

**ORDINANCE NO. 18.208**

**AN ORDINANCE TO AMEND ORDINANCE NO. 97-18, AS AMENDED, THE CITY OF NOVI ZONING ORDINANCE, TO MODIFY THE HEIGHT AND AREA REQUIREMENTS IN FOR THE OST, OFFICE SERVICE TECHNOLOGY ZONING DISTRICT**

**THE CITY OF NOVI ORDAINS:**

**Part I.** That Ordinance No. 97-18, the City of Novi Zoning Ordinance, as amended, is hereby amended at Article 24. Schedule of Regulations, Section 2400, Schedule limiting height, bulk, density, and area by Zoning District, OST, which shall now read as follows:

Zoning District		Minimum Zoning Lot Size for Each Unit		Maximum Height of Structures		Minimum Yard Setback (Per Lot in Feet)			Minimum Pkg. Setback*, ** (Per Lot in Feet)			Open Space Area	Maximum % of Lot Area Covered (By All Buildings)
		Area in Sq. Ft. or Ac.	Width in Feet	Stories	Feet	Front	Each Side	Rear	Front	Each Side	Rear		
OST	Office Service Technology	(g)	(g)	3	46 (u)	50 (h, t, u)	50 (c, m, t, u)	50 (l, m, t, u)	20	20	20	-	(g)

**Part II.** That Ordinance No. 97-18, the City of Novi Zoning Ordinance, as amended, is hereby amended at Article 24. Schedule of Regulations, Section 2400, footnote (u), Schedule limiting height, bulk, density, and area by Zoning District, OST, which shall now read as follows:

- (u) The maximum height permitted in the OST districts shall be forty-six (46) feet or three (3) stories, with a minimum building setback of fifty (50) feet, except as provided below.
  - (1) Properties south of Grand River Avenue shall not qualify for additional building height.
  - (2) On properties north of Grand River Avenue, buildings may be constructed up to sixty-five (65) feet in height, with building setbacks increased by two (2) feet for every one (1) foot of building height in excess of forty-six (46) feet.
  - (3) On properties located north of Grand River Avenue any portion of a building located within 1,200 feet of a right of way line of a limited access freeway, and on any property east of M-5 and north of Thirteen Mile Road, and on any property west of Cabaret Drive north of I-96 and south of Twelve Mile Road, may be constructed

up to one hundred and fifteen (115) feet in height, subject to the following:

- a. All building setbacks shall be increased by two (2) feet for every one (1) foot of building height in excess of forty-six (46) feet, unless the building is within a planned development approved as part of a single development plan, in which case setbacks shall be increased by one (1) foot for every one (1) foot of such additional building height.
  - b. Buildings utilizing this subsection shall be designed to minimize their impact on surrounding existing uses, including, but not limited to building design elements such as variation in building materials, mitigation of exterior and interior building lighting, and utilization of building relief (including step backs of higher stories).
- (4) The maximum height of all buildings shall include all rooftop appurtenances, architectural features, skylights, or other such roof mounted building amenities.
  - (5) Notwithstanding the above, the minimum building setback from all residentially zoned properties shall be one hundred (100) feet.

**Part II.** That Ordinance No. 97-18, the City of Novi Zoning Ordinance, as amended, is hereby amended at Article 24. Schedule of Regulations, Section 2400, footnote (m), Schedule limiting height, bulk, density, and area by Zoning District, OST, which shall now read as follows:

- (m)(1) Where a use abuts any residential district and is not separated therefrom by a thoroughfare as designated in the City's Master Plan for Land Use, or a railroad right-of-way, the minimum distance a building shall set back from a residential district shall be as follows:
  - a. OSC, OS-2, RC, TC Districts, three (3) feet of horizontal setback for each foot of building height.
  - b. I-1 District, five (5) feet of horizontal setback for each foot of building height, or one hundred (100) feet, whichever is greater.
  - c. I-2 District, five (5) feet of horizontal setback for each foot of building height, or one hundred (100) feet, whichever is greater.
  - d. Except when a side or rear yard is separated from a residential district by a railroad right-of-way, the right-of-way may be included as part of the setback requirement.
- (2) In the OS-2, OSC, OST and RC Districts, the distance between buildings shall be governed by the requirements of footnote (e) or by the minimum setback requirements of the district whichever is the greater, except in the case of a planned development of retail commercial outlets, no yards shall be required along interior lot

lines when such lines are composed of common party walls, unless otherwise specified in the Building Code.

- (3) In the I Industrial Districts where more than one principal freestanding industrial building is to be erected on one parcel of land, all applicable requirements of the respective district shall apply to each building as though each were on a separate parcel of land.

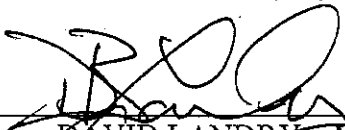
**Part III. Severability.** Should any section, subdivision, clause, or phrase of this Ordinance be declared by the courts to be invalid, the validity of the Ordinance as a whole, or in part, shall not be affected other than the part invalidated.

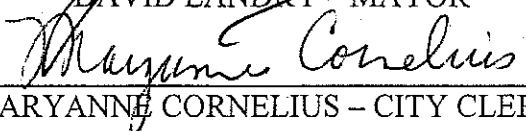
**Part IV. Savings.** This amendment does not affect or impair any act done, offense committed, or right accruing, accrued, or acquired or liability, penalty, forfeiture, or punishment, pending or incurred prior to the amendment.

**Part V. Repealer.** All other Ordinances or parts of Ordinances 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 4 of Act 207 of the Public Acts of 1921, as amended, the provisions of this Ordinance shall become effective fifteen (15) days after its adoption and 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.

MADE, PASSED AND ADOPTED BY THE NOVI CITY COUNCIL THIS 25<sup>th</sup> DAY OF SEPTEMBER, 2006.

  
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DAVID LANDRY - MAYOR

  
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MARYANNE CORNELIUS - CITY CLERK

1. Date of Public Hearing: August 9, 2006
2. Date of Adoption: September 25, 2006
3. Date of Publication of Notice of Adoption: October 5, 2006