITY CLERK

Ayes:
Nays:
Abstentions:
Absent: