

MEMORANDUM



TO: PLANNING COMMISSION
THROUGH: BARBARA MCBETH, AICP, CITY PLANNER
FROM: KIRSTEN MELLEME, PLANNER
SUBJECT: TEXT AMENDMENT 18.281 – SET PUBLIC HEARING
DATE: JANUAR 24, 2017

The City of Novi Zoning Ordinance contains a section commonly referred to as the “Façade Ordinance” under Article 5: Site Standards, Section 5.15: Exterior Building Wall Façade Materials. Over the years it has come to the attention of staff and consultants that there are several areas where further clarification are needed, as well as updates to include new materials available to applicants. Therefore, the following proposed updates to the Façade section of the ordinance reflect these needed changes.

Use of light and illumination (Sec. 5.15.2)

Clarification that the use of interior or exterior light or color-changing illumination is inconsistent with the intent of the ordinance. This is also noted in the notes section of the table and is brought to the forefront of the text of the ordinance.

Slope of Roof (Sec. 5.15.5)

The façade materials calculation incorrectly states the ratio of roof slope that is considered façade. A change to three to twelve (3:12) from six to twelve (6:12).

Painting of Brick (Sec. 5.15.6)

It has been the interpretation of the façade consultant that painted brick is not allowed because the ordinance states brick natural clay is a listed material, but brick painted is not listed. Therefore, a clarification in the ordinance to plainly state that brick is not to be painted unless it is an existing condition. Painted brick is very hard to maintain and is often left flaking and peeling by property owners. Therefore, in order to maintain a vibrant, attractive community painted brick is not allowed.

Schedule of Regulating Façade Materials (Sec. 5.15)

The notes in the chart are further refined to reflect in the field standards and correct errors in which Regions certain percentages and notes apply to. In addition, the chart is updated to include new and to clarify existing material types. The referenced notes to table include changes that correct many Section 9 Façade Waiver requests.

Planning Commission Action

Attached is the revised ordinance in strike-through and clean versions. **The Planning Commission is asked to review the proposed amendments and set a Public Hearing for the matter for April 5, 2017.** At that time the Planning Commission will be asked to make a recommendation to the City Council for further review and approval. In the meantime, additional review and modification may be suggested by the staff, façade consultant and City Attorney’s Office.

Section 9 Façade Waivers

* PRO/SDO/PSLR agreements have not been included

PC Date	JSP	Project	Waivers	Material Waivers
11/16/2016	16-55	American Interiors	To allow the overage of Flat Metal Panels (50% allowed; 58% on south, 86% on east, 57% on west and 83% on north proposed), Wood Siding (0% allowed, 36% on south, 8% on east, 40% on west and 11% on north proposed), and Exposed Concrete (4% on east and 2% on north proposed), because the proposed alteration will significantly improve the overall appearance of the building and is consistent with the intent and purpose of the Façade Ordinance.	flat metal panels, wood siding, exposed concrete
11/16/2016	16-50	Goddard School	Section 9 Façade waiver from Section 5.15 to permit the overage of Asphalt Shingles on all sides (25% maximum, 32%, 48%, 47%, and 41% provided) of required maximum due to architectural roof style that is augmented by architectural features including dormers and a decorative cupola.	asphalt shingles
10/5/2016	16-43	Rainbow Day Care	A Section 9 Façade waiver for overage of Asphalt Shingles on all sides (25% maximum, 43 % - 46 % provided) and Cement Composite Siding (0% maximum, 3% - 5% provided).	asphalt shingles, cement composite siding
9/28/2016	16-34	Huntley Manor	Section 9 Façade waiver for underage of brick on the side elevations and overage of asphalt shingles; 30% min, 15% provided brick on the side; 25% maximum, 30-50% provided asphalt shingles; 30-38% asphalt shingles on the clubhouse, maximum is 25%.	brick, asphalt shingles
9/14/2016	14-40	ATI Façade	To allow the overage of Cast Stone and Stone Veneer (50% allowed; 84% to 92% provided) because the proposed combination of Cast Stone and Stone Veneer is consistent with and enhances the overall design of the building, and is consistent with the intent and purpose of the Façade Ordinance.	cast stone/stone veneer
7/27/2016	16-12	Suburban Collection Showplace	A section 9 façade waiver for the overage of Horizontal Rib Metal Panels(0% allowed, a maximum 15% on south, 5% on North, 3% on east and 8% on west provided), Vertical Metal Panels(50% allowed, 60% on north and east side provided) and Split Faced CMU(10% allowed, 15% on south, 35% on North, 24% on east and 43% on west provided).	horizontal rib metal panels, vertical metal panels, split faced CMU
6/22/2016	16-17	Pine Ridge Façade	To allow the overage of EIFS material (25% allowed; 57% & 51% provided) and the underage of Brick material (30% minimum; 29% provided) because the proposed alteration will significantly improve the overall appearance of the building and is consistent with the intent and purpose of the Façade Ordinance.	EIFS, brick

PC Date	JSP	Project	Waivers	Material Waivers
5/25/2016	15-77	Town Center Gardens	To allow the overage of cement board siding (Allowed: 0 percent; Proposed: 12 percent on west (front), 9 percent on east, and 20 percent on north), because the proposed cement board siding will have a color and texture similar to natural wood and is contingent upon completion of the crescent shaped outdoor seating area.	cement board siding
3/23/2016	15-81	Maly Dental	To allow the overage of asphalt shingles (25% allowed; 50%, 59%, 52%, and 58% proposed) because the proposed design will mitigate the expanse of asphalt shingles, which is hereby granted; b. To allow the underage of stone or brick (30% minimum allowed; 18%, 25%, and 20% proposed) because the percentage of stone is consistent with the window sill line and increasing the percentage would not add to the aesthetic quality of the design.	asphalt shingles, stone/brick
1/27/2016	16-02	Pavilion Shore Park Shelter	To allow the underage of brick on all sides (30 percent minimum required, 0% proposed), overage of cementitious siding on east and west facades (50% maximum allowed, 66 and 62 percent proposed respectively), overage of Wood Trim on east and west facades (15 percent maximum allowed, 18 and 21 percent proposed respectively) and overage of Asphalt Shingles on north and south facades (25 percent maximum allowed, 86 percent proposed respectively) because the deviations are justified on the basis of historical context and the design is consistent with the intent and purpose of the Façade Ordinance, which is hereby granted	brick, siding, wood trim, asphalt shingles
11/4/2015	15-66	Legacy Church Façade	To allow the overage of single score CMU material on all façades (25% allowed; 71%, 48%, 44% and 59% proposed) because the proposed alteration will significantly improve the overall appearance of the building and is consistent with the intent and purpose of the Façade Ordinance, which is hereby granted. The CMU block is existing but will be painted and complemented with additional materials.	CMU
6/24/2015	15-40	Novi Plaza Façade	To allow the overage of EIFS material on the north façade (25% allowed; 32% provided) because the proposed alteration will significantly improve the overall appearance of the building and is consistent with the intent and purpose of the Façade Ordinance.	EIFS
6/24/2015	15-27	Kroger Retail Fuel Center	A section 9 waiver required for overage of EIFS on the building and underage of brick on the canopy.	EIFS, brick
6/10/2015	15-07	Brightmoor Church	To allow the overage of flat metal panels on the north façade because of the fact that the north façade is not directly visible from a major thoroughfare and is of a less visual significance and therefore do not represent a violation of the Façade Ordinance.	flat metal panels

PC Date	JSP	Project	Waivers	Material Waivers
4/8/2015	13-16	Big Boy	Section 9 waiver to allow an underage of brick and overage of EIFS.	EIFS, brick
4/8/2015	15-23	Belle Tire	To allow the overage of Standing Seam Metal on the basis that the deviation from the Ordinance is results from existing construction and does not detract for the appearance of the building. The proposed modifications represent a significant enhancement to the overall aesthetic quality of the building.	standing seam metal
2/25/2015	14-10	Neptune Center	Section 9 Waiver for underage of brick and overage of CMU on all facades provided the applicant works with the City's façade consultant to determine an appropriate color pigment for the proposed CMU product.	brick, CMU
2/11/2015	JC14-1	DICE Holdings	To allow the overage of Stucco Panels and Asphalt Shingles on the basis that the stucco panels are existing and the surplus of Asphalt Shingles is relatively small. The overall visual affect will be a significant improvement in the appearance of the building.	stucco panels, asphalt shingles
2/11/2015	14-68	Sunbelt Rentals	To allow the overage of Ribbed Metal, EIFS and Embossed Metal Panels on the basis that the Ribbed Metal Panels and EIFS are existing materials and therefore do not represent a violation of the Façade Ordinance.	ribbed metal, EIFS, embossed metal panels

**FACADE ORDINANCE
TEXT AMENDMENT 18.281
STRIKE THRU VERSION**

WORKING DRAFT 02-27-2017

STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF NOVI

ORDINANCE NO. 17-18.281

AN ORDINANCE TO AMEND THE CITY OF NOVI ZONING ORDINANCE, AMENDING SECTION 5.15, EXTERIOR BUILDING WALL FAÇADE MATERIALS, IN ARTICLE 5, SITE STANDARDS TO CLARIFY AND UPDATE THE FAÇADE MATERIALS STANDARDS IN THE ZONING ORDINANCE.

THE CITY OF NOVI ORDAINS:

Part I. That The City of Novi Zoning Ordinance is amended, by amending Section 5.15, in Article 5 – Site Standards, to read as follows:

Section 5.15 - EXTERIOR BUILDING WALL FAÇADE MATERIALS

Introductory paragraphs to section [Unchanged]

1. [Unchanged].
2. Color. Colors of all facade and roof materials proposed for a building reviewed under this Ordinance shall be established by the applicant as an integral part of the building design, and shall exhibit evidence of coordination and selection with respect to the overall visual effect of the building. The color of each facade material shall be harmonious with the color of all other facade materials used on the same building, as well as the color of facade materials used on adjacent buildings. For the purpose of this Ordinance, harmonious shall be defined as colors which are complementary in hue, tone, and intensity. The use of dissonant and/or intense colored facade materials shall be deemed inconsistent with this Section. The use of facade materials to form a background or component in a sign or to increase the visual presence of the building for the purpose of advertising [and the use of interior or exterior neon, LED, or other flashing or changing-color illuminated features](#) shall be deemed inconsistent with this Section.
3. [Unchanged].
4. [Unchanged].
5. Facade Material Calculations. The facade (north, south, east, and west) of each regulated structure shall be considered separately for the purpose of calculating the percentages of materials for compliance with the Schedule Regulating Facade Materials. The materials on each facade shall be consistent with the materials on other facades of the same building with respect to type and color. Areas of sloped roofs with a slope of ~~six~~ [three](#) to twelve (~~6~~[3](#):12) or greater shall be considered facades. Areas of sloped roofs shall be taken as the horizontal projection of the roof area (as seen in elevation view). Areas of vision glass and operable doors shall be excluded from all area calculations.

6. Alterations. Where new materials are proposed for an existing building facade, the entire building facade shall be subject to this Section. Exception where horizontal offsets greater than two (2) feet occur in an existing facade which serve to visually separate the area within which the new materials are proposed, only the area between such offsets shall be subject to this Section, provided that the new materials and colors are harmonious with adjacent unaltered portions of the building, and provided that the building is not located in the TC or TC-1 district. [Painting using colors that are inconsistent with Section 5.15.2 and painting of previously unpainted brick is prohibited. A continuation of existing materials may be used on an alteration.](#)
7. [Unchanged].
8. [Unchanged].
9. [Unchanged].
10. [Unchanged].
11. [Unchanged].
12. [Unchanged].
13. [Unchanged].
14. [Unchanged].

