

STATE OF MICHIGAN
COUNTY OF OAKLAND
CITY OF NOVI
ORDINANCE NO. 18.209

AN ORDINANCE TO AMEND ORDINANCE NO. 97-18, AS AMENDED, THE CITY OF NOVI ZONING ORDINANCES, SECTION 2509, LANDSCAPE STANDARDS, IN ORDER TO REQUIRE THE PLACEMENT OF STREET TREES IN CONNECTION WITH SINGLE-FAMILY HOME SITES NOT LOCATED WITHIN SUBDIVISIONS OR SITE CONDOMINIUMS.

THE CITY OF NOVI ORDAINS:

PART I.

That Ordinance No. 97-18, City of Novi Zoning Ordinance, as amended, Section 2509, Landscape Standards: Obscuring Earth Berms and Walls, Rights-of-Way Buffers, and Interior and Exterior Landscape Plantings, is hereby amended as follows:

1. [Unchanged.]
2. Landscape Plan Required. A landscape plan shall be submitted for any new commercial or residential development, and any addition to an existing building that is equal to or greater than a 25% increase in the overall square footage of the building or 400 square feet, whichever is less. With the exception of subsection 3(f), Individual (Non-Subdivision/Non-Site Condominium) Single-Family Street Tree Requirements, an owner of a single-family homesite shall not be required to comply with the provisions of this Section. All landscape plans shall be prepared in accordance with the requirements of the Zoning Ordinance and the requirements of the City of Novi "Landscaping Design Manual," as adopted by the City Council by resolution and which may similarly be amended by Council resolution from time to time.
3. Landscape Requirements.
 - a.-e. [Unchanged]
 - f. Individual (Non-Subdivision/Non-Site Condominium) Single-Family Requirements.

- (i) Street trees shall be provided in front of each single-family parcel, in accordance with the standards set forth in the Landscape Design Manual for lots within single-family platted subdivisions.
- (ii) A Street Tree Financial Guarantee will be collected at a rate of \$400 per street tree required prior to the issuance of a building permit, in accordance with the provisions of Chapter 26.5. No Final Certificate of Occupancy will be granted until the trees have been planted by the developer/builder or homeowner and inspected by the City. Trees shall be guaranteed by the developer/builder or homeowner for two (2) growing seasons after installation. All unhealthy and dead trees shall be replaced by the developer/builder or homeowner within three (3) months following notice, or the next appropriate planting period, whichever occurs first. All replacement trees shall be guaranteed by the developer/builder or homeowner for an additional two (2) years, after which time a final inspection will be conducted at the request of developer/builder or homeowner. The Street Tree Financial Guarantee will not be reduced until the trees have been planted and accepted by the City.
- (iii) The developer/builder or homeowner shall depict the street trees on the plot plan, which shall be reviewed by the City.

4.-7. [Unchanged]

PART II.

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 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.

Effective Date: Publication. The provisions of this Ordinance shall become effective fifteen (15) days after its adoption and shall be published within 15 days of its adoption by publication of a brief notice in a newspaper circulated in the City, stating the date of enactment and the effective date of the ordinance, a brief statement as to the subject matter of this Ordinance and such other facts as the Clerk shall deem pertinent, and that a copy of the Ordinance is available for public use and inspection at the office of the City Clerk.

MADE, PASSED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF NOVI,
OAKLAND COUNTY, MICHIGAN, ON THE 4th DAY OF December, 2006.



DAVID B. LANDRY - MAYOR



MARYANNE CORNELIUS - CITY CLERK

Ayes: 7
Nays: 0
Abstentions: 0
Absent: 0

CERTIFICATION OF ADOPTION

I hereby certify that the foregoing is a true and complete copy of an Ordinance passed at a regular meeting of the Novi City Council, held on the 4th day of December, 2006.



MARYANNE CORNELIUS - CITY CLERK

Adopted: 12-04-06
Published: 12-14-06
Effective: 12-19-06