



# CITY of NOVI CITY COUNCIL

**Agenda Item 1**  
**July 23, 2012**

**SUBJECT:** Approval of Zoning Ordinance Text Amendment 18.259 to amend the City of Novi Zoning Ordinance at Article 25, "General Provisions," Section 2505, "Off-Street Parking Requirements," Subsection 14.e(3), "Automotive Service Establishment, Public Garage" in order to update the formula used for calculating parking requirements for such uses.  
**SECOND READING**

**SUBMITTING DEPARTMENT:** Community Development Department - Planning *Baird*

**CITY MANAGER APPROVAL:** *[Signature]*

**BACKGROUND INFORMATION:** In an effort to better understand how the City of Novi off-street parking requirements compare to those of our peer communities, Planning staff are undertaking a review and comparison of City of Novi requirements and those in sixteen select peer communities throughout Oakland County, Wayne County, the State of Michigan and the greater US. Through this study, planning staff intends to identify any issues and/or discrepancies within the City of Novi ordinance as written and recommend modifications to said ordinance as required. The first set of requirements reviewed in this study are those for *Automotive Service Establishments, Public Garage*.

In order to generate parking calculations for comparison, planning staff utilized an existing proposed site plan for this use which was recently submitted to the City of Novi Community Development Department. This plan proposed the expansion of an existing auto body collision shop with the following specifications:

- Building Size: 27,956 square feet
- Employees: 20
- Service Bays: 33

Staff generated calculations for this project first as if it were to be located in Novi, and then as if this project was proposed in each peer community, utilizing the off-street parking requirements outlined in the zoning ordinance of each municipality.

After review and comparison each of the municipalities included in the study, staff found that the average requirement of all sixteen municipalities is 106 spaces. At 300 spaces, the City of Novi requires almost triple this average. Detailed information on these findings is outlined in the attached spreadsheet.

The City of Novi currently bases off-street parking calculations for Automotive Service Establishment uses on building square footage. In comparison, the majority of municipalities reviewed base their same calculations on the number of service bays at the location and the number of staff that will be on-site. These types of businesses tend to be highly space-intensive without necessarily generating large amounts of traffic. As such, staff believes that the City of Novi ordinance as written requires more off-street parking than is necessary for the orderly and sensible operation of this particular land use.

In recent years there has been a series of requests for variances pertaining to this parking requirement. If not addressed, staff anticipates continued variance requests moving forward.

For this reason, Staff proposes the following change to the City of Novi Zoning Ordinance, Section 2505—Off-Street Parking Requirements Schedule. Strike-through and clean versions are attached:

<b>Section 2505.14(e)3</b>	
<b>Automotive Service Establishment, Public Garage</b>	<del>One (1)</del> <u>Two (2)</u> spaces for every one hundred <del>(100)</del> square feet of usable floor area, <u>each service bay</u> , plus one (1) space for every employee. No wrecked or partially dismantled vehicles, or vehicles without current license plates shall be stored outside.

If calculated using the above method the off-street parking spaces required for the proposed project used in this review would drop from 300 to 86. This change is in line with a variance granted at the April 2012 City of Novi Zoning Board of Appeals hearing which reduced the requirement for this project from 300 to 140 spaces. This was a more than 50% reduction in required parking spaces.

Approval of this change to Section 2505 of the City of Novi Zoning Ordinance would remove an undue burden on future applicants and bring the City of Novi's parking requirement for this use more in line with that of our peer communities.

The Planning Commission held the required public hearing and recommended adoption of the amendment on June 13, 2012. City Council conducted the First Reading of this proposed amendment at the July 02, 2012 meeting. Relevant meeting minutes are attached.

**RECOMMENDED ACTION:** Approval of Zoning Ordinance Text Amendment 18.259 to amend the City of Novi Zoning Ordinance at Article 25, "General Provisions," Section 2505, "Off-Street parking Requirements," Subsection 14.e(3), "Automotive Service Establishment, Public Garage" in order to update the formula used for calculating parking requirements for such uses. **SECOND READING**

	1	2	Y	N
Mayor Gatt				
Mayor Pro Tem Staudt				
Council Member Casey				
Council Member Fischer				

	1	2	Y	N
Council Member Margolis				
Council Member Mutch				
Council Member Wrobel				

**PROPOSED ORDINANCE AMENDMENTS  
STRIKE-THROUGH**

STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF NOVI

ORDINANCE NO. 18.259

AN ORDINANCE TO AMEND ORDINANCE NO. 97-18 AS AMENDED, THE CITY OF NOVI ZONING ORDINANCE, AT ARTICLE 25, GENERAL PROVISIONS, SECTION 2505, OFF-STREET PARKING REQUIREMENTS, SUBSECTION 14.E(3), AUTOMOTIVE SERVICE ESTABLISHMENT, PUBLIC GARAGE, IN ORDER TO UPDATE THE FORMULA FOR CALCULATING PARKING REQUIREMENTS FOR SUCH USES.

THE CITY OF NOVI ORDAINS:

**Part I.** That Article 25, General Provisions, Section 2505, Off-Street Parking Requirements, Subsection 14.e(3), Automobile Service Establishment/Public Garage, is hereby amended to read as follows:

**Article 25, General Provisions**

**Sec. 2505. Off-Street Parking Requirements.**

- 1. – 13. [unchanged]
- 14. The minimum number of off-street parking spaces by type of use shall be determined in accordance with the following schedule:
  - a. [unchanged]
  - b. [unchanged]
  - c. [unchanged]
  - d. [unchanged]
  - e. Industrial
    - (1) – (2) [unchanged]
    - (3) Automotive Service Establishment,  
Public Garage

~~One (1) Two (2) spaces for every one hundred (100) square feet of usable floor area, each service bay,~~  
plus one (1) space for every employee. No wrecked or partially dismantled vehicles or vehicles without current license plates shall

be stored outside.

(4) [unchanged]

15. – 16. [unchanged]

**PART IV.**

**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 V.**

**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 VI.**

**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 VII.**

**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.

MADE, PASSED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, ON THE \_\_\_ DAY OF \_\_\_\_\_, 2012.

\_\_\_\_\_  
ROBERT J. GATT, MAYOR

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MARYANNE CORNELIUS, CITY CLERK

Ayes:  
Nays:  
Abstentions:  
Absent:

**PROPOSED ORDINANCE AMENDMENTS  
CLEAN**

STATE OF MICHIGAN  
COUNTY OF OAKLAND  
CITY OF NOVI  
ORDINANCE NO. 18.259

AN ORDINANCE TO AMEND ORDINANCE NO. 97-18 AS AMENDED, THE CITY OF NOVI ZONING ORDINANCE, AT ARTICLE 25, GENERAL PROVISIONS, SECTION 2505, OFF-STREET PARKING REQUIREMENTS, SUBSECTION 14.E(3), AUTOMOTIVE SERVICE ESTABLISHMENT, PUBLIC GARAGE, IN ORDER TO UPDATE THE FORMULA FOR CALCULATING PARKING REQUIREMENTS FOR SUCH USES.

**THE CITY OF NOVI ORDAINS:**

**Part I.** That Article 25, General Provisions, Section 2505, Off-Street Parking Requirements, Subsection 14.e(3), Automobile Service Establishment/Public Garage, is hereby amended to read as follows:

**Article 25, General Provisions**

**Sec. 2505. Off-Street Parking Requirements.**

- 1. – 13. [unchanged]
  
- 14. The minimum number of off-street parking spaces by type of use shall be determined in accordance with the following schedule:
  - a. [unchanged]
  - b. [unchanged]
  - c. [unchanged]
  - d. [unchanged]
  - e. Industrial
    - (1) – (2) [unchanged]
    - (3) Automotive Service Establishment,  
Public Garage

Two (2) spaces for each service bay, plus one (1) space for every employee. No wrecked or partially dismantled vehicles or vehicles without current license plates shall be stored outside.



(4) [unchanged]

15. – 16. [unchanged]

**PART IV.**

**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.

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**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 VII.**

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MADE, PASSED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, ON THE \_\_\_ DAY OF \_\_\_\_\_, 2012.

\_\_\_\_\_  
ROBERT J. GATT, MAYOR

MARYANNE CORNELIUS, CITY CLERK

Ayes:

Nays:

Abstentions:

Absent:

**PLANNING COMMISSION MEETING MINUTES  
JUNE 13, 2012 – EXCERPT**

# PLANNING COMMISSION MINUTES

*Amended and Approved*

CITY OF NOVI

Regular Meeting

**June 13, 2012 7:00 PM**

Council Chambers | Novi Civic Center | 45175 W. Ten Mile

(248) 347-0475

## CALL TO ORDER

The meeting was called to order at or about 7:00 PM.

## ROLL CALL

**Present:** Member Baratta, Member Gutman, Member Lynch, Chair Pehrson, Member Prince

**Absent:** Member Anthony (excused); Member Greco (excused)

**Also Present:** Barbara McBeth, Deputy Director of Community Development; Kristen Kapelanski, Planner; Beth Kudla-Saarela, City Attorney; Sarah Fleming, Planner

## PUBLIC HEARINGS

### **5. ZONING ORDINANCE TEXT AMENDMENT 18.259 FOR AUTOMOTIVE SERVICE ESTABLISHMENT PARKING REQUIREMENTS**

Public hearing for Planning Commission's recommendation to the City Council for an ordinance to amend the City of Novi Zoning Ordinance at Article 25, General Provisions, Section 2505.14(e)3 Automotive Service Establishment, Public Garage: in order to update the formula for calculating parking requirements for this use.

Planner Fleming said staff is currently conducting a study of off-street parking standards in order to better understand how the City's current requirements compare to peer communities, identify any issues and make changes if needed. The first land use reviewed in this study is that of the Automotive Service Establishment, Public Garage. In order to generate parking calculations for comparison, staff utilized an existing proposed site plan for this use that was recently submitted. This plan proposed the expansion of an existing auto body collision shop with the following specifications: the building size was 27,956 square feet, the employees were 20 and the service space was 33. Staff generated calculations for this project first as if it were located in Novi and then as if this project was proposed in each location utilizing the off-street parking requirements outlined in the Zoning Ordinance of each municipality.

After review and comparison of each of the municipalities included in the study, staff found that the average requirement of all 16 municipalities is 106 spaces. At 300 spaces, the City requires almost triple this average. Detailed information on these findings is outlined on the provided spread sheet. The City of Novi currently bases off-street parking calculations for Automotive

Services Establishment uses on building square footage. In comparison, the majority of municipalities reviewed base their same calculations on the number of service days at the location and on the number of staff that will be on site. Due to the nature of these types of businesses, highly space intensive without necessarily generating large amounts of traffic, staff believes that the City of Novi ordinance as written requires more off-street parking than is necessary for the orderly and sensible operation of this particular land use. Additionally, in recent years that has been a series of requests for variances pertaining to this parking requirement. If not addressed, staff anticipates continued variance requests moving forward.

Planner Fleming noted for this reason, staff recommends the modification of parking requirements for Automotive Service Establishment uses public garage. If calculated using the proposed modified method, the off-street parking spaces required for the proposed project used in this review will drop from 300 to 86. This change is in line with the variance granted at the April 2012 Zoning Board of Appeals meeting which reduced the requirement for this project from 300 to 140 spaces. This was more than a 50% reduction in required parking spaces for that project. Approval of this change to Section 2505 of the Zoning Ordinance would remove an undue burden on future applicants and bring the City's parking requirements for this use more in line with peer communities. Staff requests that the Planning Commission hold the required public hearing and recommend approval of this proposed ordinance amendment.

Chair Pehrson asked if the definition of the Auto Service Establishment Public Garage fits the criteria of the existing auto repair establishments.

Planner Fleming answered currently that definition encompasses both major and minor repair.

Motion made by Member Gutman, seconded by Member Lynch:.

**ROLL CALL VOTE ON THE ZONING ORDINANCE TEXT AMENDMENT 18.259 MOTION MADE BY MEMBER GUTMAN AND SECONDED BY MEMBER LYNCH:**

**Motion to recommend approval of Text Amendment 18.259. Motion carried 5-0.**

**VOICE VOTE ON MOTION TO ADJOURN MADE BY MEMBER LYNCH AND SECONDED BY MEMBER BARATTA:**

**Motion to adjourn the June 13, 2012 Planning Commission meeting. Motion carried 5-0.**

The meeting adjourned at 8:17 PM.

Transcribed by Valentina Nuculaj

June, 2012

Date Approved: \_\_\_\_\_

Richelle Leskun, Planning Assistant

**CITY COUNCIL MEETING MINUTES  
JULY 02, 2012 – EXCERPT**

**REGULAR MEETING OF THE COUNCIL OF THE CITY OF NOVI  
MONDAY, JULY 2, 2012 AT 7:00 P.M.  
COUNCIL CHAMBERS – NOVI CIVIC CENTER – 45175 W. TEN MILE ROAD**

Mayor Gatt called the meeting to order at 7:00 P.M.

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:** Mayor Gatt, Mayor Pro Tem Staudt, Council Members Casey, Fischer, Margolis (Absent Excused), Mutch, Wrobel

**ALSO PRESENT:** Clay Pearson, City Manager  
Victor Cardenas, Assistant City Manager  
Tom Schultz, City Attorney

**MATTERS FOR COUNCIL ACTION**

4. Consideration of Zoning Ordinance Text Amendment 18.259 to amend the City of Novi Zoning Ordinance at Article 25, "General Provisions," Section 2505, "Off-Street Parking Requirements," Subsection 14.e(3), "Automotive Service Establishment, Public Garage" in order to update the formula used for calculating parking requirements for such uses. **First Reading**

Member Mutch appreciated the staff looking into ways to adjust the ordinances. For this service use, the City was requiring significantly more parking spaces than what was found in comparable communities. He mentioned that parking lots don't pay taxes. It may not be literally true, but the effect of requiring a lot of parking where it is not necessary doesn't benefit our community. Anytime we can reduce unnecessary parking, he thought it is a good step forward. He hoped we continued this process for other uses and reduce parking requirements down to where they are needed and not based on some arbitrary standards that no longer apply.

**CM-12-07-107 Moved by Mutch, seconded by Casey; CARRIED UNANIMOUSLY:**

**To approve the First Reading of the Zoning Ordinance Text Amendment 18.259 to amend the City of Novi Zoning Ordinance at Article 25, "General Provisions," Section 2505, "Off-Street Parking Requirements," Subsection 14.e(3), "Automotive Service Establishment, Public Garage" in order to update the formula used for calculating parking requirements for such uses.**

**Roll call vote on CM-12-07-107**

**Yeas: Gatt, Staudt, Casey, Fischer,  
Mutch, Wrobel**

**Nays: None**

**SUPPORTING MATERIAL  
PARKING CALCULATIONS SPREADHSEET**



**Off-Street Parking Requirements: Various Municipalities  
USE: Automotive Service Establishment, Public Garage**

Location	Municipality	Land Use	Ordinance Language	Minimum Total Spaces Required (rounded)
Oakland County, MI	Novi	INDUSTRIAL <i>Automotive Service Establishment, Public Garage</i>	One (1) space for every one hundred (100) square feet of usable floor area, plus one (1) space for every employee. No wrecked or partially dismantled vehicles, or vehicles without current license plates shall be stored outside.	300
	Farmington Hills	BUSINESS AND COMMERCIAL <i>Auto Repair</i>	Three (3) for each service stall.	99
	Troy	COMMERCIAL <i>Vehicle Repair Station</i>	Two (2) spaces for each service bay, plus one space for each tow truck if applicable, plus adequate spaces for overnight parking, plus one (1) space per one (1) employee on the largest typical shift.	86
	Birmingham	COMMERCIAL <i>Motor Vehicle Sales and Service Establishment</i>	One (1) space for each three hundred (300) square feet of floor area of sales room plus one (1) space for each auto service stall, not to be used for new or used car storage.	126
	Rochester Hills	COMMERCIAL <i>Retail Sales and Service Establishments</i>	One (1) space per three hundred (300) square feet of floor area.	93
	Wixom	COMMERCIAL <i>Minor Automotive Repair</i>	Two (2) spaces per each service bay, plus one (1) space per employee, plus one (1) space per each tow truck.	86
	West Bloomfield Township	INDUSTRIAL <i>Automotive Repair and Service Establishment, Public Garage</i>	Two (2) for each one (1) auto service stall or one (1) auto body stall plus one (1) space for every employee.	86
	Commerce Township	COMMERCIAL <i>Automobile Vehicle Service Center/ Repair Station</i>	One (1) per on-duty employee based on maximum employment shift, plus one (1) per service bay, plus one stacking space per service bay.	86
	City of Northville	BUSINESS AND COMMERCIAL <i>Automobile Service Stations</i>	Two (2) for each service bay; and one (1) for each gasoline pump in addition of the requirements of an auto wash and convenience store as provided herein. <i>Auto Wash (Automatic): One (1) for each one (1) employee. In addition, reserve parking spaces equal in number to five (5) times the maximum capacity of the auto wash. Maximum capacity of the auto wash shall mean the greatest number of automobiles possible undergoing some phase of washing at the same time, which shall be determined by dividing the length in feet of each wash line by twenty (20). Auto Wash (Self-Service or Coin Operated): Five (5) for each washing stall in addition to the stall itself. Convenience Store, with or without gasoline service : Four (4) spaces per one thousand (1,000) square feet of usable floor area, plus spaces required for an auto service station activities or gasoline sales.</i>	198



**Off-Street Parking Requirements: Various Municipalities**  
**USE: Automotive Service Establishment, Public Garage**

Location	Municipality	Land Use	Ordinance Language	Minimum Total Spaces Required (rounded)
Wayne County, MI	Northville Township	BUSINESS AND COMMERCIAL <i>Automobile Service Stations and Automobile Maintenance and Repair Establishments</i>	One (1) space per pump, plus two (2) exterior spaces per service bay, plus one (1) space per employee at peak shift, plus one (1) space per tow truck, plus one (1) space per five hundred (500) square feet devoted to the sale of automotive goods or convenience store retail area, plus spaces required for any accessory uses.	86
	Canton Township	BUSINESS AND COMMERCIAL <i>Auto and Vehicle Repair or Service Facilities, Bump Shops</i>	One (1) space per employee plus two (2) spaces per service or repair bay, plus one (1) space per eight hundred (800) square feet of usable floor area.	121
State of Michigan	Ann Arbor (Washtenaw County)	COMMERCIAL <i>Gasoline Service Stations, Auto Repair and Service</i>	One (1) space per two hundred (200) square feet of floor area plus one (1) bicycle space.	141
	Grand Rapids (Kent County)	COMMERCIAL <i>Vehicle Service, Repair Facility; Vehicle Towing, Storage</i>	Three (3) per stall plus one (1) per employee.	119
Other States	Greenville, NC	INDUSTRY <i>Auto, Truck or Boat Repair</i>	One (1) space per two (2) employees, plus three (3) storage spaces for each repair stall (the repair stalls may count as spaces).	76
	Naperville, IL	RETAIL AND WHOLESALE TRADE <i>Automobile Service Station and Repair Facility</i>	4.5 parking spaces per each 1,000 square feet of gross floor area.	126
	North Richland Hills, TX	AUTOMOTIVE <i>Auto Repair, Garage Shop</i>	One (1) space for every five hundred (500) square feet of floor, minimum of five (5) spaces.	56
<b>Average number of spaces required by the above municipalities (average does not include Novi):</b>				<b>106</b>

**Development Specifications:**

Bldg Sq. Ft.	27,956.50
Repair Stalls	33
Staff	20