5.15 Schedule Regulating Façade Materials			
Façade Regions (7)			
Region 1	Buildings located in the TC, TC-1 ⁽⁸⁾ , RC, RA, R, RM-1, RM-2, PSLR, and GE districts and all buildings located within 500 feet of the R.O.W. of a freeway or major thoroughfare, as defined in the City's Master Plan for Land Use.		
Region 2	All buildings in districts other than I-1 and I-2, other than those in Region 1.		
Region 3	Buildings in I-1 and I-2 districts, other than those in Region 1.		
Maximum Allowable Percentages			
Wall Materials	Region 1	Region 2	Region 3
Brick natural clay (9)	100 ⁽⁹⁾	100	100
Glazed brick & ceramic tile (1)	25	75	100 ⁽⁴⁾
Panel brick	0	15	15
Limestone	50	100	100
Stone field, cobble, etc.	50	75	100
Granite, marble, polished	50	100	100
Fluted & split faces c.m.u. (2,13)	10	50	75 ^(2,13)
Striated scored c.m.u. (2,13)	0	0	25 ⁽²⁾⁽¹³⁾
Concrete "C" brick	25	50	75
Precast colored exposed agg.	0	25	50
Precast, other	0	0	0
Flat metal panels (urethane backed)	50 ⁽¹⁰⁾	50	75
Standing seam metal	25 ⁽⁸⁾	50	75 ⁽⁸⁾
Ribbed metal panels	0 ⁽⁸⁾	25	50 ⁽⁸⁾
Spandrel glass	50	50	50
Glass block	0	25	50
Display glass	25	25	25 ⁽⁴⁾
Molded cornices, trim, columns, surrounds	15	15	15
Wood siding, painted, t&g, and batten siding (15)	0 ⁽¹¹⁾	25 ⁽¹¹⁾	50
Vinyl & aluminum siding (12)	0	0	0 ⁽¹²⁾
E.I.F.S. (dryvit) (5)	25	50	75 ⁽⁵⁾
Cast stone & G.F.R.C.	25	50	75

Cement plaster	0	25	25
Canvas awnings Awnings: Fabric or Membrane (6)	10	15	15 (6)
Awnings: Metal	25	50	75
Asphalt shingles	25 (16)	25 (16)	50

Referenced Notes to Table

1. Allowed only if earth tone color and matte finish.
2. Plain faced C.M.U.'s are not permitted. Ground, polished, burnished and striated faced C.M.U.'s are only permitted if laid in a stacked bond pattern.
3. Copper or Copper bearing painted finish is preferred in the TC and TC-1 districts. The Community Development Department may approve alternate colors or materials provided it is determined to be complementary to copper finish.
4. Where vision glass areas are intended through exposures to thoroughfares or pedestrian ways and lighting methods to strongly emphasize the materials and items displayed within the window area, and where such items are a permanent part of the building design, such items shall be deemed as part of the building facade and shall be so regulated by this section.
5. Must be designed to simulate stone via joint pattern. Maximum joint spacing shall be three (3) feet on center horizontally and four (4) feet on center vertically.
6. Adjacent permanent facade materials shall extend behind awnings, backlit translucent awnings are not permitted except as regulated as a building sign.
7. Refer also to [Section 3.27.1.G](#) for additional TC and TC-1 districts facade requirements, ~~and~~ [Section 3.21.2.C](#) for additional PSLR overlay district facade requirements, ~~and~~ [Section 3.25.2.G](#) for additional EXO overlay district facade requirements.
8. Must have factory applied permanent colored finish.
9. All buildings in Region 1, ~~except those in I-1 and I-2 districts,~~ shall have a minimum of thirty (30) percent brick.
10. ~~Zero (0) percent~~ [Up to fifteen \(15\) percent is](#) allowed in the TC and TC-1 districts.
11. The percentage of wood siding may be increased to fifty (50) percent in zoning districts RA through R4, RM-1 and RM-2, when the use of wood siding is consistent with residential style architecture.
12. ~~One eighths (1/8) inch gauge w~~ [Wood grain textured solid vinyl siding is permitted in R Districts only](#) ~~and three eighths (3/8) inch gauge wood grain textured fibrous concrete siding shall be considered wood siding with respect to this ordinance.~~
13. The combined maximum amount of all C.M.U. shall not be greater than 75% of any one building and/or facade.
14. Concrete "C" brick shall be a maximum size of 16" wide by 4" high. Color shall be rich dark earthtone hues consistent with brown or red bodied fired clay brick. Colors using white cement base and/or substantial quantities of light colored aggregate are not allowed.
- 14-15. [Wood grain textured fibrous concrete siding shall be considered wood siding with respect to this ordinance.](#)
- 15-16. [Up to 50% allowed with residential style architecture or in R Districts. Asphalt shingles are prohibited on mansard style roofs.](#)

General Notes to Table

- Roof areas having slopes ~~6~~3:12 and greater shall be considered facades.
- Vision glass and doors shall be omitted from facade material area calculations and percentages.
- Detached dwellings are not subject to facade chart.
- Backlit translucent plastic, backlit awnings, neon lighting and other such facade materials designed to visually attract attention for the purpose of commercial activity are not permitted (or shall be considered signage).

PART II.

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 III.

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 IV.

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 V.

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 _____, 2017.

ROBERT J. GATT, MAYOR

CORTNEY HANSON, CITY CLERK

Ayes:

Nays:

Abstentions:

Absent:

**FACADE ORDINANCE TEXT
AMENDMENT 18.281
CLEAN VERSION**

WORKING DRAFT 02-27-2017

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6. Alterations. Where new materials are proposed for an existing building facade, the entire building facade shall be subject to this Section. Exception where horizontal offsets greater than two (2) feet occur in an existing facade which serve to visually separate the area within which the new materials are proposed, only the area between such offsets shall be subject to this Section, provided that the new materials and colors are harmonious with adjacent unaltered portions of the building, and provided that the building is not located in the TC or TC-1 district. Painting using colors that are inconsistent with Section 5.15.2 and painting of previously unpainted brick is prohibited. A continuation of existing materials may be used on an alteration.
7. [Unchanged].
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Striated scored c.m.u. ^(2, 13)	0	0	25
Concrete "C" brick	25	50	75
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Precast, other	0	0	0
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Standing seam metal	25	50	75
Ribbed metal panels	0	25	50
Spandrel glass	50	50	50
Glass block	0	25	50
Display glass	25	25	25
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Wood siding, painted, t&g, and batten siding ⁽¹⁵⁾	0 ⁽¹¹⁾	25 ⁽¹¹⁾	50
Vinyl & aluminum siding ⁽¹²⁾	0	0	0
E.I.F.S. (dryvit) ⁽⁵⁾	25	50	75
Cast stone & G.F.R.C.	25	50	75

Cement plaster	0	25	25
Awnings: Fabric or Membrane ⁽⁶⁾	10	15	15
Awnings: Metal	25	50	75
Asphalt shingles	25 ⁽¹⁶⁾	25 ⁽¹⁶⁾	50

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10. Zero (0) percent allowed in the TC and TC-1 districts.
11. The percentage of wood siding may be increased to fifty (50) percent in zoning districts RA through R4, RM-1 and RM-2, when the use of wood siding is consistent with residential style architecture.
12. Wood grain textured solid vinyl siding is permitted in R Districts only.
13. The combined maximum amount of all C.M.U. shall not be greater than 75% of any one building and/or facade.
14. Concrete "C" brick shall be a maximum size of 16" wide by 4" high. Color shall be rich dark earthtone hues consistent with brown or red bodied fired clay brick. Colors using white cement base and/or substantial quantities of light colored aggregate are not allowed.
15. Wood grain textured fibrous concrete siding shall be considered wood siding with respect to this ordinance.
16. Up to 50% allowed with residential style architecture or in R Districts. Asphalt shingles are prohibited on mansard style roofs.

General Notes to Table

- Roof areas having slopes 3:12 and greater shall be considered facades.
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PART IV.

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ROBERT J. GATT, MAYOR

CORTNEY HANSON, CITY CLERK

Ayes:

Nays:

Abstentions:

Absent: