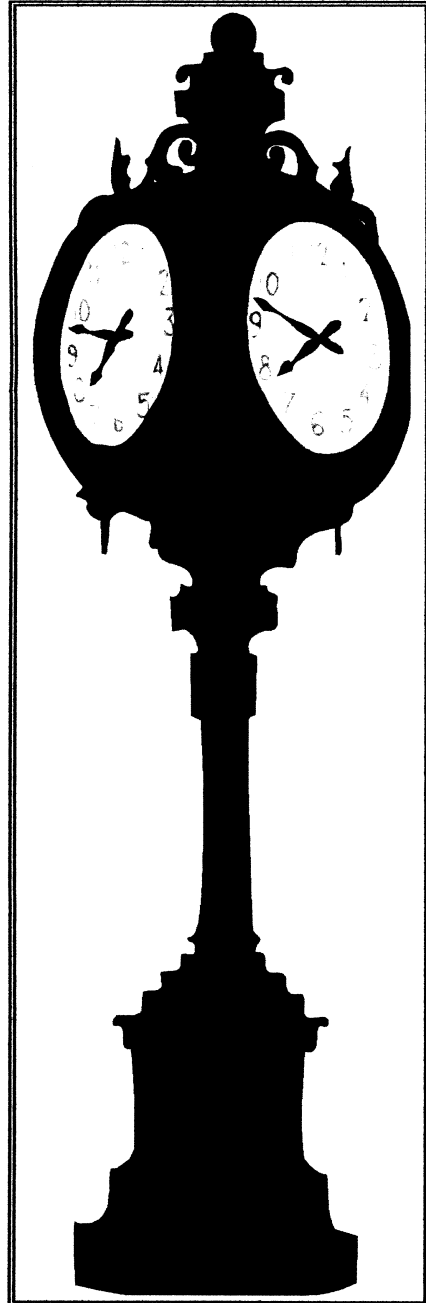


*City of
Northville*

*Zoning
Ordinance*



*Includes Text Amendments
Through May, 2021*

**CITY OF NORTHVILLE
ZONING ORDINANCE
Chapter 58, Article I of City Code of Ordinance**

Mayor

Brian Turnbull

Mayor Pro Tem

Marilyn Price

City Clerk

Dianne Massa

Council Members

Barbara Moroski-Browne

Patrick Giesa

Andrew Krenz

City Manager

Patrick Sullivan

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ARTICLE 1**SHORT TITLE, PURPOSE AND CONSTRUCTION****SECTION 1.01 SHORT TITLE**

This Ordinance shall be known and may be cited as the City of Northville Zoning Ordinance enacted under Act 110, Public Acts of 2006, as amended. *(Rev. 12/06)*

SECTION 1.02 INTENT AND PURPOSE

The intent of this Ordinance is to implement the development strategies described in the Master Plan, and other development policies adopted by the City Council. The Master Plan was formulated with the general purpose of guiding and accomplishing a coordinated and adjusted development of the City, which will in accordance with present and future needs, best promote efficiency and economy in the process of development, including among other things, adequate provision for traffic, safety from fire, and other dangers, adequate provision for light and air, the healthful and balanced distribution of housing and population, and the regulation of the density of population, the promotion of good development design and arrangement, and the wise and efficient expenditure of public funds, and the adequate provision of public utilities and other public requirements. It is designed to lessen congestion on public streets to facilitate adequate provisions for public transportation, streets, highways, sewers, water mains, schools, recreation areas and other public facilities, as carefully analyzed and conceived by said Master Plan and development policies.

SECTION 1.03 CONSTRUCTION

This Ordinance shall be liberally construed in such manner as to best effectuate its purposes and those of the Master Plan. In interpreting and applying the provision of this ordinance, the requirements shall be held to a minimum for the promotion of the public health, safety, convenience, comfort, prosperity and general welfare. The provisions of this Ordinance shall be compatible and consistent with each other, provided, however, that where any inconsistency or conflict cannot be avoided, then the most restrictive of such inconsistent or conflicting provisions shall control and prevail. Private covenants which are more restrictive than the provisions of this Ordinance will not be abrogated or affected by this Ordinance.

ARTICLE 2**ZONING DISTRICTS AND MAPPING INTERPRETATION****SECTION 2.01 DISTRICTS ESTABLISHED**

For the purpose of this Ordinance, the City of Northville is hereby divided into the following zoning districts:

First Density Residential District (R-1A to R-1B)

Second Density Residential District (R-2)

Third Density Residential District (R-3)

Fourth Density Residential District (R-4)

Professional and Business Office District (PBO)

Office/Research District (OR)

Local Commercial District (LCD)

Central Business District (CBD)

Central Business District Overlay (CBD-O)

Cady Street Overlay (CSO-1, CSO-2)

General Commercial District (GCD)

Seven Mile – South Main Street Overlay (SM-O)

Racetrack District (RTD)

Performance Regulated Industrial District No. 1 (PR-1)

Performance Regulated Industrial District No. 2 (PR-2)

Planned Unit Development (PUD)

SECTION 2.02 BOUNDARY INTERPRETATION

The boundaries of these districts are hereby established as shown on the Zoning District Map for the City of Northville, which accompanies this Ordinance, and which map with all notations,

references, and other information shown thereon shall be as much a part of this Ordinance as if fully described herein.

The Zoning District Map shall be identified by the signature of the Mayor, attested by the City Manager under the following words:

“This is to certify that this is the Zoning District Map referred to in the Zoning Ordinance of the City of Northville.”

If, in accordance with the provisions of this Ordinance, changes are made in district boundaries or other matter portrayed on the Zoning District Map, such changes shall be made on the Zoning District Map within thirty (30) normal working days after the amendment has been approved by the City Council together with an entry on the Zoning District Map as follows: Date and an Index Number of Council action.

The original and one (1) copy of the Zoning District Map are to be maintained and kept up to date; one (1) copy in the office of the Chief Enforcement Officer, and the original in the City Clerk's office; accessible to the public and shall be the final authority as to the current zoning status of lands in the City of Northville.

All subsequent amendments to the Zoning District Map as established herein, and the text of this Ordinance when so amended shall be identified in summary manner by amendment to this Section 2.02. The effective date of each amendment and summary description is hereby described as follows:

“Reserved For Subsequent Amendments”

SECTION 2.03 INTERPRETATION OF DISTRICT BOUNDARIES

Where uncertainty exists with respect to the boundaries of the various districts as shown on the Zoning District Map, the following rules shall apply:

- a. Boundaries indicated as approximately following the center lines of streets, highways, or alleys shall be construed to follow such center lines.
- b. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
- c. Boundaries indicated as approximately following the City limits shall be construed as following said City limits.
- d. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks.
- e. Boundaries indicated as following shorelines/river banks, county drains shall be construed to follow said lines, and in the event of a change in the shoreline, shall

be construed as moving with the actual shoreline; boundaries indicated as approximately following the center line of streams, drains, rivers, canals, lakes or other bodies of water, shall be construed to follow such centerlines.

- f. Boundaries indicated as parallel to or extensions of features indicated in subsections 2.03.a through 2.03.e above shall be so construed. Distances not specifically indicated on the Zoning District Map shall be determined by the scale of the map or by reference to district boundaries shown on official tax assessment maps of the City of Northville.
- g. Where physical or cultural features existing on the ground are at variance with those shown on the Zoning District Map, or in other circumstances not covered by subsections 2.03.a through 2.03.f above, the Board of Appeals shall interpret the district boundaries.
- h. Where the boundary line between zoning districts is unclear, those requirements of the most restrictive district shall determine the regulations applicable.

SECTION 2.04 ZONING UPON ANNEXATION

Whenever any area is annexed to the City of Northville, one of the following conditions shall apply.

- a. Land that is zoned previous to annexation shall be classified as being in whichever district of this Ordinance which most closely conforms with the zoning that existed prior to annexation.
- b. Land not zoned prior to annexation shall be classified into whichever district of this Ordinance most closely conforms with the existing use.

SECTION 2.05 ZONING OF VACATED AREAS

Whenever any street, alley or other public way within the City of Northville shall have been vacated by action of the City Council, and when the lands within the boundaries thereof attached to and become a part of lands adjoining such street, alley or public way, such lands formerly within such vacated street, alley or public way shall automatically, and without further action of the City Council, thenceforth acquire and be subject to the same zoning regulations as are applicable to lands to which same shall attach, and the same shall be used for the same use as is permitted under this Ordinance for such adjoining lands.

SECTION 2.06 UNIFORM DISTRICT REQUIREMENTS

Buildings and uses in all districts shall be subject to the provisions of Article 15, Schedule of Regulations; Article 16, Off-Street Parking and Loading Regulations; Article 17, General Provisions; and Article 18, Site Development Plan Procedural and Approval Process, except as modified for a particular Zoning District. Should any land have been inadvertently omitted from one of the Zoning Districts listed in this Zoning Ordinance, it shall be classified as a first Density Residential District (R-1).

a. Districts Established. *(Rev. 4/19)*

For the purpose of this Chapter, the City is hereby divided into the following districts:

R-1A	First Density Residential District
R-1B	First Density Residential District
R-2	Second Density Residential District
R-3	Third Density Residential District
R-4	Fourth Density Residential District
PBO	Professional and Business Office District
OR	Office/Research District
LCD	Local Commercial District
CBD	Central Business District
CBD-O	Central Business District – Overlay
CSO	Cady Street Overlay (CSO-1/CSO-2)
GCD	General Commercial District
SM-O	Seven Mile – South Main Street Overlay (SM-O)
RTD	Racetrack District
PR-1	Performance Regulated Industrial District No. 1
PR-2	Performance Regulated Industrial District No. 2
PUD	Planned Unit Development

PRINCIPAL USE	DISTRICTS															
	R-1A	R-1B	R-2	R-3	R-4	PBO	OR	LCD	CBD	CBD-O	CSO'	GCD	SM-O	RTD	PR-1	PR-2
Residential Uses:																
Single-Family dwellings	P	P	P	P	P	S		S		P			P			
Two-Family dwellings			P	P	P	S		S								
Multiple-Family dwellings				P	P	S				P	P		P			
Assisted senior living - Small				P	P											
Assisted senior living – Large				S	S											
Continuing Care Retirement Comm.					S											
Convalescent and/or Nursing Home				P	P											
Manufactured dwelling parks					S											
Home occupations	P	P	P	S	S											
Residential upper stories						S			P	P	P		P			
Apartment/Residential Hotel					S											
Mobile Home Park					S											
Care Centers:																
Family foster care	P	P	P	P	P											
Group foster care					S											
Family day care	P	P	P	P	P											
Group day care			S	P	S	P		P	S	S	S	S	S			
Child care centers					S	P		P	S	S	S	P	P			
Public/Quasi Public																
Cemeteries	P	P	P	P	P											
Public/Semi-public/parks	S	S	S	S	S	P		P	P	P	P	P	P			
Essential public services	P	P	P	P	P	P	P	P	P	P	P	P	P			
Essential public service buildings.	S	S	S	S	S	P	P					P	P			
Essential public service storage yards.						P										
Hospitals				S				S				S	S			
Radio, TV, Trans. Towers															S	S
Public primary/secondary schools	S	S	S	S	S											
Colleges	S	S	S	S	S	P		S	P	P	P	P	P			
Churches	S	S	S	S	S	P		P	P	P	P	P	P			
Wireless Communication															S	S
Auto/Transportation Uses:																
Auto sales												S				
Auto service station								S				S				
Auto repair station								S				S				
Auto body repair												S			P	P
Auto wash, automatic												S			P	P
Auto wash, self-service												S			P	P
Food/Restaurants/Entertainment:																
Restaurant-sit down						S		P	P	P	P	P	P			
Drive-In/Drive-Through								S				P	P			
Restaurant Take-Out/Home Delivery								P	S	S	S	P	P			
Clubs, In-door theaters, cinemas																
Video rental								S	P	P	P	P	P			
Lodging:																
Bed and breakfast Inns	S	S	S	P	P			P	P	P	P	P	P			
Hotels/Motels									P	P	P	P	P			
Office/Service Uses:																
Commercial kennels												P	P		P	P
Commercial printing								P	P	P	P	P	P			
Commercial schools												S	S			
Funeral homes						P		P	P	P	P	P	P			
Medical clinic						P		P	P	P	P	P	P			
Newspaper offices									P	P	P	P	P			
Personal service								P	P	P	P	P	P			
Professional offices						P	P	P	P	P	P	P	P		P	P
Professional services						P	P	P	P	P	P	P	P			
Veterinary clinic						S		S				S	S			
Retail Commercial Uses:																
Banks, S&L's, Credit Unions						P		P	P	P	P	P	P			
Banks, etc. w/ Drive-Through						P		P	S	S	S	P	P			
Teller, automatic, 24-hour						P		P	P	P	P	P	P			
Convenience store – no gas								P	P	P	P	P	P			
Convenience store – gas sales												S				
Retail businesses								P	P	P	P	P	P			
Regional shopping centers												S				

Key: P = PERMITTED USE S = SPECIAL LAND USE

PRINCIPAL USE	DISTRICTS															
	R-1A	R-1B	R-2	R-3	R-4	PBO	OR	LCD	CBD	CBD-O	CSO ¹	GCD	SM-O	RTD	PR-1	PR-2
Recreational Uses:																
General Commercial Outdoor Rec.												S	S			
Golf courses	S	S	S	S	S											
Golf driving ranges, mini-golf												S	S			
Indoor rec. establishments								S	S	S	S	P	P			
Racetrack											P (a)			P		
Misc. Commercial Uses:																
Building & lumber supply											P (b)	S	S		P	P
Garden centers, nurseries											P (b)	S	S		P	P
Storage Type Uses:																
Commercial Outdoor Storage											S (b)	S	S		S	S
Mini / Self-Storage											P (b)	S	S		P	P
Industrial Uses:																
Bulk Petroleum																S
Contractor's Equipment Storage																
Experimental Research & Testing Labs							P				P (b)				P	P
Extractive Uses																S
Food Products							S									
Manufacturing, Processing, etc.											P (b)				P	P
Metal Plating																S
Plastics											P (b)				P	P
Printing											P (b)				P	P
Salvage Yard																S
Solid Waste Processing											S (b)				S	S
Tool & Die, Gauge & Machine Shops											P (b)				P	
Truck / Trailer Rental											P (b)	S			P	P
Warehousing / Wholesale											P (b)				P	

Key: P = PERMITTED USE S = SPECIAL LAND USE

(Rev. 4/19)

¹ The Cady Street Overlay (CSO) District permits all uses allowed in the Central Business District on all parcels in the CSO. However, uses allowed by underlying zoning districts RTD and PR-1 only apply to those parcels zoned RTD or PR-1 respectively. "RTD-only" uses are identified as (a) in the table and "PR-1-only" uses are identified as (b) in the table.

Note: The above chart is intended for reference only. Please refer to the specific section for detailed list of permitted and special uses.

SECTION 2.07 COMPLIANCE WITH LAW

Uses of land, buildings, or structures for purposes that are prohibited by or contrary to federal, state or local regulations and ordinances are expressly prohibited in any zoning district within the City. However, the following are exempt from this prohibition in accordance with the Michigan Medical Marihuana Act, PA 2008, Initiated Law, MCL 333.26423(d):

- a. The use or possession of Marihuana by a registered qualifying patient as defined in the Michigan Medical Marihuana Act, PA 2008, Initiated Law 1, as amended;
- b. The growth/cultivation of marihuana or provision of services to a qualifying patient by a primary caregiver as defined in the Michigan Medical Marihuana Act, PA 2008, Initiated Law 1, as amended.

ARTICLE 3**FIRST DENSITY RESIDENTIAL DISTRICT (R-1A thru R-1B)****SECTION 3.01 STATEMENT OF PURPOSE**

The R-1 District is designed to provide a single-family detached dwelling environment with supporting ancillary uses in areas of the community which at present are served by public utilities. Also included are areas generally characterized as contemporary residential developments and those older residential parts of the community in which houses of architectural and historic distinction are to be preserved.

SECTION 3.02 USES PERMITTED BY RIGHT

The following provisions apply in all First Density Residential Districts. In an R-1 District no person shall hereafter use any building, structure or land and no person shall erect any building or structure except in accordance with the following provisions:

- a. One family detached dwellings.
- b. Planned Unit Development pursuant to Article 20.
- c. Cemeteries.
- d. Family Day Care Homes.
- e. Family Foster Care Homes.
- f. Accessory uses, subject to the provisions of Sec. 18.04.
- g. Home occupations subject to the provisions of Sec. 18.15.
- h. Essential public services.

SECTION 3.03 SPECIAL LAND USES PERMITTED AFTER REVIEW AND APPROVAL

The following uses may be permitted by the Planning Commission pursuant to Sec. 16.01 and subject further to the following provisions:

- a. Churches and other church related facilities customarily incidental thereto. (*Rev. 8/06*)

- b. Public, parochial and other private elementary, intermediate schools and/or high schools offering courses in general education.
- c. Utility and public service buildings and uses (without storage yards) when operating requirements necessitate the location of said building within the District in order to serve the immediate area.
- d. Publicly owned and operated libraries, parks, parkways and recreation facilities and publicly owned historical village.
- e. Private non-profit swimming pool clubs, institutional or community recreation centers.
- f. Golf Courses.
- g. Colleges, universities and other such institutions of higher learning, public or private, offering courses in general, technical, or religious education.
- h. Bed and breakfast accommodations in accordance with Section 16.03.
- i. Accessory buildings, structures and uses customarily incidental to any of the above Special Land Uses as defined in Article 16.

SECTION 3.04 AREA, HEIGHT AND PLACEMENT REQUIREMENTS

Area, height and placement requirements unless otherwise specified are as provided in the following table and as further provided in Section 15.01, “Schedule of Regulations”.

	Minimum Lot Size		Maximum Building Height		Minimum Yard Setback in Feet Sideyards				Minimum Landscaped Area
	Area In Sq Feet	Width In Feet	In Stories	In Feet	Front	Least Side	Total Two	Rear	Percent of Lot Area
R-1A	12,000	100	2 1/2	30	30	8	20	35	35
R-1B	7,200	60	2 1/2	30	25	7	15	25	35

Note: See Section 15.01, Schedule of Regulations and footnotes thereto for additional requirements and regulations.

ARTICLE 4**SECOND DENSITY RESIDENTIAL DISTRICT (R-2)****SECTION 4.01 STATEMENT OF PURPOSE**

The R-2 District is designed to provide for a one and two family residential environment with supporting ancillary uses.

SECTION 4.02 USES PERMITTED BY RIGHT

The following provisions apply to all Second Density Residential Districts. In an R-2 District no person shall hereafter use any building or structure except in accordance with the following provisions:

- a. All uses permitted by right in the R-1 District unless otherwise provided.
- b. Two family dwellings.
- c. Planned Unit Development pursuant to Article 20.
- d. Cemeteries.
- e. Family Day Care Homes.
- f. Family Foster Care Homes.
- g. Accessory uses, subject to the provisions of Sec. 18.04.
- h. Home occupations subject to the provisions of Sec. 18.15.
- i. Essential public services.

SECTION 4.03 SPECIAL LAND USES PERMITTED AFTER REVIEW AND APPROVAL

The following uses may be permitted by the Planning Commission pursuant to Section 16.01 and subject further to the following provisions: *(Rev. 8/06)*

- a. All special land uses permitted in the R-1 District unless otherwise provided and subject to the regulations pursuant to Article 16.

- b. Converted dwellings, the conversion of existing residences is hereby permitted provided further encroachment into required yard areas is not necessary and in accordance with Section 16.04.
- c. Bed and breakfast accommodations in accordance with Section 16.03.

SECTION 4.04 AREA, HEIGHT AND PLACEMENT REQUIREMENTS

Area, height and placement requirements unless otherwise specified are as provided in the following table and as further provided in Section 15.01, “Schedule of Regulations”.

Minimum Lot Size		Maximum Building		Minimum Yard Setback in Feet				Minimum Landscaped Area
		Height		Side yards				
Area In Sq. Feet	Width In Feet	In Stories	In Feet	Front	Least Side	Total Two	Rear	Percent of Lot Area
7,200	60	2 1/2	30	25	5	15	25	25

Note: See Section 15.01, Schedule of Regulations and footnotes thereto for additional requirements and regulations.

ARTICLE 5**THIRD DENSITY RESIDENTIAL DISTRICT (R-3)****SECTION 5.01 STATEMENT OF PURPOSE**

The R-3 District is designed to provide for a multiple-housing environment with townhouses and garden apartments constituting the principal type of dwelling accommodations. The District is adequately supported with necessary public utilities. Planned unit developments which combine various dwelling types within an open space environment are encouraged to locate in this zoning district.

SECTION 5.02 USES PERMITTED BY RIGHT

The following provisions apply in all Third Density Residential Districts. In an R-3 District no person shall hereafter use any building or structure except in accordance with the following provisions:

- a. All uses permitted by right in the R-1 and R-2 District subject to the terms and conditions provided therein.
- b. Multiple family dwelling units including apartments, townhouses and rowhouses.
- c. Assisted Senior Living – Small Facility, as follows: *(Rev. 5/18)*
 - 1) All Assisted Senior units in a congregate type building shall consist of at least three hundred fifty (350) square feet per unit (not including sanitary facilities). Density shall not exceed 20 residents per acre.
 - 2) The proposed facility may not exceed a height of two and one-half (2 1/2) stories.
 - 3) The proposed facility shall consist of at least one (1) acre and may provide common services containing but not limited to, central dining rooms, recreational rooms, central lounge and workshops.
- d. Convalescent and/or Nursing Home. Density shall not exceed 20 residents per acre. *(Rev. 5/18)*
- e. Planned Unit Development pursuant to Article 20.
- f. Cemeteries.
- g. Family Day Care Homes.

- h. Group Day Care Homes.
- i. Family Foster Care Homes.
- j. Accessory uses subject to the provisions of Section 18.04.
- k. Home Occupations subject to the provisions of Section 18.15.
- l. Essential public services.
- m. Bed and breakfast accommodations in accordance with Section 16.03.

SECTION 5.03 SPECIAL LAND USES PERMITTED AFTER REVIEW AND APPROVAL

The following uses may be permitted by the Planning Commission pursuant to Article 18 and subject further to the following provisions:

- a. All Special Land Uses permitted in the R-1 and R-2 District subject to the provisions provided therein.
- b. Hospitals subject to Section 16.05.
- c. Assisted Senior Living – Large Facility subject to Section 16.17. *(Rev. 5/18)*

SECTION 5.04 AREA, HEIGHT AND PLACEMENT REQUIREMENTS

Area, height and placement requirements unless otherwise specified are as provided in the following table and as further provided in Section 15.01, “Schedule of Regulations”.

Minimum Lot Size		Maximum Building Height		Minimum Yard Setback in Feet				Minimum Landscaped Area
Area In Sq. Feet	Width In Feet	In Stories	In Feet	Side yards				Percent of Lot Area
				Front	Least Side	Total Two	Rear	
10,000	75	2 ½	30	25	15	30	35	40

Note: See Section 15.01, Schedule of Regulations and footnotes thereto for additional requirements and regulations.

ARTICLE 6**FOURTH DENSITY RESIDENTIAL DISTRICT (R-4)****SECTION 6.01 STATEMENT OF PURPOSE**

The R-4 Residential District (High Density) is designed to provide sites for high density multiple dwelling structures, adjacent to high traffic generators commonly found in proximity of non-residential development. This District is further intended to serve the residential needs of persons desiring an apartment type of accommodation with central services as opposed to the residential patterns found in the R-1 to R-3 Residential Districts. This District is further designed so as to provide a zone of transition between high traffic generators and other residential districts through the requirements of lower coverage which, in turn, will result in more open space.

SECTION 6.02 USES PERMITTED BY RIGHT

The following provisions apply in all Fourth Density Residential Districts. In an R-4 District no person shall hereafter use any building, structure or land and no person shall erect any building or structure except in accordance with the following provisions:

- a. All uses permitted by right in the R-3 District subject to the terms and conditions provided therein and subject further Section 15.01, "Schedule of Regulation".
- b. Multiple family dwelling units in high rise structures (three stories or greater), subject to the following conditions:
 - 1) All such high rise structures shall be developed only on a site which can provide for the principal building and required yards, and all necessary accessory structures and uses, and required off-street parking.
 - 2) The entire area of the site shall be treated so as to service only the residents of the multiple family development, and any accessory buildings, uses, or services shall be developed solely for the use of residents of the main building. Uses considered accessory include: parking structures, swimming pools, recreation areas, pavilions, cabanas, and other similar uses.
- c. Planned Unit Development pursuant to Article 20.
- d. Bed and breakfast accommodations in accordance with Section 16.03.

SECTION 6.03 SPECIAL LAND USES PERMITTED AFTER REVIEW AND APPROVAL

The following uses may be permitted by the Planning Commission pursuant to Section 16.01 and subject further to the following provisions: *(Rev. 8.06)*

- a. All Special Land Uses permitted in the R-1, R-2 and R-3 Districts subject to the provisions provided therein.
- b. Business uses when developed as retail or service uses clearly accessory to the main use and within the walls of the main structure, and not readily viewable from the street. No identifying sign for any such business or service use shall be visible from any exterior view. Such businesses or service shall not exceed twenty five (25) percent of the floor area at grade level or fifty (50) percent of a subgrade level, and shall be prohibited on all floors above the first floor, or grade level.
- c. This subsection shall be construed to permit an apartment hotel and/or residential hotel as provided in Article 26, “Definitions”.
- d. Child day care centers.
- e. Mobile Home Parks and/or Developments subject to Section 16.10 and requirements with 1987 P.A. 96 as amended.
- f. Continuing Care Retirement Community subject to Section 16.18. *(Rev. 5/18)*

SECTION 6.04 AREA, HEIGHT AND PLACEMENT REQUIREMENTS

Area, height and placement requirements unless otherwise specified are as provided in the following table and as further provided in Section 15.01, “Schedule of Regulations”.

Minimum Lot Size		Maximum Building Height		Minimum Yard Setback in Feet Sideyards				Minimum Landscaped Area	Maximum Gross Floor Area Ratio
Area In Sq. Feet	Width In Feet	In Stories	In Feet	Front	Least Side	Total Two	Rear	Percent of Lot Area	
10,000	N/A	5	60	30	15	30	30	35	0.50

Note: See Section 15.01, Schedule of Regulations and footnotes thereto for additional requirements and regulations.

ARTICLE 7**PROFESSIONAL AND BUSINESS OFFICE DISTRICT (PBO)****SECTION 7.01 STATEMENT OF PURPOSE**

The PBO District is designed to encourage the grouping of similarly related structures and land uses for offices of one kind or another. These districts typically are mapped near shopping center locations and at the junction of major travel routes or to serve as a transition between residential uses and more intensive commercial uses.

SECTION 7.02 USES PERMITTED BY RIGHT

The following provisions shall apply in all Professional and Business Office Districts. In a PBO District no person shall hereafter use any building, structure or land and no person shall erect any building or structure except in accordance with the following provisions:

- a. Office buildings for any of the following occupations: executive; administrative; professional; accounting; writing; clerical; stenographic; drafting; and sales; insurance, real estate and similar or allied professions.
- b. Hospitals, medical and dental offices and clinics (but excluding veterinary offices and clinics), chiropractors, optometrists, osteopaths and similar or allied professions.
- c. Banks, credit unions, savings and loan associations, and similar uses, including those with drive-through facilities.
- d. Publicly owned buildings, municipal offices exchanges, public utility offices, schools and libraries.
- e. Retail and service commercial uses incidental and subordinate to the above when included within an office building, which may include restaurants and other establishments serving food and/or beverages, gift shop, art or antique shop, magazine, tobacco and confectionery shop, drug store, barber and/or beauty shop.
- f. Group Day Care Homes, Child Day Care Centers, subject to the licensing requirements of the City and State.
- g. Funeral homes.
- h. Churches.

- i. Personal service establishments when located within an office building and occupying no more than twenty-five percent (25%) of the gross floor area of the building. Such uses may include snack shops, barber and beauty shops, pharmacy, shoe shine and repair, postal service centers, copy centers, 24-hour banking centers/ready tellers and similar establishments compatible with office uses, as determined by the Planning Commission.
- j. Exterior 24-hour banking centers/ready tellers which are separate from a financial institution.
- k. Essential public services.
- l. Accessory buildings, structures and uses customarily incidental to any of the above Permitted Uses, as defined in Sec. 18.04.

SECTION 7.03 SPECIAL LAND USES PERMITTED AFTER REVIEW AND APPROVAL

The following uses may be permitted by the Planning Commission pursuant to Section 16.01 and subject further to the following provisions: *(Rev. 8/06)*

- a. Retail establishments similar in nature to the following:
 - 1) Wearing apparel and accessories
 - 2) Jewelry, cosmetics and notions
 - 3) Gift shops, camera shops, record shops and similar uses
 - 4) Tea room, coffee shop, dining room or other sit-down restaurants as opposed to a drive-in restaurant.
- b. Service establishments similar in nature to the following:
 - 1) Hair cutting/styling shops/beauty salon
 - 2) Soft goods repair shop
 - 3) Jewelry, watch and repairs of small household appliances.
- c. Mixed use residential/office uses providing residences only on upper floors. *(Rev. 5/18)*
- d. Veterinary clinics, pet shops, animal grooming services and similar uses which deal with live animals, subject to Section 16.08.

- e. Essential public service storage yards and facilities including transformer stations, utility sub-stations, gas regulator stations and public works storage yards.

SECTION 7.04 AREA, HEIGHT AND PLACEMENT REQUIREMENTS

Area, height and placement requirements unless otherwise specified are as provided in the following table and as further provided in Section 15.01, “Schedule of Regulations”.

Minimum Lot Size		Maximum Building Height		Minimum Yard Setback In Feet Sideyards				Minimum Landscaped Area	
Area In Sq. Feet	Width In Feet	In Stories	In Feet	Front	Least Side	Total Two	Rear	Percent of Lot Area	Maximum Gross Floor Area Ratio
N/A	N/A	3	30	20	10	20	25	10	0.50

Note: See Section 15.01, Schedule of Regulations and footnotes thereto for additional requirements and regulations.

ARTICLE 8**OFFICE / RESEARCH DISTRICT (OR)****SECTION 8.01 STATEMENT OF PURPOSE**

The OR District is designed to accommodate uses such as offices and research facilities. The uses would be related to office, medical, testing, research, applied technology, computer technology and proto-type planning.

SECTION 8.02 USES PERMITTED BY RIGHT

In an OR District, no person shall hereafter use any building, structure or land and no person shall erect any building or structure except in accordance with the following uses:

- a. Office buildings for any of the following occupations: computer science, governmental, executive, administrative, professional, accounting, clerical, sales and data processing.
- b. Research, computer technology and design centers including the development of pilot, experimental, or proto-type planning.
- c. Medical office, dental office, laboratories, clinics, but excluding veterinary offices.
- d. Off-street parking lots.
- e. Essential public services and buildings.

SECTION 8.03 SPECIAL LAND USES PERMITTED AFTER REVIEW AND APPROVAL

The following uses may be permitted by the Planning Commission pursuant to Section 16.01 and subject further to the following provisions: *(Rev. 8/06)*

- a. Light assembly operations limited to those involving premanufactured finished objects, instruments, and precision instrument components provided there is no outdoor storage, exterior noise, glare, dust, or objectionable odors.
- b. The compounding, processing or treatment of such products as drugs, pharmaceuticals and food items provided there is no outdoor storage, exterior noise, glare, dust, or objectionable odors.

SECTION 8.04 AREA, HEIGHT AND PLACEMENT REQUIREMENTS

Area, height and placement requirements unless otherwise specified are as provided in the following table and as further provided in Section 15.01, "Schedule of Regulations."

Minimum Lot Size		Maximum Building Height		Minimum Yard Setback in Feet Sideyards				Minimum Landscaped Area	Maximum Gross Floor
Area In Sq. Feet	Width In Feet	In Stories	In Feet	Front	Least Side	Total Two	Rear	Percent of Lot Area	Area Ratio
N/A	75	2	30	20	10	20	25	10	0.50

Note: See Section 15.01, Schedule of Regulations and footnotes thereto for additional requirements and regulations.

ARTICLE 9**LOCAL COMMERCIAL DISTRICT (LCD)****SECTION 9.01 STATEMENT OF PURPOSE**

The Local Commercial District (LCD) is intended to provide for retail, office and service uses which are needed to serve nearby residential areas. The intent of this District is also to encourage the concentration of local businesses in locations proposed in the master plan creating harmonious land use arrangement with residential areas, and prohibiting uses which might create traffic hazards, offensive noises and late hour operations.

SECTION 9.02 USES PERMITTED BY RIGHT

The following provisions shall apply in all Local Commercial Districts. In a LCD no person shall hereafter use any building, structure of land and no person shall erect any building or structure except in accordance with the following provisions:

- a. Shops for sale of baked goods; beverages, including liquor outlets; books; confectionery; drugs; flowers; food stuffs including produce, fruit and meat; gifts; hardware; hobby equipment; jewelry; notions; paints; periodicals; sundry small household articles; clothing, tobacco, and convenience stores.
- b. Personal service establishments performing services on the premises, such as barber and beauty shops, watch and shoe repair, tailor shops, locksmith, photographers, copy centers and similar establishments.
- c. Laundry or dry cleaning customer outlets, coin operated laundromat, self-serve dry cleaning center and the like. Dry cleaning or laundry plants serving more than one customer service outlet shall be prohibited.
- d. Medical and dental offices and clinics, (excluding veterinary offices and clinics).
- e. Banks, Savings and Loans, Credit Unions (including drive through facilities and automatic teller).
- f. Home delivery, take-out restaurants and sit down restaurants.
- g. Professional services such as insurance, law offices, real estate, financial and similar or allied professions.
- h. Group Day Care Homes, Child Day Care Centers, subject to the licensing requirements of the City and State.

- i. Public and semi-public institutional buildings, structures, churches and uses.
- j. Funeral homes.
- k. Bed and breakfast inns.
- l. Accessory buildings and structures and uses customarily incidental to the proposed use and in accordance with Section 18.04.

SECTION 9.03 SPECIAL LAND USES PERMITTED AFTER REVIEW AND APPROVAL

The following uses may be permitted subject to the conditions hereinafter imposed for each use and subject to the approval of the Planning Commission pursuant to Section 16.01. (Rev. 8/06)

- a. Automobile Service Stations shall be subject to Section 16.09.
- b. Veterinary clinics, pet shops, animal grooming services and similar uses which deal with live animals, subject to Section 16.08.
- c. Video rental establishments.
- d. Drive-in or drive-through restaurants subject to Section 16.06.
- e. Single-family and two-family residential units.
- f. Hospitals subject to Section 16.05.

SECTION 9.04 AREA, HEIGHT AND PLACEMENT REQUIREMENTS

Area, height and placement requirements unless otherwise specified are as provided in the following table and as further provided in Section 15.01, “Schedule of Regulations”.

Minimum Lot Size		Maximum Building Height		Minimum Yard Setback In Feet Sideyards				Minimum Landscaped Area	Maximum Lot Area Coverage
Area In Sq. Feet	Width In In Feet	In Stories	In Feet	Front	Least Each	Total Side	Rear	Percentage of Lot Area	Percentage Of Lot Ratio
N/A	N/A	N/A	30	25	N/A	N/A	20	10	N/A

Note: See Section 15.01, Schedule of Regulations and footnotes thereto for additional requirements and regulations.

ARTICLE 10
CENTRAL BUSINESS DISTRICT (CBD)

SECTION 10.01 STATEMENT OF PURPOSE

The City of Northville downtown area serves a central place function to the urbanized area about it. The purpose of the Central Business District is to create an area of high intensity urban conditions providing convenient and accessible goods and services within an aesthetically pleasing environment. A diversity of intensively developed land, satisfying a wide range of goods and services including institutional and cultural services is essential to the enhancement of the City of Northville as an urban central place. Land in the City of Northville is a scarce resource and use activities which tend to require large amounts of open space are inconsistent with the use of land for a CBD purpose. On the other hand, multi-purpose buildings which include a mix of retail, service, and office uses and shared parking are seen as consistent with the role of the CBD area. Renovation and re-development of existing upper floor residential units in the downtown as a secondary use that supports the economic viability of this commercial district is also consistent with the downtown. *(Rev. 5/18)*

SECTION 10.02 USES PERMITTED BY RIGHT

The following provisions shall apply in all CBD Districts. In the Central Business District (CBD) no person shall hereafter use any building, structure or land and no person shall erect any building or structure except in accordance with the following provisions:

- a. Generally recognized retail businesses, service establishments, offices, and institutional uses as follows:
 - 1) Convenience Group:
 - Food stores including all types of specialty foods such as bakeries, delicatessen, imported foods, candy, and similar uses. Food stuffs may be prepared on the premises as an accessory use if sold at retail on premise.
 - Drug stores.
 - Hardware and related stores such as paint, wallpaper, and similar uses.
 - Video rental.

2) Comparison Group:

- Department Stores
- Restaurants - sit down and take out as defined in Article 26.
- Apparel shops, including specialty shops of all sorts, shoe stores, and similar uses.
- Household furniture, home furnishings, gift shops, interior decorators, appliances, electronic appliances, office furniture, equipment and supplies.
- Variety Stores.
- Gift shops, camera shops, record shops, book stores, music shops and similar uses.
- Drafting, cartographic and art supplies and equipment.
- Service and repairs when incidental to a permitted use.
- Mail order houses and retailers merchandise showrooms.

3) Service Facilities Group:

- Service shops such as barber, beauty, drop-off laundry and dry cleaner service, and similar uses.
- Commercial recreation facilities such as bowling alleys, movie theaters.
- Repair shops for such items as jewelry, watch, clocks, apparel and related items.
- Hotels, motor hotels, bed and breakfast inns and accessory uses including dining, entertainment, recreation and conference facilities.
- Travel agencies.
- Newspaper offices, publishing, commercial printers, copy centers.
- Funeral homes.
- Private clubs, lodge halls.

- 4) Professional and Other Offices:
 - Doctors, dentists, lawyers and architects.
 - Insurance, real estate offices, general business and professional offices.
 - Banks, loan offices, credit unions, stock exchange offices and other financial institutions (including drive-through branches or 24-hour automatic tellers).
 - Utility office
 - Chamber of Commerce
- 5) Automotive Groups:
 - Shops selling automobile parts and accessories exclusively
- 6) Other Uses As Noted:
 - (a) Public and quasi-public buildings such as but not restricted to:
 - (i) Churches
 - (ii) Municipal offices
 - (iii) Libraries
 - (iv) Essential public service buildings.
 - (b) Public or private off-street parking facilities according to the provisions of Article 17.
 - (c) Advertising signs subject to the Sign Ordinance.
 - (d) Accessory structures and uses customarily incidental to the above permitted uses.

SECTION 10.03 SPECIAL LAND USES PERMITTED AFTER REVIEW AND APPROVAL

The following uses may be permitted subject to the conditions hereinafter imposed for those uses herein defined and subject further to the approval of the Planning Commission pursuant to Section 16.01. (Rev. 8/06)

- a. Child Day Care Centers.

- b. Veterinary clinics, pet shops, animal grooming services and similar uses which deal with live animals, subject to Section 16.08.
- c. Home Delivery Restaurants, subject to Section 16.07. *(Rev. 4/17)*
- d. Residential apartments or condominiums in upper stories only. Units shall be individual dwelling units, as defined in this ordinance, and meet the minimum size requirements of Section 15.02, Footnote 15(4) for multiple family structures. *(Rev. 5/18)*

SECTION 10.04 AREA, HEIGHT AND PLACEMENT REQUIREMENTS

Area, height and placement requirements unless otherwise specified are as provided in the following table and as further provided in Section 15.01, “Schedule of Regulations”.

Minimum Lot Size	Maximum Building Height		Minimum Yard Setback In Feet Sideyards				Maximum Floor Area Ratio	Minimum Landscaped Area	Maximum Lot Area Coverage
	In Stories	In Feet	Front	Least Each	Total Side	Rear		Percent of Lot Area	Percentage of Lot Ratio
N/A	3	42	N/A	N/A	N/A	20	3.0	N/A	N/A

Note: See Section 15.01, Schedule of Regulations and footnotes thereto for additional requirements and regulations.

SECTION 10.05 CENTRAL BUSINESS DISTRICT – OVERLAY (CBD-O)

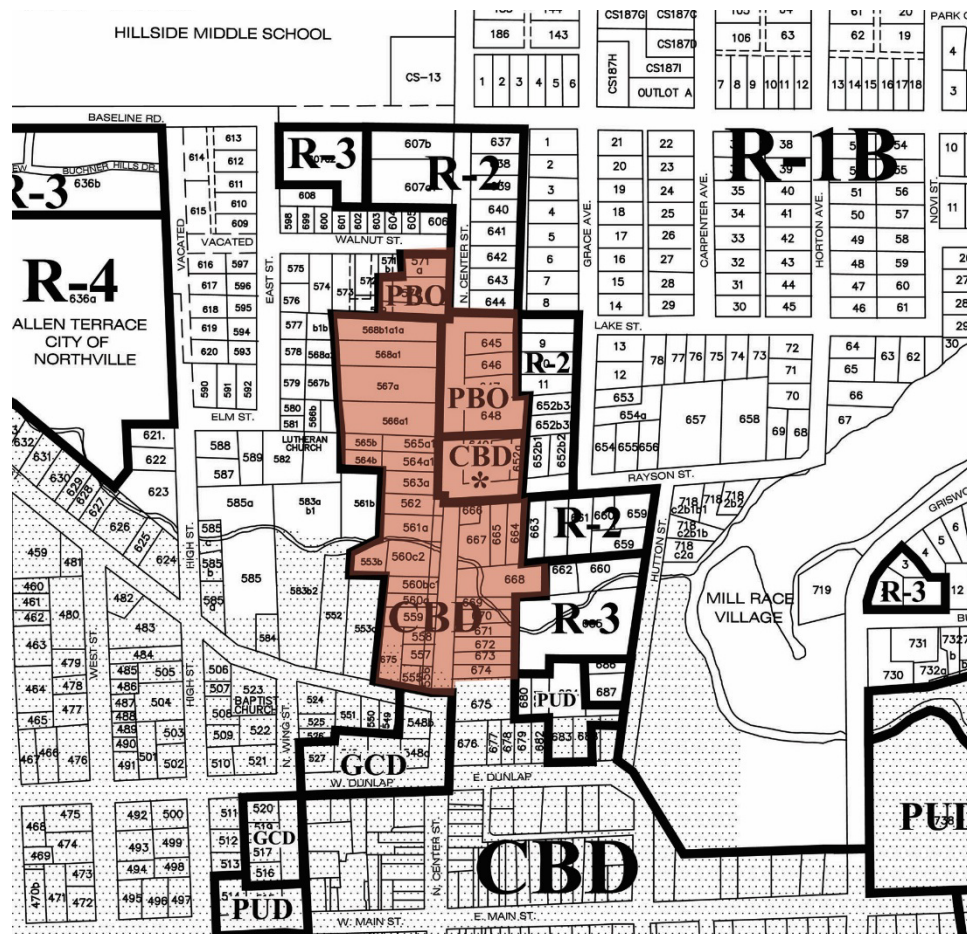
- a. Preamble: It is recognized that the North Center Central Business District Overlay Zone is a unique area of the CBD which requires special zoning regulations. The North Center Street area is different than Main Street because many buildings on North Center Street do not share common walls. Parcels are generally accessed by individual driveways, and the buildings are set back from the right-of-way rather than being located on the right-of-way. North Center Street also abuts single-family and multi-family residential areas. Because of these and other distinctions, a separate CBD overlay district has been created.

The overlay district will allow a mix of land uses designed to serve the commercial and residential needs of the community in an attractive, well-designed, and functional environment. It is designed to promote development consistent with the

City of Northville Master Plan, and in a manner which assures quality building design and site development. It is further intended to regulate the location of parking and ensure adequate buffers from adjoining residential areas.

- b. Uses Permitted by Right: All permitted uses within the CBD zoning district as listed in Section 10.02, and including first floor residential uses, shall be allowed within the CBD-O District. Permitted residential uses shall include single-family and multi-family residential dwelling units, as defined in this ordinance. (Rev. 5/18)
- c. Special Land Uses Permitted After Review and Approval: All special land uses listed within Section 10.03 shall be permitted, subject to Planning Commission approval, within the CBD-O District.

Figure 1. Central Business District Overlay District Boundary



- d. Area, Height, and Placement Requirements for the CBD-O District: Area, height, and placement requirements unless otherwise specified are as provided in the following table, and as further provided in Section 15.01, Schedule of Regulations.

Minimum Lot Size	Maximum Building Height		Minimum Yard Setback In Feet Sideyards				Maximum Front Setback	Minimum Landscaped Area	Maximum Lot Area Coverage
	In Stories	In Feet	Front	Least Each	Total Side	Rear			
N/A	3	42	10	N/A See below	N/A	See below	15	Percent of Lot Area N/A	Percentage of Lot Ratio N/A

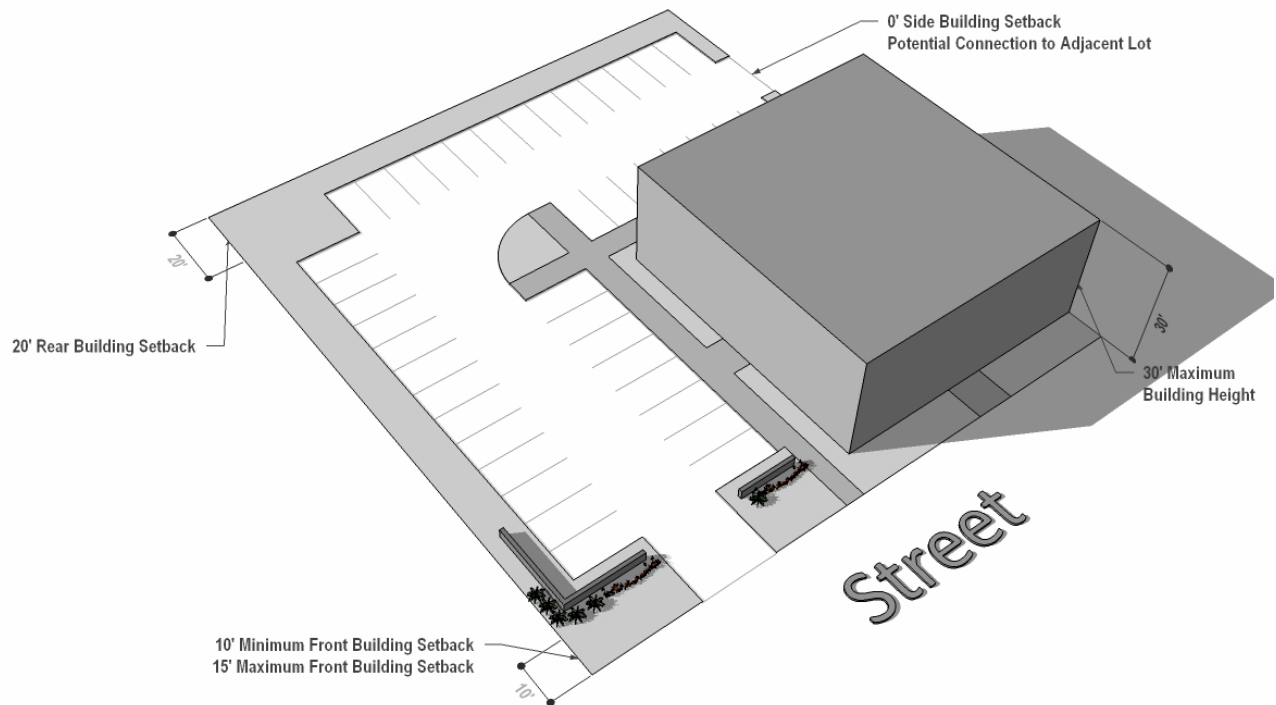
Graduated Building Height Setback (CBD-O): Rear yard setbacks or side yard setback requirements along CBD-O property lines which abut a residential use and zoned R-1B or R-2 shall be required as follows:

If CBD-O Building Height is...	Then Rear Setback or Side Yard CBD-O Setback Along a Property Adjoining R-1B or R-2 Zoning is...
30 feet or less	25 feet
31 feet to 42 feet	40 feet

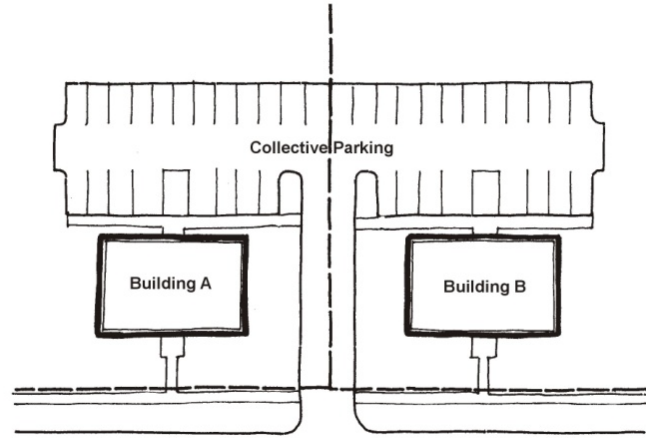
Note: See Section 15.01, Schedule of Regulations and footnotes thereto for additional requirements and regulations.

- e. Setbacks: Buildings shall be set back a minimum of ten (10) feet and a maximum of fifteen (15) feet from all public street rights-of-way. However, up to twenty percent (20%) of the building frontage may exceed the maximum front setback requirement for an entry court or plaza area.

Figure 2. Central Business District Overlay District Setbacks/Height Requirements

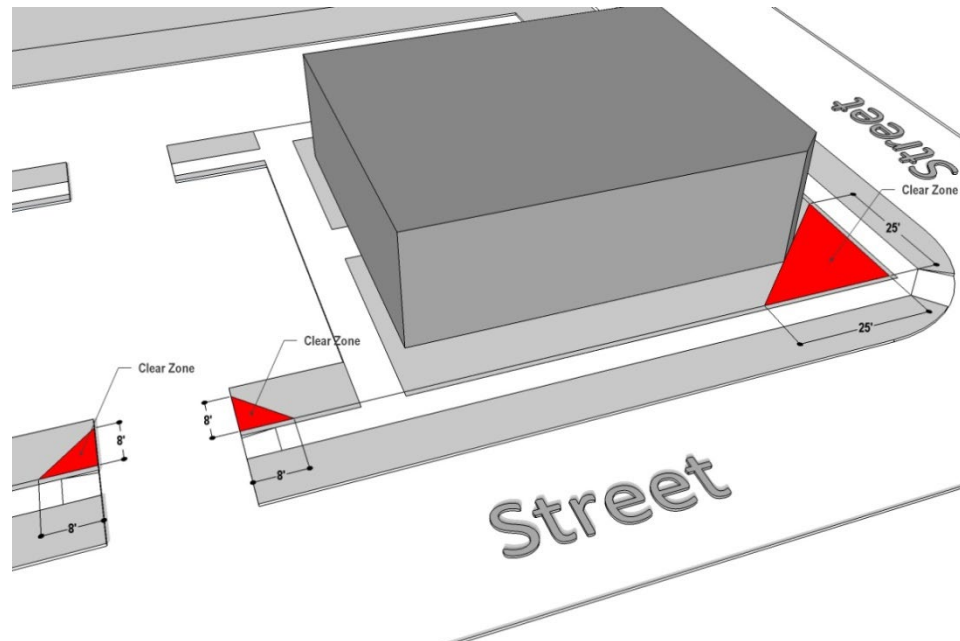


- f. **Access Management and Driveways:** The number of commercial driveways shall be the minimum necessary to provide reasonable access for regular traffic and emergency vehicles while preserving traffic operations and safety along North Center Street. A single means of direct or indirect access shall be provided for each separately owned parcel. Where possible, this access shall be via a shared driveway. Where it is not possible to provide shared access, this access may be by a single driveway. Additional driveways may be permitted, subject to site plan approval.
- g. **Shared Driveways / Collective Parking:** In order to minimize the number of curb cuts and maximize off-street parking, shared driveways and parking areas are encouraged. Collective parking and shared parking in accordance with Section 17.01.13 may be considered for the CBD Overlay District. Shared parking may allow a reduction of up to thirty percent (30%) from the parking requirements of Section 17.01.13.a, subject to City Council approval.



Shared Driveways / Collective Parking

Figure 3. Central Business District Overlay Clear Zone Regulations



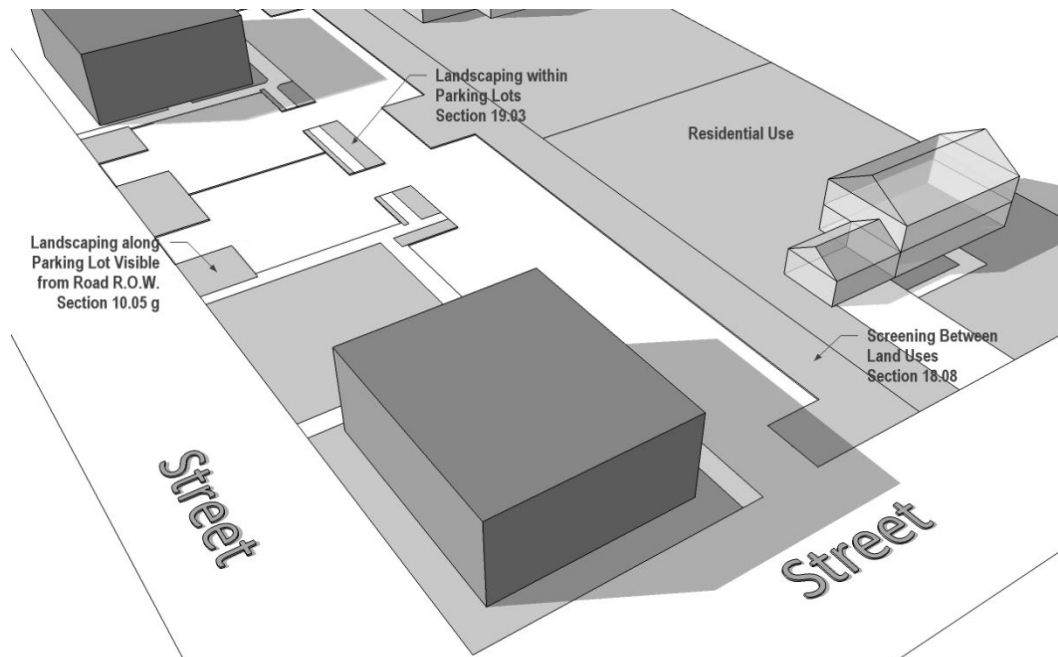
- h. Clear Zones: Clear vision zones shall be maintained along all driveways and streets. Sight visibility shall be in compliance with Section 18.07. Buildings at a corner of intersecting streets may provide for a pedestrian plaza in order to maintain sight visibility.
- i. Residential Buffering: Buffering between commercial uses and residential uses shall be in compliance with Section 18.08 and shall be achieved by a wall, screen barrier, planting strip, and/or landscape berm as determined by the Planning Commission.
- j. Parking: No parking shall be permitted between the building and the street. All off-street parking areas shall be screened or buffered in a manner that separates the parking areas as seen from the public right-of-way. A minimum six (6) foot wide

buffer between the parking lot and street right-of-way or sidewalk shall be shown. The buffer shall include one (1) or combinations of the following:

- Dense landscaping (minimum 1 tree and 10 shrubs every 40 feet)
- Decorative metal fencing (30 inches high)
- Masonry screening wall (30 inches high)

Off-street parking is required for all uses and shall comply with the parking requirements of Section 17.02. Cash in lieu of parking (Section 17.03) shall not be permitted within the Central Business District – Overlay (CBD-O).

Figure 4. Central Business District Overlay Screening/Landscaping Requirements



- k. **Pedestrian/Non-Motorized Enhancements:** Sidewalks shall be required along all street frontages, in accordance with Chapter 74 of the Northville Code of Ordinances. Where possible, sidewalks shall be positioned five (5) feet back of curb for public safety and to facilitate pedestrian connection between residential and commercial areas. Pedestrian and non-motorized enhancements shall be consistent with Complete Streets (Public Acts 134 and 135 of 2010). Curb bump outs, crosswalks, pedestrian refuge islands, or other safety barriers are encouraged to enhance pedestrian safety. Bike racks shall be considered at appropriate locations.
- l. **Streetscape:** Streetscape furnishings, including street trees, tree grates, special concrete finishing, pavers, and decorative lighting, shall be considered along all frontages along North Center Street. Streetscape furnishings shall be

complimentary to the City of Northville Downtown Development Authority (DDA) standards. At least one (1) canopy tree shall be provided for each forty (40) lineal feet.

- m. Stormwater Management: Future development shall incorporate Low Impact Development (LID) techniques for stormwater management where practical. This shall include infiltration and on-site retention. Developers are encouraged to consult the “Low Impact Development Manual for Michigan” developed by the Southeast Michigan Council of Governments. Possible LID techniques include:
- Inverted parking lot islands
 - Pervious paving materials
 - Bioswales
 - Other techniques for infiltration and on-site retention
- n. Architecture: It is the intent of the Central Business District Overlay Zone to provide high-quality building materials and complimentary building architecture. Architectural guidelines shall include the following:
- First floor architecture shall be compatible with sidewalk areas and shall provide an attractive interface between buildings and pedestrians. This shall be accomplished with generous window areas, recesses, and architectural detail.
 - Buildings shall have an orientation to the street and front sidewalk, with a functioning entrance which enhances the continuity of the pedestrian-oriented environment.
 - Where possible, there shall be a minimal grade differential between the elevation of the sidewalk and the first floor elevation of the adjoining building.
 - Building entries shall be readily identifiable and accessible, with at least one (1) main entrance, and shall open directly onto the public sidewalk.
 - Architecture will be evaluated based upon its compatibility and relationship to the adjacent buildings and uses, and vice versa.
 - Building materials shall be high-quality and compatible with surrounding architecture. Exterior insulation and finish systems (EIFS) may only be used for architectural detailing above the first floor.

- All rooftop mechanical equipment shall be screened from view in accordance with Section 18.11.11.
- o. Corner Building Standards.
 - 1) Standards: Corner buildings and structures shall incorporate distinctive features, materials, designs, height levels, and colors that are sensitive to the flanking buildings. Wider sidewalks and/or further setback from the corner's edge is encouraged to retain a line-of-sight through the corner.
 - 2) Form and Function: Use of ground level open-aired areas at the intersection of the sidewalks is encouraged. The design of open-aired areas or pedestrian plazas adds aesthetic distinction to the façade and compliments the pedestrian atmosphere of North Center Street. Integrating covered/uncovered seating and resting areas is highly encouraged.
- p. The Planning Commission may waive or modify the design standards or landscape requirements of this section where one (1) or more of the following factors are demonstrated:
 - 1) Architectural constraints and unique building characteristics.
 - 2) Compatibility with surrounding architecture and site design.
 - 3) Site constraints regarding size of parcel, circulation, limited right-of-way, etc.
 - 4) Other factors as identified by the Planning Commission.

SECTION 10.06 CADY STREET OVERLAY (CSO)

- a. **Preamble:** It is recognized that Cady Street and Cady Town are unique areas on the southern edge of the CBD which require special zoning regulations. Parcels within these areas are on the downtown fringe and are logically situated for growth and new investment. Additionally, the Middle Rouge River presents opportunities for riverfront amenities. Because of these and other distinctions, a separate Cady Street Overlay (CSO) district has been created. The CSO district addresses special siting, design and compatibility issues that require development regulations in addition to those found in the underlying zoning districts. When the standards of the CSO district conflict with those of the underlying district, the standards of the CSO shall govern.

The Cady Street Overlay district is intended to allow for a mixed-use transition zone between the downtown core and future residential uses to the south. The CSO district will allow a unique mix of land uses designed to serve the commercial and

residential needs of the community in an attractive, well-designed, and functional environment. The district is designed to promote development consistent with the City of Northville Master Plan, and in a manner which assures quality building design and site development. It is further designed to regulate the location of parking, regulate building height to achieve appropriate scale, and encourage the development of a pedestrian-friendly environment.

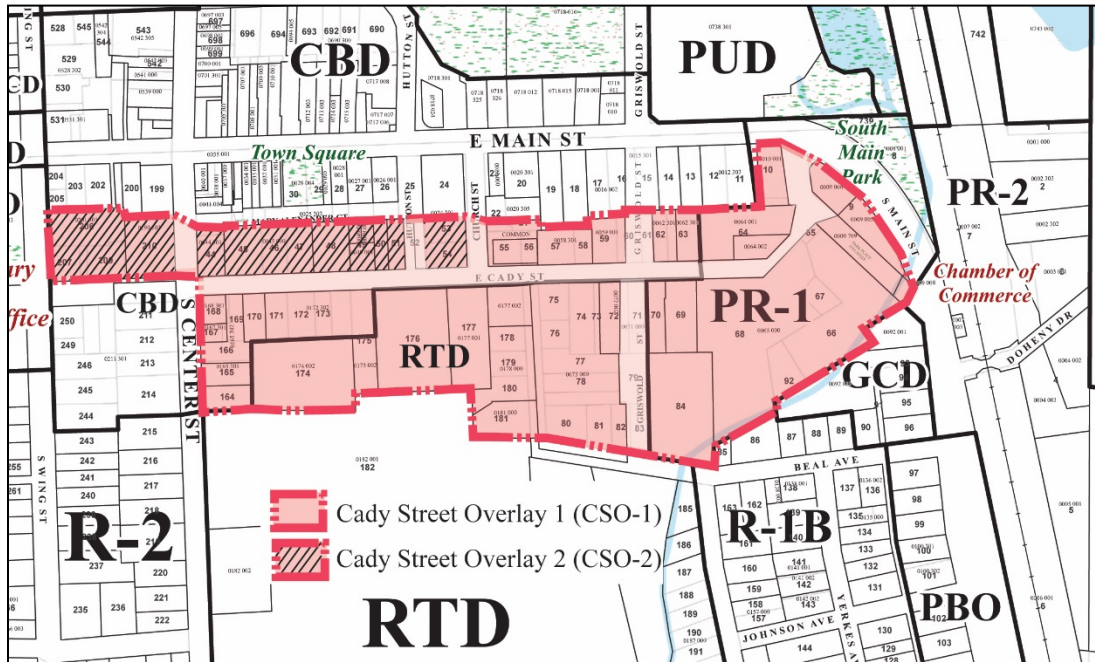
b. **Uses Permitted by Right:** The following uses shall be permitted by right within the Cady Street Overlay (CSO) district:

- 1) **For properties with underlying CBD or RTD zoning:** All permitted uses within the CBD zoning district as listed in Section 10.02. Also permitted: First floor multiple-family dwelling units including apartments, townhouses, and rowhouses and live/work units. However, properties within the Cady St. Overlay 2 (CSO-2) shall not be allowed first floor residential units.
- 2) **For properties with underlying PR-1 zoning:** All permitted uses within the CBD zoning district as listed in Section 10.02 and PR-1 zoning district as listed in Section 13.02. First floor residential units shall not be allowed. First floor parking garages for upper level residential units may be allowed but may not occupy more than 50% of the first floor area. The remaining portion shall be reserved for non-residential uses.

c. **Special Land Uses Permitted After Review and Approval:**

- 1) **For properties with underlying CBD or RTD zoning:** All special land uses within the CBD zoning district as listed within Section 10.03 shall be permitted with the exception of boarding houses (rooming houses), subject to Planning Commission approval.
- 2) **For properties with underlying PR-1 zoning:** All special land uses within the CBD zoning district as listed in Section 10.03 and PR-1 zoning district as listed in Section 13.02 shall be permitted, subject to Planning Commission approval.

Figure 5. Cady Street Overlay District Boundary



- d. **Residential Density:** Residential units shall be permitted within the Cady Street Overlay district at a density of at least fifteen (15) units per net acre for property fronting on Cady Street, and ten (10) dwelling units per net acre for other properties, and otherwise governed by dimensional and form-based requirements to ensure new construction is compatible visually and functionally with surrounding land uses, and follows the residential density pattern designated within the City of Northville Master Plan, unless specific site limitations, such as topography, property dimension, traffic, or other issues warrant a deviation from the Master Plan. First floor residential uses are not allowed within the Cady St. Overlay 2 (CSO-2) district. On properties within the underlying PR-1 district, first floor and upper level residential uses are acceptable in this area as part of a mixed-use project; however, residential-only developments are not permitted. Single-use buildings that are part of a multi-building, mixed-use development are also permitted on parcels with underlying PR-1 zoning. *(Rev. 5/19)*
- e. **Area, Height, and Placement Requirements for the CSO District:** Area, height, and placement requirements unless otherwise specified are as provided in the following Table 10-1, and as further provided in Section 15.01, Schedule of Regulations.

Front Yard Setbacks:

The north side of Cady Street shall maintain a zero feet (0') – ten feet (10') front yard setback. However, first floor residential on the north side shall maintain a ten feet (10') minimum front setback. The 10-foot (10') minimum front setback for first floor residential may be waived or modified by the Planning Commission if one or more of the following design alternatives is incorporated into the project:

- 1) Placement of all bedrooms on the second floor or above; and/or
- 2) Architectural projections, recesses or other design features which will direct pedestrians to sidewalk areas.

The south side of Cady Street shall maintain a minimum ten feet (10') front yard setback. However first floor residential on the south side shall be required to provide a minimum of fifteen feet (15') and maximum twenty feet (20') front setback. A summary of building setback requirements is provided in Figure 6.

Table 10-1 (Rev. 5/21)

Minimum Lot Size	Maximum Building Height*	Minimum Yard Setback In feet				Maximum Front Setback/ Build-to Line	Minimum Landscaped Area	Maximum Lot Area Coverage
		Front e. Table 10-1	Least Each	Total Side	Rear			
N/A	Building Height See Figure 7	e. Table 10-1	N/A	N/A	20**	e. Within 10' of R.O.W. (North side of Cady St.)	Percent of Lot Area N/A	Percentage of Lot Ratio N/A

Notes: *Building height shall be governed by heights shown in Figure 7 below. Building height adjustments may also be requested as part of a Planned Unit Development.

** See footnote (12) Section 15.01

Figure 6. Setbacks

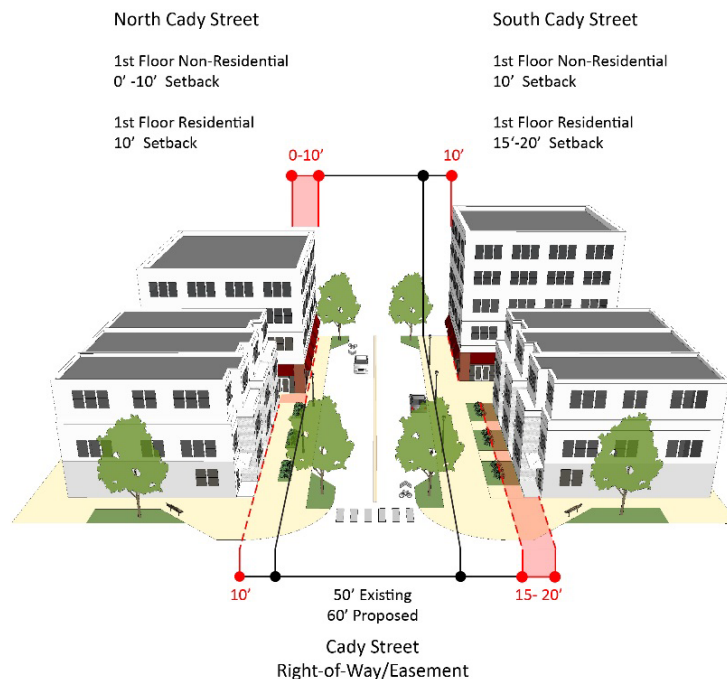
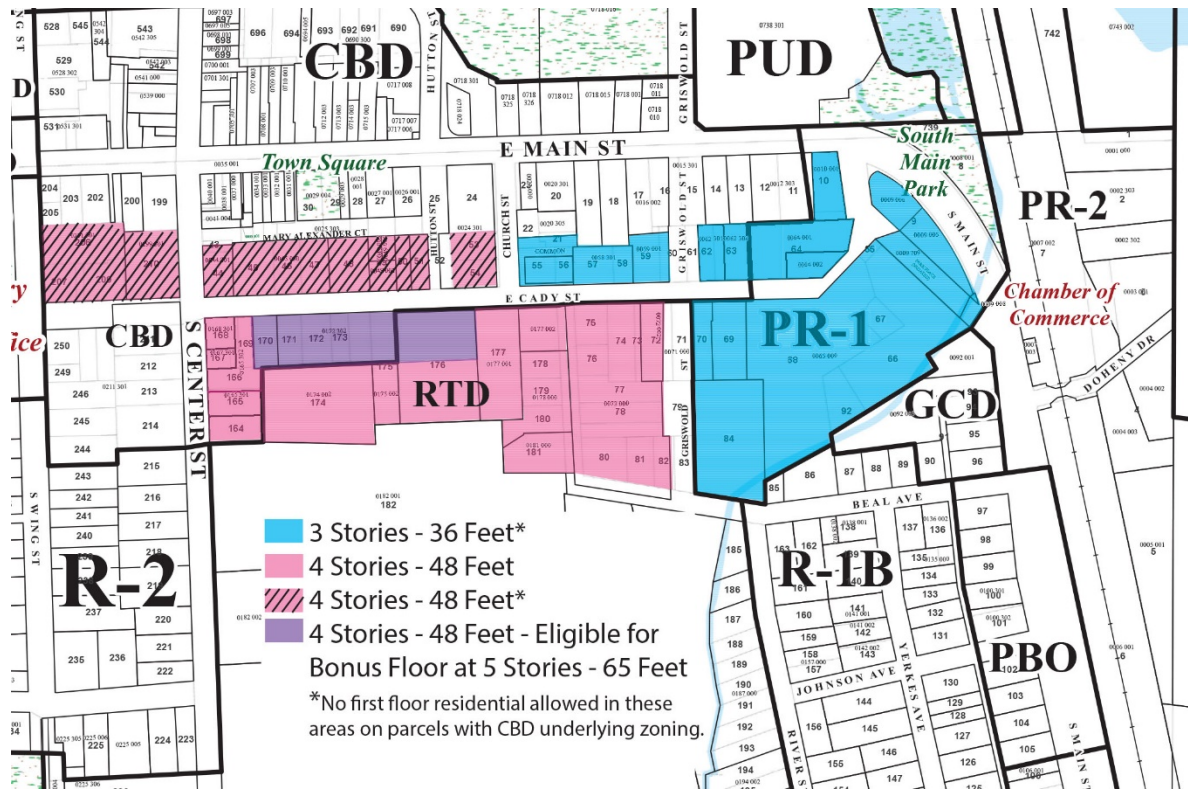


Figure 7. Building Height Allowance



Note: For a sloped lot having a building with a stepped foundation or split levels, an average grade plane shall be determined per Section 26.02. Any level in a building, including that used for a garage, in which the vertical distance from the grade plane to the floor is greater than the vertical distance from the grade plane to the finished floor elevation directly above shall be considered a basement, per Section 26.02. A non-occupied basement used for parking or tenant storage shall not count as a story with regards to the building height. (Rev. 5/21)

- f. As designated for select areas, buildings within the CSO district are eligible for a height bonus of up to one (1) additional story where three (3) or more of the following are provided as part of the development:
- 1) Dedication of an improved public plaza. The location and design of the public plaza shall be approved by the Planning Commission.
 - 2) A mixed use building that provides residential dwelling units above first-floor commercial where a minimum of fifty percent (50%) of the building’s floor area is residential.
 - 3) Public Art (sculptures, murals, inlays, mosaics, etc.).

- 4) Through-block pedestrian connections providing a continuous walkway accessible to the public (may be covered or open).
 - 5) Alley enhancements – decorative paving, pedestrian-scaled lighting, and rear entrances intended to encourage pedestrian use of the alley and pedestrian connections.
 - 6) Other public amenities as deemed appropriate by the Planning Commission.
- g. **Setbacks:** Buildings shall maintain setbacks as noted in Table 10-1 and Figure 6. Sub-surface parking may encroach on the dedicated right of way/easement as permitted by the City.

Figure 8. Cady Street Overlay District Setbacks, Building Height and Landscaping

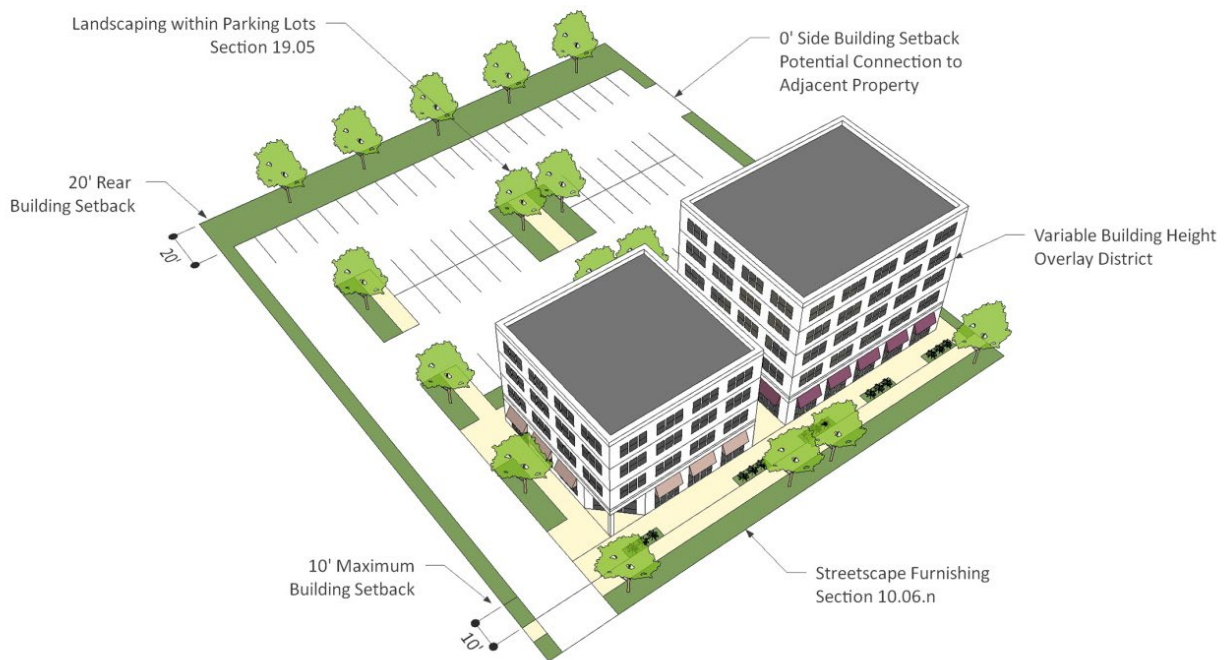
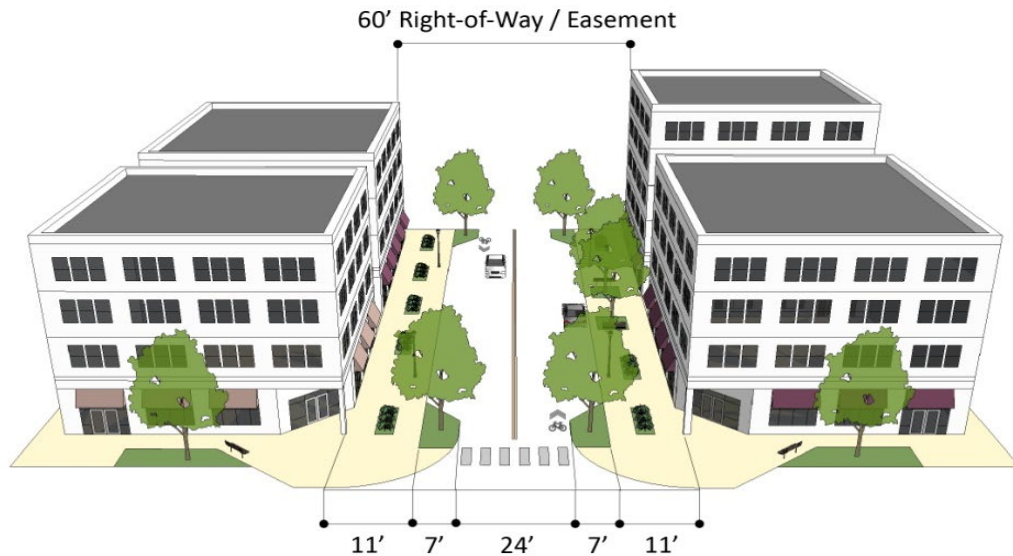
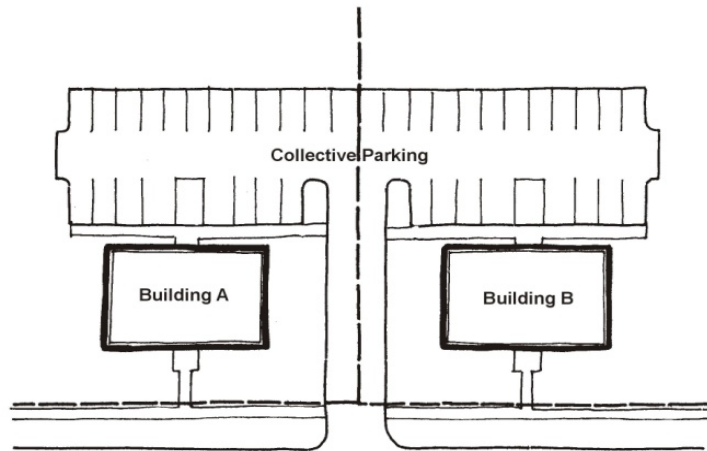


Figure 9. Cady Street Right-of-Way Cross-Section

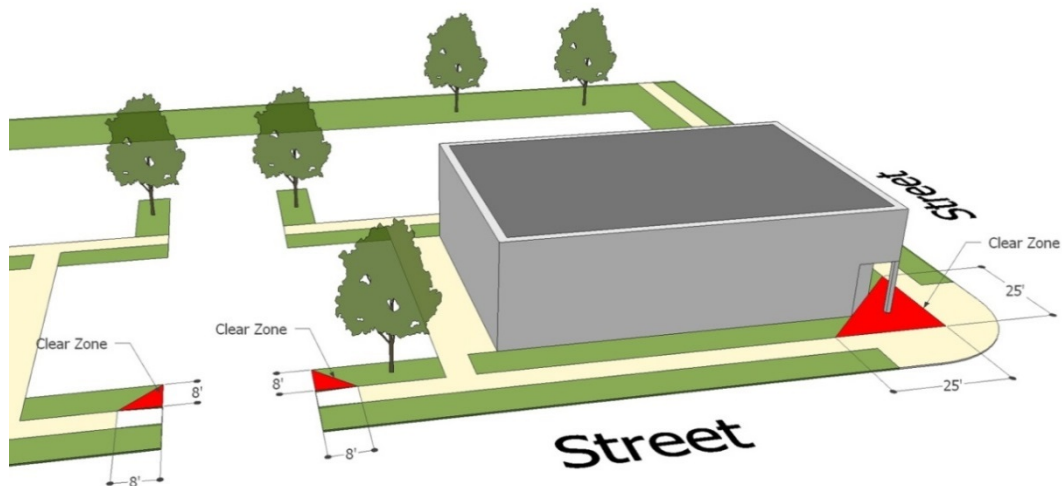
- h. **Access Management and Driveways:** The number of commercial driveways shall be the minimum necessary to provide reasonable access for regular traffic and emergency vehicles while preserving traffic operations and safety along Cady Street, Center Street, and Main Street. A single means of direct or indirect access shall be provided for each separately owned parcel. Where possible, this access shall be via a shared driveway. Where it is not possible to provide shared access, this access may be by a single driveway. Additional driveways may be permitted subject to site plan approval.
- i. **Shared Driveways/Collective Parking:** In order to minimize the number of curb cuts and maximize off-street parking, shared driveways and parking areas are encouraged. Collective parking, shared parking, and mixed use parking in accordance with Section 17.01.13 may be considered for the CSO district. Shared parking may allow a reduction of up to thirty percent (30%) from the parking requirements of Section 17.01.13.a, subject to City Council approval.

Figure 10. Shared Driveways/Collective Parking



- j. **Clear Zones:** Clear vision zones shall be maintained along all driveways and streets. Sight visibility shall be in compliance with Section 18.07. Buildings at a corner of intersecting streets may provide for a pedestrian plaza in order to maintain sight visibility.

Figure 11. Clear Zone Regulations



- k. **Parking:** Parking lots are permitted only in rear yards as follows:
 - 1) Off-street parking for areas south of Cady Street is required for all uses and shall comply with the parking requirements of Section 17.02 and interior landscaping requirements of Section 19.05. Cash in lieu of parking (Section 17.03) shall not be permitted for properties south of Cady Street unless

approved by City Council or previously established with CBD underlying zoning.

- 2) All off-street parking areas shall be screened or buffered in a manner that separates the parking areas as seen from the public right-of-way. A minimum six (6) foot wide buffer between the parking lot and street right-of-way shall be shown. The buffer shall include one (1) or combinations of the following:

- Dense landscaping (minimum one (1) tree and ten (10) shrubs every forty (40) feet)
- Decorative metal fencing (thirty (30) inches high)
- Masonry screening wall (thirty (30) inches high)
- Building placement within front yard with parking in the rear.

1. **Pedestrian/ Non-Motorized Enhancements:** Sidewalks shall be required along all street frontages, in accordance with Chapter 74 of the Northville Code of Ordinances. Where possible, sidewalks shall be positioned five (5) feet back from the curb for public safety and to facilitate pedestrian connection between residential and commercial areas. Pedestrian and non-motorized enhancements shall be consistent with Complete Streets (Public Acts 134 and 135 of 2010) and the City of Northville Non-Motorized Plan. Curb bump outs, crosswalks, pedestrian refuge islands, or other safety barriers are encouraged to enhance pedestrian safety. Bike racks shall be considered at appropriate locations.
- m. **Riverfront Amenities:** Planned Unit Development (PUD) projects on properties abutting the Middle Rouge River shall incorporate public amenities along the riverfront, such as but not limited to walking trails, enhanced shoreline design amenities, seating areas, bicycle racks, decorative lighting, and open space areas.
- n. **Streetscape:** Streetscape features and furnishings, such as seating, street trees, tree grates, special concrete finishing, pavers, and decorative/pedestrian-scaled lighting, water features, etc. shall be incorporated along all frontages along Cady Street, Center Street and Main Street. Streetscape furnishings shall be complimentary to the City of Northville Downtown Development Authority (DDA) standards. At least one (1) canopy tree shall be provided for each forty (40) lineal feet.
- o. **Stormwater Management:** Future development shall incorporate Low Impact Development (LID) techniques for stormwater management where practical. This shall include infiltration and on-site retention. Developers are encouraged to consult the “Low Impact Development Manual for Michigan” developed by the

Southeast Michigan Council of Governments. Possible LID techniques include but are not limited to:

- Inverted parking lot islands
- Pervious paving materials
- Bioswales
- Other techniques for infiltration and on-site retention.

p. **Corner Building Standards:**

- 1) Corner buildings and structures shall incorporate distinctive features, materials, designs, height levels, and colors that accentuate their prominent location, but are simultaneously sensitive to the neighboring buildings. This can be accomplished through design features such as a building peak, tower, or similar accent with the highest point located at the intersecting corner.
- 2) Wider sidewalks and/or further setback from the corner's edge are encouraged to retain a line-of-site through the corner. Additionally, use of ground level open-aired areas at the intersection of sidewalks is encouraged. The design of open-aired areas or pedestrian plazas adds aesthetic distinction to the façade and compliments the intended pedestrian atmosphere along Center Street and Cady Street. Integrating covered/uncovered seating and resting areas is highly encouraged.

q. **Architecture:** It is the intent of the Cady Street Overlay district to provide high-quality building materials and complimentary building architecture. Architectural design shall include the following:

- First floor architecture shall be compatible with sidewalk areas and shall provide an attractive interface between buildings and pedestrians. This shall be accomplished with generous window areas, recesses, projections and architectural detail to provide transparency and variation. Blank walls longer than twenty (20) feet shall not face a public street.
- Building entrances shall have an orientation to the street and front sidewalk, with a functioning entrance which enhances the continuity of the pedestrian-oriented environment.
- Primary building entrances shall be clearly defined with sheltering elements such as an awning, arcade or portico.
- Where possible, there shall be a minimal grade differential between the elevation of the sidewalk and the first floor elevation of the adjoining building.

- Garage doors shall not be permitted on a front façade unless approved by Planning Commission, subject to attractive screening, landscaping and sight visibility.
 - All rooftop mechanical equipment shall be screened from view in accordance with Section 18.11.11.
 - Bonus stories shall be stepped back from the top story allowed by right in order to reduce the appearance of excessive height.
 - The City may consider extending bonus floor height adjustments for other areas of the CSO district subject to the above criteria and Section 10.06.f.
- r. **Sustainable Design:** Incorporation of sustainable building and site design techniques, as described in programs such as Leadership in Energy and Environmental Design (LEED), Sustainable Sites, Energy Star, Net Zero Energy and others is encouraged for all developments within the CSO District. *(Rev. 5/19)*
- s. The Planning Commission may waive or modify the design standards and landscape requirements set forth in Sections h through p where one (1) or more of the following factors are demonstrated:
- 1) Architectural constraints and unique building characteristics.
 - 2) Compatibility with surrounding architecture and site design.
 - 3) Site constraints regarding size of parcel, circulation, limited right-of-way, etc.
 - 4) Other factors as identified by the Planning Commission. *(Rev. 5/19)*

ARTICLE 11
GENERAL COMMERCIAL DISTRICT (GCD)

SECTION 11.01 STATEMENT OF PURPOSE

The General Commercial District (GCD) is designed to provide sites for more diversified and intensive business types and are often located to serve higher volumes of automobile traffic. The General Commercial Districts are characterized as having a majority of the following characteristics:

- a. Their customer is often served in their vehicle or has the vehicle serviced.
- b. They tend to require larger land areas.
- c. Their customers do not make frequent purchases.
- d. They combine retail, wholesale, service and repair in various ways.
- e. Their market is regional as contrasted to local.
- f. Their market is partially dependent upon extending services to other business uses, and are generally not household oriented.

SECTION 11.02 USES PERMITTED BY RIGHT

The following provisions shall apply in all General Commercial Districts (GCD). In all GCD no person shall hereafter use any building, structure or land and no person shall erect any building or structure except in accordance with the following provisions:

- a. Retail food establishments, including convenience stores, whose principal activity is within a wholly enclosed building which supply: groceries, fresh produce, meats, dairy products, baked goods, confections or similar commodities for consumption off the premises. Food stuffs may be prepared on the premises as an accessory use if sold at retail prices on premise.
- b. Retail businesses conducted entirely within an enclosed building such as: drug stores, liquor, dry goods, clothing, furniture, hardware, music, book store, bicycle and gift shops.
- c. Personal service establishments such as but not limited to: small electronics repair shops, shoe repair, tailors, hair styling salons, photographers studios, film processing outlets, copy centers, interior decorators, postal centers, self-service laundry and dry cleaners.

- d. Newspaper offices, publishing, and commercial printers.
- e. Churches.
- f. All classifications of restaurants and other establishments serving food and/or beverages, excluding drive-throughs and drive-ins.
- g. Private clubs, lodge halls, theaters, cinemas, and similar such assembly buildings when completely enclosed.
- h. Funeral homes.
- i. Indoor recreational establishments.
- j. Banks, Savings and Loans, and Credit Unions, including drive-through branches.
- k. Medical clinics.
- l. Professional offices such as: medical and dental, chiropractors, osteopaths, and similar or allied professions.
- m. Professional services such as: insurance, real estate, legal, financial, and similar or allied professions.
- n. Public and semi-public institutional buildings, structures and uses, and public parks.
- o. Hotels, motels, and bed and breakfast inns.
- p. Video rental establishments.
- q. 24-hour banking centers/ready tellers which are separate from a financial institution.
- r. Convenience stores without gasoline service.
- s. Child Day Care Centers.
- t. Commercial schools including art and dance studios, music and voice, and business schools.
- u. Essential public services, buildings and storage yards.
- v. Accessory buildings, structures and uses customarily incidental to the above Principal Uses, as defined in Sec.18.04.

SECTION 11.03 SPECIAL LAND USES PERMITTED AFTER REVIEW AND APPROVAL

The following uses shall be considered Special Land Uses within the General Commercial District and may be approved by the Planning Commission subject to the applicable general and specific standards in Section 16.01:

- a. Regional shopping centers.
- b. Nurseries and garden centers, provided that all outdoor storage areas are screened according to the standards of Article 16.11.
- c. Building and lumber supply, provided that the use is primarily for the storage and sale of retail goods, and excludes manufacturing, processing, planing or milling operations, provided that all outdoor storage areas are screened according to the standards of Section 16.11.
- d. Automobile service stations, and bus passenger stations.
- e. Automobile wash, automatic or self-service.
- f. Automobile repair stations and automobile body repair stations.
- g. New and used automobile sales or showroom.
- h. Golf driving ranges and miniature golf courses.
- i. Commercial outdoor storage subject to Section 16.11.
- j. Commercial outdoor recreational establishments.
- k. Veterinary hospitals, clinics and commercial kennels, provided that all activities are conducted within a completely enclosed building.
- l. Hospitals subject to Section 16.05.
- m. Mini- or self-storage warehouses.
- n. Convenience stores with gasoline service.
- o. Outdoor sales space for exclusive sale of used automobiles, new and/or used mobile homes, boats and recreational vehicles provided that no major repair or major refinishing shall be conducted on the lot.
- p. Truck or trailer rental.
- q. Other uses of the same nature, class, or general character as those listed as either a Principal Use or Special Land Use in this district which, as determined by the

Planning Commission, meet the standards of Section 16.01(d), Basis of Determinations, for special land uses. *(Rev. 5/18)*

- r. Accessory buildings, structures and uses customarily incidental to the above Special Land Uses.

SECTION 11.04 AREA, HEIGHT AND PLACEMENT REQUIREMENTS

Area, height and placement requirements unless otherwise specified are as provided in the following table and as further provided in Section 15.01, “Schedule of Regulations”.

Minimum Lot Size	Maximum Building Height		Minimum Yard Setback In Feet Side yards			Minimum Landscaped Area	Maximum Lot Area Coverage
	In Stories	In Feet	Front	Each Side	Rear	Percent of Lot Area	Percentage of Lot Ratio
N/A	2	30	20	10	20	10	N/A

Note: See Section 15.01 Schedule of Regulations and footnotes thereto for additional requirements and regulations.

SECTION 11.05 SEVEN MILE – SOUTH MAIN STREET OVERLAY (SM-O)

(Rev. 4/19)

- a. **Preamble:** It is recognized that the Seven Mile – South Main Street area on the southern boundary of the City of Northville is unique and requires special zoning regulations. Parcels within this area create an important entranceway into the City, and frontage on Seven Mile and South Main Street provide extensive exposure for commercial development. This area is also unique given its close proximity to the Wayne County Park system and existing non-motorized trail, providing attractive amenities. Vacant and underused properties also provide opportunities for growth and new investment. Because of these and other distinctions, a separate Seven Mile – South Main Street Overlay (SM-O) district has been created. The SM-O district addresses special siting, design and compatibility issues that require development regulations in addition to those found in the underlying zoning districts. When the standards of the SM-O district conflict with those of the underlying district, the standards of the SM-O shall govern.

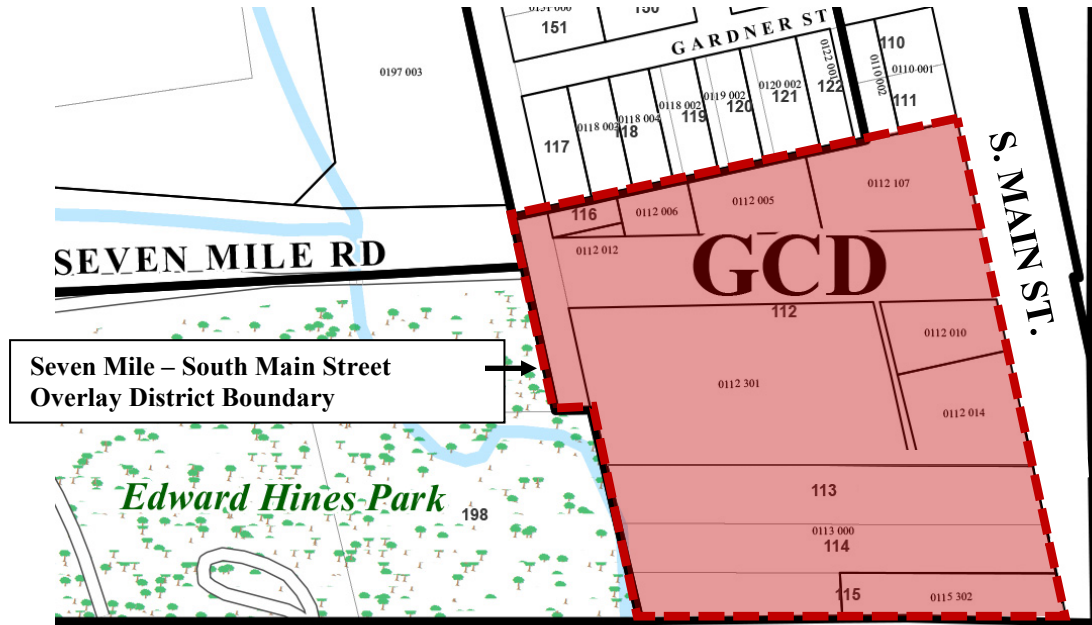
The Seven Mile – South Main Street Overlay district is intended to maintain a commercial character along both street frontages, but allow for a mixed-use (commercial and residential) zone that takes advantage of the existing commercial cluster, as well as the area’s adjacency to recreational amenities. The SM-O district will allow a unique mix of land uses designed to serve the commercial and

residential needs of the community in an attractive, well-designed, and functional environment. It also allows for current commercial and industrial uses to remain, but guides redevelopment if proposed. The district is designed to promote development consistent with the City of Northville Master Plan, and in a manner which assures quality building design and site development. It is further designed to regulate the location of parking, regulate building height to achieve appropriate scale, and encourage the development of a pedestrian- and bicycle-friendly environment.

- b. **Uses Permitted by Right:** The following uses shall be permitted by right within the Seven Mile – South Main Street (SM-O) district:
- 1) All permitted uses within the General Commercial District (GCD) zoning district as listed in Section 11.02 except for large-format (over 55,000 square feet) retail and strip commercial uses.
 - 2) Also permitted: Single-family residential uses abutting the Wayne County Park and first floor multiple-family dwelling units including apartments, townhouses, rowhouses, and live/work units. Residential uses shall not be located along the Seven Mile and South Main Street frontages unless part of a mixed-use project that has commercial on the first floor and residential above.
- c. **Special Land Uses Permitted After Review and Approval:** Subject to Planning Commission approval, all special land uses within the GCD zoning district as listed within Section 11.03 are permitted except for vehicle sales, repair and wash uses, truck or trailer rental, and gas stations. Outdoor storage, as defined by this ordinance, is also not permitted unless it meets the following standards.
- 1) The standards listed in Section 16.11.
 - 2) Any outdoor storage shall be located only in a side or rear yard. No storage shall be located in the front (street) side of the building.
 - 3) Outdoor storage of all materials, whether enclosed in containers or unenclosed, shall be screened from view of a street or other publically accessible area. Outdoor storage shall also be screened from view from a residentially zoned or used property.
 - 4) Screening shall consist of a masonry wall or landscape screen, at the discretion of the Planning Commission who shall determine which is the most effective and appropriate screening method. If materials are enclosed in a container(s) of any sort, including shipping containers, the container(s) shall not be considered screening under this provision. The masonry or landscape screen shall be at least one (1) foot taller than the materials stored,

but in no event shall the materials stored be taller than seven (7) feet in height.

Figure 1. Seven Mile – South Main Street Overlay District Boundary



- d. **Residential Density:** Residential units shall be permitted within the Seven Mile – South Main Street Overlay district at a density of up to fifteen (15) dwelling units per net acre, and shall be compatible with the general residential density patterns of existing nearby areas and as designated for nearby areas in the City of Northville Master Plan. Residential density in a mixed use development shall be calculated using the lot area excluding public road right of way or private road right of way.
- e. **Area, Height, and Placement Requirements for the SM-O District:** Area, height, and placement requirements unless otherwise specified are as provided in the following Table 11-1, and as further provided in Section 15.01, Schedule of Regulations.

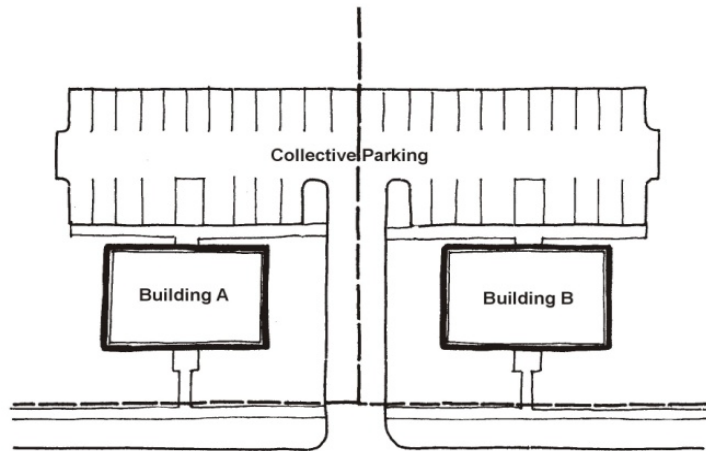
Table 11-1

Min. Lot Size	Maximum Building Height ^A		Minimum Yard Setback In feet				Maximum Front Setback/ Build-to Line	Minimum Landscaped Area	Maximum Lot Area Coverage
	In Stories	In Feet	Front	Least Each	Total Side	Rear		Percent of Lot Area	Percentage of Lot Ratio
N/A	If building contains commercial use only: 2 stories	If building contains commercial use only: 30 feet	20 feet	10 feet	20 feet	20 feet	25 feet	20%	N/A
	If building contains residential use only: 2.5 stories	If building contains residential use only: 30 feet							
	If building contains mixed-uses (Commercial & Residential): 3 stories	If building contains mixed-uses (Commercial & Residential): 36 feet							

^A A non-occupied ground level of a residential building used only for parking or tenant storage shall not count as a story with regards to the building height described in Table 11-1, and will permit up to an additional five-feet in height as long as the ground level of the building screens the parking from view of the street.

- f. **Access Management and Driveways:** The number of commercial driveways shall be the minimum necessary to provide reasonable access for regular traffic and emergency vehicles while preserving traffic operations and safety along Seven Mile and Main Street. A single means of direct or indirect access shall be provided for each separately owned parcel. Where possible, this access shall be via a shared driveway. Where it is not possible to provide shared access, this access may be by a single driveway. Additional driveways may be permitted subject to site plan approval.

- g. **Shared Driveways/Collective Parking/Mixed-Use Parking:** In order to minimize the number of curb cuts and maximize off-street parking, shared driveways and parking areas are encouraged. Collective parking, shared parking, and mixed-use parking in accordance with Section 17.01.13 may be considered for the SM-O district. Shared parking may allow a reduction of up to thirty percent (30%) from the parking requirements as part of a Planned Unit Development per Section 17.01.13.a, subject to City Council approval.

Figure 2. Shared Driveways/Collective Parking**h. Parking:**

- 1) New parking lots associated with full re-development projects are permitted only in rear yards, as determined by the Planning Commission.
- 2) Off-street parking for all uses shall comply with the parking requirements of Section 17.02 and with interior landscaping requirements of Section 19.05.
- 3) All off-street parking areas shall be screened or buffered in a manner that separates the parking areas as seen from the public right-of-way. A minimum six (6) foot wide buffer between the parking lot and street right-of-way shall be shown. The buffer shall include one (1) or combinations of the following:
 - Dense landscaping (minimum one (1) tree and ten (10) shrubs every forty (40) feet)
 - Decorative metal fencing (thirty (30) inches high)
 - Masonry screening wall (thirty (30) inches high)
 - Building placement within front yard with parking in the rear.
- 4) An existing parking lot that serves an existing building may remain in its current location; however, a partial alteration of the existing building that requires site plan review shall also renovate the parking lot to meet the standards listed in 2) and 3) above. Redevelopment of a site, as determined by the Planning Commission, will require relocating the parking to the rear of the building.

- i. **Pedestrian/ Non-Motorized Enhancements:** Sidewalks shall be required along all street frontages, in accordance with Chapter 74 of the Northville Code of Ordinances. Where possible, sidewalks should be large enough to accommodate bicycles and pedestrians. Also, where possible, sidewalks shall be positioned five (5) feet back from the curb or edge of roadway pavement for public safety and to facilitate pedestrian connection between residential and commercial areas. Pedestrian and non-motorized enhancements shall be consistent with Complete Streets (Public Acts 134 and 135 of 2010) and the City of Northville Non-Motorized Plan. Curb bump outs, crosswalks, pedestrian refuge islands, or other safety barriers are encouraged to enhance pedestrian safety. Bike racks shall be considered at appropriate locations.
- j. **Wayne County Park Amenities:** Planned Unit Development (PUD) projects on properties abutting the Wayne County Park shall incorporate public amenities to serve pedestrians and bicyclists using the County’s non-motorized trail, such as but not limited to pedestrian connections between the County trail and adjacent sidewalks or bike trails, seating area, plaza, drinking fountain, bicycle racks, and bicycle repair station.
- k. **Streetscape:** Streetscape features and furnishings, such as street trees, tree grates, extensive perimeter landscaping, special concrete finishing, and decorative/pedestrian-scaled lighting, etc. shall be incorporated on all frontages along Seven Mile and South Main Street. At least one (1) canopy tree shall be provided for each forty (40) lineal feet of street frontage. Properties that abut the Seven Mile and South Main Street intersection shall incorporate an appropriate entryway feature, such as pedestrian plaza, benches, pavers and landscaping.
- l. **Stormwater Management:** Where possible, curb and gutter shall be incorporated along Seven Mile and South Main Street. Future development shall use Low Impact Development (LID) techniques for stormwater management where practical. This shall include infiltration and on-site retention. Developers are encouraged to consult the “Low Impact Development Manual for Michigan” developed by the Southeast Michigan Council of Governments. Possible LID techniques include but are not limited to:
 - Inverted parking lot islands
 - Pervious paving materials
 - Bioswales
 - Other techniques for infiltration and on-site retention.
- m. **Architecture:** It is the intent of the Seven Mile – South Main Street Overlay district to provide high-quality building materials and complimentary building architecture. Architectural design shall include the following:
 - Coordinated architectural elements shall be shared between the parcels located on the north and south sides of Seven Mile. This could include

- coordinated designs for elements including, but not limited to, roofs, masonry, building colors and building materials.
- First floor architecture shall be compatible with sidewalk areas and shall provide an attractive interface between buildings and pedestrians. This shall be accomplished with generous window areas, recesses, projections and architectural detail to provide transparency and variation. Blank walls longer than twenty (20) feet shall not face a public street.
 - Building entrances shall have an orientation to the street and front sidewalk, with a functioning entrance which enhances the continuity of the pedestrian-oriented environment.
 - Primary building entrances shall be clearly defined with sheltering elements such as an awning, arcade or portico.
 - Where possible, there shall be a minimal grade differential between the elevation of the sidewalk and the first floor elevation of the adjoining building.
 - Garage doors shall not be permitted on a front façade unless approved by the Planning Commission, subject to attractive screening, landscaping and sight visibility.
 - All rooftop mechanical equipment shall be screened from view in accordance with Section 18.11.11.
- n. **Sustainable Design:** Incorporation of sustainable building and site design techniques, as described in programs such as Leadership in Energy and Environmental Design (LEED), Sustainable Sites, Energy Star, Net Zero Energy and others, is encouraged for all developments within the SM-O District.
- o. The Planning Commission may waive or modify the design standards and landscape requirements set forth in Sections “f” through “l” where one (1) or more of the following factors are demonstrated:
- 1) Architectural constraints and unique building characteristics.
 - 2) Compatibility with surrounding architecture and site design.
 - 3) Site constraints regarding size of parcel, circulation, limited right-of-way, etc.
 - 4) Other factors as identified by the Planning Commission (*Rev. 4/19*)

ARTICLE 12**RACETRACK DISTRICT (RTD)****SECTION 12.01 STATEMENT OF PURPOSE**

The purpose of the Racetrack District is to provide for a major land use activity which is unique to few communities and the City of Northville requires special consideration with respect to land use regulations. These regulations will enhance the possibility that conflicts will not occur between this land use and its neighbors.

SECTION 12.02 USES PERMITTED BY RIGHT

The following provisions shall apply in the Racetrack District (RTD). In the RTD no person shall hereafter use any building structure or land and no person shall erect any building or structure except in accordance with the following provisions:

- a. Racetrack for Pari-Mutual related to the on-site racing of live horses, betting subject to the laws of the State of Michigan.
- b. Uses customary and incidental thereto to include stables for the keeping and training of horses, veterinary facilities, harness/tack shops, blacksmith shops, storage of horse trailers, storage of feed trailers only during racing season of live horses.
- c. Other ancillary uses in conjunction with the racetrack including the sale of food and alcoholic beverages.
- d. Off-street parking subject to the provisions of Article 17, "Off Street Parking and Loading Requirements".
- e. The following uses and/or events upon the premises of a licensed racetrack may be permitted by the City Manager upon referral to the City Council and upon application by the owner or the proposed user of such racetrack.
 - 1) Short-term uses and events for time periods as stipulated by Council which are compatible with the premises such as but not limited to carnivals, circuses, fairs, shows, exhibits and flea markets may be allowed. Such uses shall be subject to all applicable City ordinances and other laws.
 - 2) Uses permitted in the General Commercial District (GCD) but only during the non-live-racing portion of the year may be allowed. Approval shall be for a specifically defined use for a specified period of time which shall not extend beyond the next racing meet.

SECTION 12.03 SPECIAL LAND USES PERMITTED AFTER REVIEW AND APPROVAL

The following uses may be permitted by the Planning Commission pursuant to Section 16.01 and subject further to the following provisions: *(Rev. 8/06)*

- a. Off-street parking lots provided that:
 - 1) The area devoted to off-street parking shall not be permitted in conjunction with a residence on the same lot so as to reduce the area of the lot for residential purposes to less than six thousand (6,000) square feet.
 - 2) Said lots shall not be illuminated so as to be a nuisance to any contiguous residential use.
- b. Restaurants and/or Cocktail Lounge.
- c. The following uses and/or events may be permitted by the City Planning Commission on the premises of a licensed racetrack, upon application by the owner or the proposed user of such racetrack.
 - 1) Short-term uses and events which are compatible with the premises such as but not limited to carnivals, circuses, fairs, shows, exhibits and flea markets. Such uses shall be subject to all applicable City Ordinances and other laws in addition to specific City Planning Commission approval.
 - 2) Uses permitted in the General Commercial District (GCD) but only during the non-racing portion of the year. The Planning Commission’s approval shall be for a specifically defined use for a specified period of time which shall not extend beyond the next racing meet.
- d. The Siting of Heliports and Helistops *(Rev. 3/04)*

SECTION 12.04 AREA, HEIGHT-AND PLACEMENT REQUIREMENTS

Area, height and placement requirements unless otherwise specified are as provided in the following table and as further provided in Section 15.01, “Schedule of Regulations”.

Minimum Lot Size	Maximum Building Height		Minimum Yard Setback In Feet Sideyards				Minimum Landscaped Area	Maximum Lot Area Coverage
	In	In	Total					
	Stories	Feet	Front	Side	Each	Rear	Percent of Lot Area	Percentage of Lot Ratio
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Note: See Section 15.01, Schedule of Regulations and footnotes thereto for additional requirements and regulations.

ARTICLE 13**PERFORMANCE REGULATED INDUSTRIAL DISTRICT NO. 1 (PR-1)****SECTION 13.01 STATEMENT OF PURPOSE**

The Performance Regulated Industrial District No. 1 (PR-1) describes a light industrial and manufacturing zoning district in which manufacturing and related operations have few if any adverse impacts on adjoining properties.

SECTION 13.02 USES PERMITTED BY RIGHT

The following provisions shall apply to the Performance Regulated Industrial Districts. In all PR-1 Districts no person shall use any building structure or land and no person shall erect any building or structure except in accordance with the following provisions:

- a. Any manufacturing use involving assembly, treatment, compounding, processing and/or manufacturing pursuant to Section 18.13, “Performance Standards”.
- b. Warehousing and wholesale distribution facilities which may combine therewith retail related activities that do not exceed twenty-five (25) percent of gross volume sales.
- c. Wholesale and retail sales of building supplies such as lumber and lawn and garden materials.
- d. Manufacture of cider, pies, preserves, doughnuts and other similar products; and manufacture of wine, distilled and brewed products. Permitted accessory uses related to the primary manufacturing use on site include:
 1. The wholesale and retail sale of these same products manufactured on site, and/or,
 2. Consumption of these same products manufactured on site in a café, wine and/or beer tasting room, or similar facility.Stand-alone facilities, such as restaurants, bars, or similar facilities, that are not accessory to the manufacturing business on site, as described in 1 and 2 above, are not permitted.
- e. Recreational vehicle storage, truck/trailer rental.
- f. Research laboratories and experimental product development.
- g. Printing and lithographic services.

- h. Accessory uses to a principal use which may include such uses as offices, restaurants, gymnasiums and similar uses.
- i. Tool, die, gauge and machine shops.
- j. The repair of vehicles and earth moving, construction industry and farm equipment when said repairs are conducted entirely within an enclosed building.
- k. Kennel: Any lot on which dogs or cats are kept, boarded, raised, bred or trained for a fee, for financial gain, whether in special buildings or runways or not, subject to the following standards and regulations:
 - 1) Minimum lot size shall not be less than one (1) acre.
 - 2) No animal shelter or runs shall be located within one hundred and fifty (150) feet of any lot line adjoining a residential district.
- l. Office buildings for any of the following: executive, administrative, professional, accounting, writing, clerical, drafting, sales, medical, financial and other similar uses.
- m. Rental warehouses including mini- or self-storage warehouses.
- n. Auto body repair, automatic car wash, self-service car wash.
- o. Accessory buildings, structures and uses.

SECTION 13.03 SPECIAL LAND USES PERMITTED AFTER REVIEW AND APPROVAL

The following uses may be permitted by the Planning Commission pursuant to Section 16.01 and subject to the following provisions. *(Rev. 8/06)*

- a. Outdoor storage yards associated with Permitted Uses.
- b. Solid waste processing, recycling and composting.
- c. Commercial television and radio towers, public utility microwave-radio towers, transmitting towers, in accordance with Section 16.13.
- d. The Siting of Heliports and Helistops. *(Rev. 3/04)*
- e. Wireless Communication Facilities, in accordance with Section 18.23. *(Rev. 10/12)*

SECTION 13.04 AREA, HEIGHT AND PLACEMENT REQUIREMENTS

Area, height and placement requirements unless otherwise specified are as provided in the following table and as further provided in Section 15.01, “Schedule of Regulations”.

	Minimum Lot Size	Maximum Building Height		Minimum Yard Setback In Feet Side yards				Maximum Floor Area	Minimum Landscaped Area	Maximum Lot Area Coverage
		In Stories	In Feet	Least Total						
				Front	Each	Side	Rear	Ratio	Percent of Lot Area	Percentage of Lot Ratio
Office Uses	N/A	3	30	20	10	20	25	0.50	10	50
All Other Uses	N/A	N/A	45	50	15	30	50	N/A	N/A	N/A

Note: See Section 15.01, Schedule of Regulations and footnotes thereto for additional requirements and regulations.

ARTICLE 14**PERFORMANCE REGULATED INDUSTRIAL DISTRICT NO. 2 (PR-2)****SECTION 14.01 STATEMENT OF PURPOSE**

The Performance Regulated Industrial District No. 2 (PR-2) is to provide industrial and manufacturing zoning district similar to the Performance Regulated District No. 1 (PR-1), but allowing bulk petroleum storage and other heavy industrial uses as a special use, in areas which are adequately isolated from residential districts by transitional zoning districts or natural feature.

SECTION 14.02 USES PERMITTED BY RIGHT

The following provisions shall apply to all PR-2 Performance Regulated Industrial Districts. In all PR-2 Districts no person shall use any building structure or land and no person shall erect any building or structure except in accordance with the following provisions:

- a. Any use permitted by right in the PR-1 Performance Regulated District as provided in Section 13.02.

SECTION 14.03 SPECIAL LAND USES PERMITTED AFTER REVIEW APPROVAL

The following uses may be permitted by the Planning Commission pursuant to Article 18 and subject to the following provisions: *(Rev. 8/06)*

- a. The storage of bulk petroleum products.
- b. Outdoor storage yards for construction contractors.
- c. Metal plating operations.
- d. Mining and extractive operations.
- e. Solid waste processing, recycling operations and composting.
- f. Commercial television and radio towers, public utility microwave-radio towers, transmitting towers, in accordance with Section 16.13.
- g. The following use may be permitted by the Planning Commission pursuant to Article 16: *(Rev. 8/06)*
 1. The Siting of Heliports and Helistops *(Rev. 3/04)*
- h. Sexually Oriented Business in accordance with Section 16.16. *(Rev. 12/05)*

- i. Wireless Communication Facilities, in accordance with Section 18.23 (Rev. 10/12)

SECTION 14.04 AREA, HEIGHT AND PLACEMENT REQUIREMENTS

Area, height and placement requirements unless otherwise specified are as provided in the following table and as further provided in Section 15.01, “Schedule of Regulations”.

	Minimum Lot Size	Maximum Building Height		Minimum Yard Setback In Feet Sideyards				Maximum Floor Area	Minimum Landscaped Area	Maximum Lot Area Coverage
		In Stories	In Feet	Least Total						
				Front	Side	Two	Rear	Ratio	Percent of Lot Area	Percentage of Lot Ratio
Office Uses	N/A	3	30	20	10	20	25	0.50	10	50
All Other Uses	N/A	N/A	45	50	30		50	N/A	N/A	N/A

Note: See Section 15.01, Schedule of Regulations and footnotes thereto for additional requirements and regulations.

ARTICLE 15**SCHEDULE OF REGULATIONS****SECTION 15.01 TABLE - SCHEDULE OF REGULATIONS**

The following regulations regarding lot sizes, yards, setbacks, lot coverage, building size, and densities apply within the Zoning Districts as indicated, including the regulations contained in the foot notes to the following Table. No building shall be erected nor shall an existing building be altered, enlarged or rebuilt nor shall any open spaces surrounding any building be encroached upon or reduced in any manner, except in conformity with the regulations hereby established for the district in which such building is located. No portion or a lot used in complying with the provisions of this ordinance for yards, building, lot area occupancy, in connection with an existing or projected building or structure, shall again be used to qualify or justify any other building or structure existing or intended to exist at the same time.

SECTION 15.01 SCHEDULE OF REGULATIONS (Rev. 4/21)

Symbol	Use District	Minimum Lot Size		Maximum Building Height		Minimum Yard Setback in Feet				Maximum Floor Area Ratio	Minimum Landscape Area Percent of Lot	Maximum Lot Area Coverage Percent of Lot	Minimum Floor Area
		Area	Width	Number of Stories	In Feet	Front	Side yards		Rear				
							Least Side	Total of Two					
R-1A	First Density Residential Districts	12,000 (1) (17)	100 (1)	2 ½ (20)	(20) (24)	30 (2) (3) (16)	8 (3) (20)	20 (3) (20)	35 (3)	N/A	35 (26)	30 (4) (27)	(15)
R-1B		7,200 (1) (17)(19)	60 (1)	2 ½ (20)	(20) (24)	25 (2) (3) (16)	7 (3) (20)	15 (3) (20)	25 (3)	0.36 (25)	35 (26)	30 (4) (19) (27)	(15)
R-2	Second Density Residential District	7,200 (1)	60 (1)	2 1/2 (5)	30 (5)	25 (2) (3)	5 (3)	15 (3)	25 (3)	0.36 (25)	25 (26)	35 (4) (27)	(15)
R-3	Third Density Residential District	10,000 (1) (6)	75 (1) (6)	2 1/2 (5)	30 (5)	25 (2) (3) (7)	15 (3) (7)	30 (3) (7)	35 (3) (7)	0.50 (9)	40 (26)	35 (4)	(15)
R-4	Fourth Density Residential District	10,000 (1)	N/A	5 (5)	60 (8)	30 (2) (3) (7) (8)	15 (3) (7) (8)	30 (3) (7) (8)	30 (3) (7) (8)	0.50	35 (26)	50 (4)	(15)
PBO	Professional/Business/Office	N/A	N/A	3	30	20	10	20	25	0.50 (9)	10	50 (4)	N/A
OR	Office/Research District	N/A	75	2	30	20	10	20	25	0.50	10	N/A	N/A
LCD	Local Commercial District	N/A	N/A	N/A	30	25	(10) (11)	(10) (11)	20	N/A	10	N/A	N/A
CBD	Central Business District	N/A	N/A	3	42	N/A	(10)	(10)	20 (12)	3.0 (9)	N/A	N/A	N/A
CBD-O	Central Business District – Overlay	N/A	N/A	3	42	10	(10) (21)	(10)	(21)	3.0 (9)	10	N/A	N/A
CSO	Cady Street Overlay	N/A	N/A	(22)	(22)	(22)	(22)	(22)	(22)	(22)	(22)	(22)	(22)
GCD	General Commercial District	N/A	N/A	2	30	20	10	20	20	N/A	10	N/A	N/A
RTD	Racetrack District	N/A	N/A	N/A	(13)	(14)	(14)	N/A	N/A	N/A	N/A	N/A	N/A
PR-1	Performance Regulated Industrial.	N/A	N/A	3	30	20/50 (23)	10	20	25/50 (23)	0.50 (9)	10	50 (4)	N/A
PR-2	Performance Regulated Industrial.	N/A	N/A	3	30	20/50 (23)	10	20	25/50 (23)	0.50 (9)	10	50 (4)	N/A

Please refer to Section 15.02 for applicable footnotes. (Rev. 4/21)

SECTION 15.02 FOOTNOTES TO THE SCHEDULE OF REGULATIONS

1. A public water supply and sanitary sewer system shall be available.
2. There shall be a front yard on each public street or private road side of a corner lot. No accessory building shall project beyond the front yard line on either street.
3. All required yards not used for accessory buildings and access driveways or sidewalks shall be landscaped.
4. Lot area coverage applies to all main and accessory buildings and structures. For the purposes of this section, in-ground or at-grade structures are not structures for computing allowable lot coverage.
5. Height provisions shall not apply to hospitals, universities, colleges and similar institutions of higher learning. Unless otherwise provided, one (1) foot of additional setback over and above the minimum height therein established shall be provided for each five (5) foot increase in height.
6. In R-3 Third Density Residential District, for residential uses other than Assisted Senior Living Facility, Congregate Care Retirement Community, or Convalescent/Nursing/Memory Care Facility, the total number of rooms of eighty (80) square feet or more (not including kitchen and sanitary facilities) shall not be more than the area of the parcel, in square feet, divided by sixteen hundred (1600). All units shall have at least one (1) living room and one (1) bedroom and there shall be not more than ten (10) percent of the units of an efficiency apartment type.

For the purposes of computing the permitted number of rooms in excess of eighty (80) square feet or more and the number of dwelling units per acre the following room assignments shall determine the room characteristics of the dwelling unit.

One Bedroom	-	2 rooms	Plans presented showing 1, 2, or 3 bedroom units and including a “den”, “library” or other extra rooms shall count such extra rooms as a bedroom for the purpose of computing density.
Two Bedrooms	-	3 rooms	
Three Bedrooms	-	4 rooms	
Four Bedrooms	-	5 rooms	

In R-3 District, the area used for computing density shall be the total site area exclusive of any dedicated public right-of-way, either interior or bounding roads.

In R-3, R-4 Forth Density Residential District and PBO Professional and Business Office District, for Assisted Senior Living Facility, Congregate Care Retirement Community, or Convalescent/Nursing/Memory Care Facility, density and unit configurations are defined in Section 15.02 (Footnote 15), Section 5.02 and 16.17 through 16.18. *(Rev. 5/18)*

7. In an R-3 or R-4 District, front, side or rear yards need not refer to spacing between buildings for a planned development in cases of two (2) or more buildings on the same parcel. In such cases, the minimum distance between any two (2) buildings shall be regulated according to

the length and height of such building. Planned Unit Development when permitted in the R-1A District is likewise subject to the formula described as follows:

In all "R" Districts the formula for regulating the required minimum distance between two (2) buildings is as described in the following diagram with explanation thereto.

$$S = \frac{LA + LB + 2(HA + HB)}{6}$$

Where:

S = Required minimum horizontal distance between any wall of building A and any wall of building B or the vertical prolongation of either.

LA = Total length of building A.

The total length of building A is the length of that portion or portions of a wall or walls of building A from which, when viewed directly from above, lines drawn perpendicular to building A will intersect any wall of building B.

LB = Total length of building B.

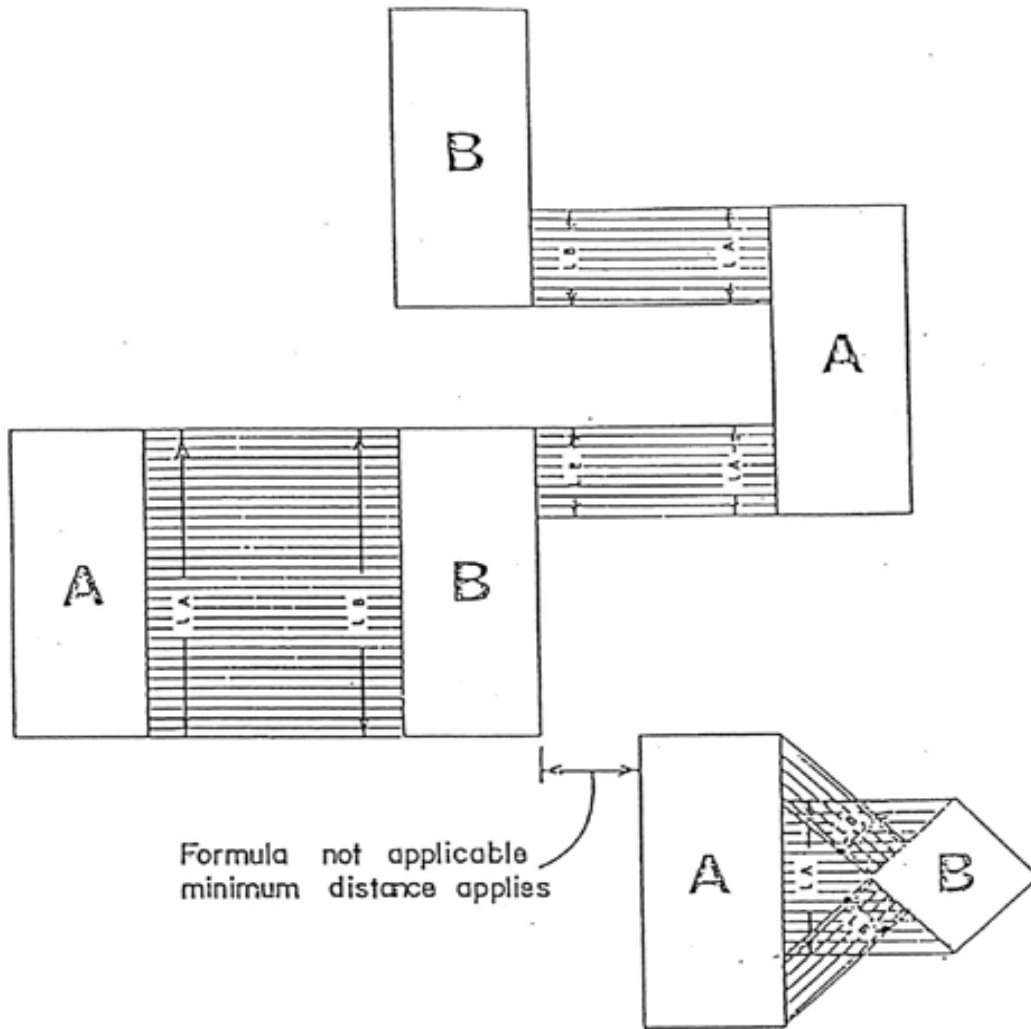
The total length of building B is the length of that portion or portions of a wall or walls of building B from which, when viewed directly from above, the lines drawn perpendicular to building B will intersect any wall of building A.

HA = Height of building A.

The height of building A at any given level is the height above natural grade level of any portion or portions of a wall or walls along the length of building A. Natural grade level shall be the mean level of the ground immediately adjoining the portion or portions of the wall or walls along the total length of the building.

HB = Height of building B.

The height of building B at any given level is the height above natural grade level of any portion or portions of a wall or walls along the length of building B. Natural grade level shall be the mean level of the ground immediately adjoining the portion or portions of the wall or walls along the total length of the building.



MINIMUM DISTANCE BETWEEN BUILDINGS

$$= \frac{L_A + L_B + 2 (H_A + H_B)}{6}$$

DISTANCE SPACE FOR MULTIPLE DWELLINGS

(At least 200 sq. ft. with 4'-6" clear height)

(When mezzanine exceeds sixty-six (66) percent of area of floor below it, mezzanine shall be considered a full story)

8. In the R-4 District the following alternate formula shall apply where this formula produces a greater front, side and rear yard requirement. In any event this formula applies in the determination of front, side and rear yards for residential structures exceeding a height of three (3) stories.

Yard widths shall be based upon a basic figure of 0.6 times the height or length of a wall facing any property line, whichever is the greater, with the exception of the following variation;

Front Yards or pavable frontage lot: The above basic figure minus the lesser of one-half (1/2) the width of the road or thirty-three (33) feet, with a minimum of twenty-five (25) feet (e.g., a building one hundred (100) feet long and one hundred (100) feet high would require front yard of sixty (60) feet minus thirty-three (33) feet in the event the building fronts on a public street sixty-six (66) feet wide, or twenty-seven (27) feet which is more than the minimum).

Rear and Sideyards: Rear and side yards may be reduced to a minimum of one half (1/2) the length or height of the building whichever is the lessor in the event or walls without windows to habitable rooms.

9. Bonus provisions provide that the maximum FAR may be increased by a factor of 0.25 or twenty-five (25) percent in the event the development provides for various aesthetic embellishments such as abstract artifacts and other types of streetscape, to include but not limited to sculpture, fountains, plazas and other architecturally and aesthetically producing improvements when said improvement is the equivalent of a minimum value of ten (10) percent of the estimated project cost.

10. No side yards are required along the side lot lines of the district, except as otherwise specified in the Building Code or as described below. However, if walls of structures facing such side lot lines contain windows or other openings, side yards of not less than ten (10) feet in width shall be provided. (Rev. 4/17)

11. On a lot which has a side yard abutting a residential district, there shall be provided a setback of ten (10) feet in width from the residential property. (Rev. 4/17)

12. The purpose of the rear-yard setback is to provide a service and delivery alley along the common rear lot line of CBD properties which back up to each other. The Planning Commission may modify or waive the rear-yard requirement when the property being developed backs up to a public parking lot or public right-of-way, or in instances where the requirement of the rear yard setback would serve no useful purpose.

13. Except for the main spectator stadium which shall not exceed a height of forty (40) feet, no other building or structure shall exceed a height of twenty (20) feet.

14. No building or structure accessory to the Racetrack shall be situated within twenty (20) feet of any existing residential use and no stable shall be situated within one hundred (100) feet of any residential zone district.

15. In each of the residential zoning districts, no dwelling unit may occupy less than the space herein provided as follows: (Rev. 5/18)

RESIDENTIAL DWELLING UNIT TYPE	MINIMUM FLOOR AREA IN GROSS SQUARE FEET, EXCLUSIVE OF GARAGE WHETHER ATTACHED OR NOT
1. Single Family Detached Structures:	
1 Story	1,000 sq ft
1 1/2 Story	1,400 sq ft
Split Level	1,600 sq ft
2 Story	1,600 sq ft
2. Two Family Dwelling Structures:	800 sq ft per dwelling unit
3. Row-Town House Structures:	
Efficiency	600 sq ft
1 Bedroom	750 sq ft
2 Bedrooms	850 sq ft
3 Bedrooms	950 sq ft
	Plus 100 sq. ft. for each additional bedroom.
4. Multiple Family Structures: R-3, R-4, CBD-O, CSO (Including parcels with CBD underlying zoning), PBO, SM-O	
Efficiency	500 sq ft
1 Bedroom	650 sq ft
2 Bedrooms	750 sq ft
3 Bedrooms	850 sq ft
	Plus 100 sq. ft. for each additional bedroom.
5. Multiple Family Structures: CBD	
Efficiency	400 sq ft
1 Bedroom	550 sq ft
2 Bedrooms	650 sq ft
3 Bedrooms	750 sq ft
	Plus 100 sq. ft. for each additional bedroom.
6. Senior Housing – Assisted Senior/Nursing/Memory Care:	
Efficiency	350 sq ft
1 Bedroom	450 sq ft
	Plus 80 sq ft for each additional bedroom.

(Rev. 4/21)

16. The established front setbacks for construction within established R-1A and R-1B neighborhood areas shall be at least one foot more than the average front yard setback of surrounding buildings. The average setback and front building line shall be determined by examining existing buildings located on the same side of the street and within two hundred (200) feet of the subject parcel in both directions. For a one family residential project that meets the “front porch exception” standards listed in 18.11.8.1 or 18.11.8.2, the average front setback shall be calculated using the front wall of the surrounding buildings rather than the edge of any existing porches. In any case, the minimum average front yard setback for an incentive porch shall not be

less than fifteen (15) feet. The building official may exclude structures used in calculating average front setbacks when the structure deviates by more than twenty five (25) feet forward or back from the average setbacks of other structures found within two hundred (200) feet. The applicant shall submit calculations prepared by the applicant or property owner used to determine average front setbacks. *(Rev. 8/20)*

17. Land area for a public road right of way, private road right of way, or private road easements shall be excluded from the calculation of minimum lot size and lot area.

18. Reserved. *(Rev. 5/21)*

19. For existing or recorded lots, which are considered non-conforming because of insufficient lot area, maximum allowable lot area coverage percent shall not be greater than thirty-five (35) percent. Any lot split within the R-1B Zoning District not having frontage on a public road and which is accessed via a private road or common driveway, shall have a minimum square footage of twelve thousand (12,000) square feet.

20. Single family homes having a finished attic or other habitable space above a second floor shall be required to have a minimum side yard setback of sixteen (16) feet in the R-1A zoning district and a minimum side yard setback of fourteen (14) feet in the R-1B zoning district. Total of both side yards shall be a minimum of thirty-two (32) feet in the R-1A and twenty-eight (28) feet in the R-1B zoning districts. *(Rev. 12/05)*

21. Rear yard setbacks or side yard CBD-O setback requirements along property lines which abut a residential use and zoned R-1B or R-2 shall be required as follows:

If CBD-O Building Height is...	Then Rear Setback or Side Yard CBD-O Setback Along a Property Adjoining R-1B or R-2 Zoning is...
30 feet or less	25 feet
31 feet to 42 feet	40 feet

22. Required setbacks, maximum building heights, and other schedule of regulations for the Cady St. Overlay (CSO) are contained within Section 10.06 and Table 10-1.

23. A 20-foot front setback and 25-foot rear setback shall apply to office uses in the PR-1 and PR-2 zoning districts. All other uses in these districts shall require a 50-foot front setback and 50-foot rear setback.

24. Residential Building Heights:

R-1A First Density:

- 28 ft. maximum height for lots equal to or less than 12,000 sq. ft.
- 30 ft. maximum height for lots greater than 12,000 sq. ft.

R-1B First Density:

- 26 ft. maximum height for lots equal to or less than 6,000 sq. ft.
 - 28 ft. maximum height for lots between 6,001 sq. ft. and 8,000 sq. ft.
 - 30 ft. maximum height for lots greater than 8,000 sq. ft.
- (Rev. 4/16)*

25. Floor area ratio (FAR) shall be applied to single-family and two-family buildings only.

- a. For two-family buildings, the total building floor area, as defined, shall be used to calculate the total FAR for the lot.
- b. If the FAR calculation results in a maximum floor area of less than 2,500 square feet, then the maximum floor area permitted will be 2,500 square feet. All other ordinance requirements apply, and the proposed project shall meet all requirements.
- c. Single-family and two-family dwellings existing at the time of this ordinance adoption (August 21, 2020) that, upon this date, exceeds the maximum FAR requirement may maintain the existing footprint and FAR in case of reconstruction, but may not increase either the footprint or FAR without a variance from the Board of Zoning Appeals. All other ordinance requirements shall be met in implementing such change(s). *(Rev. 8/20)*

26. Paved Surface Limitations:

- a. A minimum of 65% of the front open space shall be free of pavement, as defined, on the following lots occupied by single-family residences in all residential districts: *(Rev. 4/21)*
 - 1) All lots that meet the minimum lot width requirement, or
 - 2) All lots that do not meet the minimum lot width requirement but have vehicular access to an alley abutting the lot.
- b. For existing lots whose lot width is less than the minimum requirement and do not have vehicular access to an alley, the front open space, as defined, may be used exclusively for a driveway up to sixteen (16) feet in width, regardless if this results in less than 65% front open space.
- c. Existing driveways and paved areas that do not conform to these standards upon the date of this ordinance adoption may remain, but may not be expanded. *(Rev. 7/17)*

27. For projects that meet the standards listed in 18.11.8.1 or 18.11.8.2 and construct an eligible front porch, the area of the eligible front porch located in the front yard setback shall be excluded from the lot coverage calculation. *(Rev. 8/20)*

ARTICLE 16
SPECIAL USES

SECTION 16.01 SPECIAL USES

a. Intent and Purpose

Special land uses are considered to be more intense, or potentially more disruptive, compared to the various uses in a particular Zoning District which are permitted by right. The uses classified as special land uses vary by District and are listed in the regulations of each Zoning District. These provisions encourage cooperation and consultation between the City and the applicant to facilitate development in accordance with the City's land use objectives. An approved special land use shall be considered a conforming use permitted in the District at the specific site where it is located. The procedures and standards set forth herein are intended to:

- Accommodate uses which are needed and beneficial to the City while at the same time carefully considering and minimizing their potential impacts.
- Provide a consistent and uniform method for review for proposed special land uses.
- Provide a mechanism for public input on decisions involving more intensive land uses.
- Regulate the use of land operations and site design based on the characteristics of a particular use.
- Provide site design and operational standards to minimize any negative impact on adjoining or nearby properties.
- Establish procedures for expansion or change in a special land use which has received special land use approval and/or those which existed prior to the adoption of special land use review procedures. *(Rev. 8/06)*

b. Application.

Applications for special use permits authorized in this Ordinance shall be submitted to the Building Department on a form provided by the City. In addition to a complete application form, the applicant is required to submit a preliminary site plan prepared in accordance with Article 19, Site Plan Review. The preliminary site plan shall be considered by the Planning Commission during deliberations regarding both the special use application and preliminary site plan review.

For a use or building that involves more than one activity classified as a special land use, a separate special land use permit may be required for each use. Special land use review shall be required for expansion of a use that is classified as a special use but has not received a prior special land use approval. *(Rev. 5/18)*

c. Procedures.

- 1) The Building Official or designee shall review the proposed application and site plan to determine if all required information has been supplied, and forward the completed application, site plan, and supporting data to the City Planning Commission.
- 2) Upon receipt of the application for a special use permit, the Planning Commission shall hold a public hearing in accordance with the notification requirements described hereafter.

A notice of the public hearing shall be published in at least one (1) newspaper of general circulation and sent by mail or personal delivery to all persons to whom real property is assessed within three hundred (300) feet of the boundary of the property in question, and to the occupants of all structures within three hundred (300) feet regardless of whether the property or occupant is located in the zoning jurisdiction. If the name of the occupant is not known, the term “occupant” may be used in making notification. *(Rev. 12/06)*

The notice shall be given not less than fifteen (15) days before the date the application will be considered. The notice shall describe the property in question and the nature of the special use permit request; state the time, date, and location of the public hearing; and, indicate when and where written comments will be received concerning the request. The notice shall include a listing of all existing street addresses within the property. Street addresses do not need to be created and listed if no such addresses currently exist within the property. If there are no street addresses, other means of identification may be used. *(Rev. 12/06)*

- 3) Upon conclusion of the public hearing procedures, and after consideration of the Basis of Determination and the standards of preliminary site plan review, the Planning Commission may deny, approve, approve with conditions, or refer back to the applicant a request for special land use approval. The decision on a special land use shall be incorporated in a statement of findings and conclusions relative to the special land use which specifies the basis for the decision and any conditions imposed. *(Rev. 12/06)*

d. Basis of Determinations.

The special use request shall meet all of the standards listed below.

1. Compatibility with the Master Plan. The proposed special land use shall be compatible with and in accordance with the general principles and objectives of the City of Northville's Master Plan.
2. Compliance with Zoning Ordinance standards. The proposed special land use shall be designed, constructed, operated and maintained to meet the stated intent of the zoning district as well as compliance with standards for preliminary site plan review.
3. Compatibility with adjacent uses

The proposed special land use shall be designed, constructed, operated and maintained to be compatible with existing or planned uses on surrounding land. In determining whether a special land use will be compatible and not create a significant detrimental impact, as compared to the impacts of permitted uses, consideration shall be given to the degree of impact the special land use may have on adjacent property, as compared with the expected value to the community. The following types of impact shall be considered:

- a. Use activities, processes, materials, equipment or conditions of operation relative to public views and adjacent land uses.
 - b. Location of vehicular circulation and parking areas.
 - c. Location of outdoor activity, storage and work areas.
 - d. The location and height of proposed buildings and structures.
 - e. Hours of operation.
 - f. Production of traffic, noise, vibration, smoke, fumes, odors, dust, glare and light.
 - g. Impacts on adjacent property values.
 - h. Relative ease by which the impacts above will be mitigated.
4. Impact of traffic
 - a. The location and design of the proposed special land use shall minimize the negative impacts on the street system in consideration

of items such as vehicle trip generation (i.e. volumes), types of traffic, access location and design, location of off-street parking, street capacity, traffic operations at proposed access points and traffic operations at nearby intersections.

- b. The City may require mitigation to maintain the pre-existing traffic operations
- c. Route and operational restrictions (such as hours, cleaning of dust or debris) may be established for construction traffic to minimize negative impacts.
- d. A traffic impact study, prepared by a qualified traffic professional, may be required in accordance with Section 19.05j.

5. Impact of the environment

The proposed special land use shall not have an adverse effect on the quality of the natural environment in comparison to the impacts associated with typical permitted uses. The Planning Commission may require a quantitative comparison of the impacts of typical permitted uses and the special land use to assist in making this determination (such as an overlay of development plans, on a natural features map, illustrating other site development options to demonstrate the impacts have been minimized to the extent practical). If the cumulative impact creates or contributes to a significant environmental problem, mitigation shall be provided to alleviate the impacts associated with the requested use (i.e. ensure the end result is at least similar to the pre-existing conditions.).

6. Public Services

The proposed special land use shall be located where it can be adequately served by essential public facilities and services, such as streets, pedestrian or bicycle facilities, police and fire protection, drainage systems, water and sewage facilities and schools. *(Rev. 8/06)*

e. Conditions and Safeguards.

The Planning Commission may impose such additional conditions and safeguards deemed necessary for the general welfare, for the protection of individual property rights, and for insuring that the purposes of this Ordinance and the general spirit and purpose of the district in which the special use is proposed will be observed. Such conditions shall conform to the standards found in Section 4a of Act 207 of 1921, as the same may be amended or superseded from time to time.

f. Voiding and Extensions of Permit.

Unless otherwise specified by the Planning Commission, any special use permit granted under this section shall be null and void unless the property owner shall have made application for a building permit within one (1) year from the date of the granting of the permit. The City Clerk shall give notice by certified mail to the holder of a permit that is liable for voiding action before voidance is actually declared. Said notice shall be mailed to the permit holder at the address indicated in said permit. Within thirty (30) days of receipt of notice of voiding of the permit, the applicant shall have the right to request an extension of the permit from the Planning Commission. The Planning Commission may grant an extension thereof for good cause for a period not to exceed six (6) months.

A special land use permit, issued under the provisions of this ordinance, will be suspended or revoked whenever the permit is issued erroneously on the basis of incorrect information supplied by the applicant or his agent and is in violation of any of the provisions of this Ordinance or of any other ordinances or regulations of the city. If suspended or revoked, the holder of the special land use permit must resubmit to the Planning Commission upon notification of such suspension/revocation, revised plans that are in compliance with all applicable ordinances or regulations. Review of such plans will follow the same sequence as described in Section 16.01 above. *(Rev. 5/18)*

g. Reapplication.

No application for a special use permit which has been denied wholly or in part shall be resubmitted until the expiration of one (1) year or more from the date of such denial, except on grounds of newly discovered evidence or change of conditions found to be sufficient to justify reconsideration by the Planning Commission.

h. Amendments, Expansions and Change in Use

A property owner or lessee shall notify the City of major or minor amendments of a special use permit as defined by the following:

1. Major amendments

Any major amendment to an approved special land use shall require submittal of a new application for a special land use and follow the review procedures contained in this Article. Amendments to the site plan shall bring the site into compliance with all zoning ordinance requirements determined to be reasonable by the Planning Commission in proportion with the extent of the change at the site and in consideration with the physical constraints of the site. The following are considered major amendments:

- Usable floor area of the building is increased by more than twenty five (25) percent or 2,500 square feet, whichever is less.
- Parking lots are expanded by more than twenty five (25) percent or 6,000 square feet of pavement area.
- The occupancy or capacity of the use is increased by more than twenty (20) percent.
- The use is expanded to occupy an additional twenty five (25) percent of land area.

2. Minor amendments

Minor amendments are those not specifically addressed above. Minor amendments, to an approved special land use does not require submittal of a new application for a special land use.

3. Required site plan

Any change, whether it is deemed minor or major, shall require submittal of a site plan in accordance with Article 19 Site Plan Review.

4. Change in use

A change to another special land use shall require submittal of a new application for special land use and follow the review procedures contained in this Article.

5. Effects of Approval

Any special land use approval shall run with the land in perpetuity, unless the use is specifically determined to be temporary in nature or the use is discontinued. The special land use approval shall apply only to the land area contained within the parcel, lot, condominium unit or other legally defined location for which the special land use approval was granted.

6. Variances

The Board of Zoning Appeals shall not have the authority to grant a variance to allow a Zoning special land use that was denied by the Planning Commission. Nor shall the Board of Zoning Appeals have the authority to grant a variance to any conditions placed on special land use approval. However, the Board of Zoning Appeals shall have authority to consider or grant variances from the non-discretionary standards required for site

specific special uses as contained in Section 16.03 through 16.16. *(Rev. 12/06)*

7. Inspections

The city may make periodic investigations of developments authorized by special land use permit to determine continued compliance with all requirements imposed by the Planning Commission and this Ordinance.

8. Maintenance

The property owner shall be responsible for maintenance of the property in accordance with the approved site design on a continuing basis until the property is razed, until new zoning regulations supersede the regulations upon which approval was based or until a new use or site plan is approved. Any property owner who fails to maintain an approved site design shall be deemed in violation of the provisions of this Ordinance.

9. Revocation

Revocation of a special land use may occur if its recipient fails to continuously abide by its terms and conditions. The revocation procedure is as follows:

- a. The Planning Commission, through its designated administrators, shall notify the recipient in writing of any violations of City codes or provisions of the special land use.
- b. The recipient shall have 30 days to correct all deficiencies to the satisfaction of the Planning Commission.
- c. If after 30 days any deficiencies remain, the Planning Commission may then revoke the Special Land Use, or if the conditions warrant, allow additional time.
- d. A repeat violation may cause immediate revocation of the Special Land Use.

i. Discontinuance

For any use with a special land use permit which ceases to operate continuously for at least a one (1) year period, the special land use shall be considered discontinued and the special land use permit shall be deemed null and void. *(Rev. 8/06)*

SECTION 16.02 SPECIAL LAND USE SPECIFIC REQUIREMENTS

The general standards and requirements of Section 16.01 “Special Land Uses, Basis of Determination” are basic to all uses authorized by a special land use permit. However, certain special land uses, because of their unique character and potential impacts on the welfare of adjacent properties and the City of Northville, require additional specific requirements. Such uses are listed below with specific standards and regulations that must be met in addition to the general standards of Section 16.01 and other sections of this Zoning ordinance.

SECTION 16.03 BED AND BREAKFAST ACCOMMODATIONS

A Special Land Use to the R-1A, R-1B and R-2 zoning districts. A use permitted by right in the R-3 and R-4 zoning districts. All districts subject to the following provisions:

- a. Useable Floor Space: Not more than fifty percent (50) of the total number of bedrooms or twenty-five percent (25) of the total floor area of the residence, (whichever is least) to a maximum of eight (8) rooms shall be used for bed and breakfast sleeping rooms.
- b. Cooking Facilities: There shall not be separate cooking facilities used for bed and breakfast stay.
- c. Signs: No sign larger than two (2) square feet identifying the bed and breakfast shall be permitted. Internal illumination of signs shall not be permitted and all signs, placement and illumination shall be reviewed by the Planning Commission.
- d. Parking: One (1) parking space shall be provided off-street in the interior side yard or rear yard area for each occupant room, plus one (1) space for the resident manager. The Planning Commission may require a landscape buffer between lot and parking area.
- e. Off-Street Parking Layout and Design: Such off-street parking shall meet the design and layout requirements of Article 17. However, the Planning Commission may waive selected dimensional requirements for parking areas and entrance drives if safe and efficient parking is not impaired.
- f. Length of Stay: No transient occupant shall reside on the premises for more than thirty (30) consecutive days and more than sixty (60) days total in any one year.
- g. Compliance: All such facilities shall comply with all applicable local, county, and state building, occupant living area, plumbing, electrical, mechanical, fire and health codes.

SECTION 16.04 CONVERTED DWELLINGS

Converted dwellings, the conversion of existing residences is hereby permitted provided further encroachment into required yard areas is not necessary and provided the following conditions are met:

- a. No one-family detached dwelling shall be converted to not more than two (2) dwelling units if the dwelling is more than fifty (50) years old.
- b. Conversion is prohibited in the event a lot is less than six thousand (6,000) square feet in area and has a frontage of less than fifty (50) feet.
- c. The effect of said conversion is to increase the lot coverage to more than fifty (50) percent.
- d. When converted no dwelling unit shall contain a floor area of less than one thousand (1,000) square feet.
- e. Provisions of off-street parking can be complied with as provided in Article 17.

SECTION 16.05 HOSPITALS

Hospitals provided the following conditions are met:

- a. All such hospitals shall be developed on sites consisting of at least five (5) acres in area.
- b. The proposed site shall have at least one (1) property line abutting a major thoroughfare (a thoroughfare of at least one hundred (100) feet of right-of-way, existing or proposed). All ingress and egress to the off-street parking area, for guests, employees, staff, as well as any other uses of the facilities, shall be directly from a major thoroughfare.
- c. In the event one (1) or more boundaries of the proposed site lies opposite or contiguous to a residential district, the minimum distance between any hospital structure or accessory use and the residential district boundary shall be at least one hundred (100) feet for buildings containing two (2) stories or less. For buildings above two (2) stories, the building shall be set back from the initial one hundred (100) foot setback and an additional one (1) foot for each foot of additional height above two (2) stories.
- d. The minimum distance from any street line shall not be less than forty (40) feet for buildings containing two (2) stories or less, while buildings above two (2) stories shall be set back a further distance of one (1) foot for each foot of height above the second story regardless of the zoning district in which situated.

- e. The minimum distance from any non-residential interior lot line shall be twenty-five (25) feet.
- f. Ambulance and delivery areas shall be obscured from adjacent residences with a wall at least 6 feet in height. The wall shall be subject to the requirements of Section 18.14. Ingress and egress to the site shall be directly from a major thoroughfare (a thoroughfare of at least one hundred (100) feet of right-of-way, existing or proposed).

SECTION 16.06 DRIVE-IN/DRIVE-THROUGH RESTAURANTS

Drive-in or drive-through restaurants subject to the following conditions:

- a. The main and any accessory building shall be setback fifty (50) feet from any adjacent public right-of-way line or property line.
- b. Such restaurants constructed adjacent to other commercial developments shall have a direct vehicular access connection where possible.
- c. A 6 foot high obscuring wall, fence or landscaping shall be provided along any property line adjacent to a residential zoning district.

SECTION 16.07 HOME DELIVERY RESTAURANTS

Home delivery restaurants are subject to the following conditions:

- a. Operation of not more than one (1) delivery vehicle at anytime, with on-site private parking provided and signed for the delivery vehicle if one is operated.
- b. Provision for seating on the premises, in addition to home delivery service, for at least 6 customers to eat on the premises. (*Rev. 4/17*)

SECTION 16.08 VETERINARY CLINICS

Veterinary clinics, pet shops, animal grooming services and similar uses which deal with live animals, subject to the following conditions:

- a. The animal-related use shall not be located in any building which has a common wall with a building owned by another person.
- b. The animal-related use shall not be located in any building which includes any residential use.

- c. If the animal-related use is in a building which includes other uses, the owner shall require sufficient treatment of any common wall between the animal-related use and other uses, so that there are no adverse effects on other uses from noise, odor or other conditions caused by the animal-related use.
- d. The animal-related use shall deal only with small animals which are owned or intended to be owned as household pets. For purposes of this section, the term “small animal” shall mean dogs and cats, and other small mammals, rodents, reptiles and birds which are being kept indoors as pets. It shall not include horses and other farm animals, such as but not limited to livestock or poultry; nor any animal which as an adult in captivity requires special conditions to provide safety in handling to either human beings or the animal.
- e. The animal-related use shall not include the boarding or keeping of pets owned by customers, except for brief recovery periods required by medical treatment given to the animal.
- f. The animal-related use shall have no outdoor kennels, exercise areas, dog runs or storage facilities; nor shall there be any evidence of noise or odors which would adversely affect adjacent uses.

SECTION 16.09 AUTOMOBILE SERVICE STATIONS

Automobile service stations shall be subject to the following conditions:

- a. The curb cuts for ingress and egress to a service station shall not be permitted at such locations that tend to create traffic hazards on the streets immediately adjacent thereto. Entrances shall be no less than twenty-five (25) feet from a street intersection (measured from the road right-of-way) or from adjacent residential districts.
- b. The minimum lot area shall be twenty thousand (20,000) square feet, and as nearly rectangular as possible, and so arranged that ample space is available for motor vehicles which are required to wait for services.
- c. Automobile service stations shall only be permitted at the intersection of at least one major thoroughfare with a local street or street of more intense classification and at freeway interchanges.
- d. Maximum number of automobile service stations at any intersection shall not exceed two (2) which should be situated diagonally from each other.
- e. Automobile service stations shall not be located within five hundred (500) feet of any school.

- f. Automobile service stations shall not be situated at any intersection where the approach gradient of either street exceeds two (2) percent.
- g. All lighting shall be shielded from adjacent residential districts and street right-of-ways.
- h. Pump islands shall be a minimum of twenty-five (25) feet from any public right-of-way or lot line.
- i. Outside storage shall be limited to small quantities of oil and other supplies needed for servicing at the pumps, and vehicles which are awaiting servicing, shall remain on-site for not more than seventy-two (72) hours. No outside storage of tires and other parts and accessories and partly dissembled or junked vehicles shall be allowed. All repair work shall be conducted completely within an enclosed building.
- j. Full service islands or attendant filling services shall be made available.

SECTION 16.10 MOBILE HOME PARKS

Mobile home parks and/or developments subject to the regulations and requirements with 1987 P.A. 96 as amended.

- a. Mobile Home Parks shall not be permitted on parcels less than fifteen (15) acres in size.
- b. Individual mobile home sites within a mobile home park shall have a minimum lot size of five thousand-five hundred (5,500) square feet per mobile home being served. This five thousand-five hundred (5,500) square foot minimum may be reduced by twenty (20) percent, provided that the individual site shall be equal to at least four thousand-four hundred (4,400) square feet. For each square foot of land gained through this reduction of the site below five thousand-five hundred (5,500) square feet, an equal amount of land shall be dedicated as open space. In no case shall the open space requirements be less than that required under R125.1946, Rule 946 of the Michigan Administrative Code.
- c. The on-site storage of boat trailers, boats, camping units, horse trailers and similar recreational equipment shall be prohibited on mobile home sites and in designated open space areas. The mobile home park may provide, within the confines of the park, a common outdoor storage area for the storage of the above mentioned equipment.
- d. The minimum setback for mobile home parks shall be fifty (50) feet from a public right-of-way. Mobile home parks shall be landscaped as follows:

- 1) If the mobile home park abuts an existing residential development, the park shall be required to provide screening along the park boundary abutting the residential development.
- 2) If the park abuts a non-residential development, the park need not provide screening.
- 3) In all cases, however, a park shall provide screening along the park boundary abutting a public right-of-way.

The landscaping shall consist of evergreen trees or shrubs of minimum three (3) feet in height, which are spaced so they provide a continuous screen at maturity. Alternative screening devices may be utilized if they conceal the mobile home park as effectively as the required landscaping described above.

- e. Mobile Home Parks shall be subject to preliminary plan review requirements in accordance with 1987 PA 96, as amended.
- f. A permit shall not be required for the construction or erection of canopies or awnings which are open on three (3) sides. A building permit shall be required, however, before the construction or erection of any screened, glassed-in, or otherwise enclosed awning or canopy.

SECTION 16.11 GARDEN CENTERS AND NURSERIES, & COMMERCIAL OUTDOOR STORAGE

- a. The storage or materials display areas shall meet all the yard setback requirements applicable to any building in the District.
- b. All loading activities and parking areas shall be provided on the same premises off-street.
- c. The storage of any soil, fertilizer, or similar loosely package materials shall be sufficiently contained to prevent any adverse effect upon adjacent properties.

SECTION 16.12 MINI - OR SELF-STORAGE WAREHOUSES

- a. Minimum lot size shall be two (2) acres.
- b. Minimum building and parking setback shall be fifty (50) feet from any public street right-of-way line, fifty (50) feet setback from any residential district and twenty-five (25) feet from any non-residential zoning district.

- c. The front yard and any side yards adjacent to residential districts shall include wrought iron or similar decorative fencing and evergreen plantings spaced a maximum of ten (10) feet apart on center.
- d. All storage shall be completely within enclosed buildings or structures, unless a separate Special Land Use Permit is granted for commercial outdoor storage on the premises.
- e. A structure for a resident manager may be allowed on the site.
- f. The use shall be limited to storage only.

SECTION 16.13 RADIO, TV, TRANSMISSION TOWERS

- a. The setbacks for each tower from adjacent rights-of-way and/or property lines shall be not less than one and one-half (1 1/2) times the height of each tower above the ground.
- b. In any District, towers shall not exceed one hundred seventy-five (175) feet in height.
- c. An open air fence six (6) feet in height.
- d. Such facilities shall not be located on any lot which is closer than one hundred and fifty (150) feet from any lot occupied by a residential use or located in a residential zoning district.

SECTION 16.14 MINERAL MINING AND EXTRACTION OPERATIONS

- a. Intent and Purpose. It is the intent and purpose of this section to promote the underlying spirit and intent of the entire Zoning Ordinance, but at the same time allow for the extraction of minerals in locations where they have been naturally deposited, and to insure that mineral mining activity shall be compatible with adjacent uses of land, the natural environment, and the capacities of public services and facilities affected by the land use, and, to insure that mineral mining activities are consistent with the public health, safety and welfare of the City.
- b. Use Restriction. Mineral mining and extractive operations may be considered as a special use in the PR-2 Zoning District. The extraction, removal, and/or processing of sand, gravel, stone and/or other mineral mining in the City shall be prohibited unless first authorized by the grant of a special approval use application by the Planning Commission in accordance with this section.
- c. Exemption. Usual and customary land balancing by cutting and filling, in preparation for immediately planned and approved development in accordance with

this and all other applicable ordinances and law, shall be exempted from the provisions of this section.

- d. Application. An application shall be filed with the Building Department and shall include the following: *(Rev. 5/18)*
- 1) Site plan prepared in accordance with Article 19.0.
 - 2) Duration of proposed operation, and location, timing, and any other relevant details with respect to the phasing and progression of work on the site;
 - 3) Land use study/drawing showing the existing land uses with specification of type of use, e.g., single-family residential, multiple-family residential, retail, office, etc., and density of individual units in areas shown, including:
 - 4) Geological/hydrological/engineering survey prepared by appropriate and qualified experts.
 - 5) Description of the vehicles, machinery and equipment proposed for use on the property, specifying with respect to each, the anticipated noise and vibration levels.
- e. Reclamation. Reclamation of the site shall be in accordance with a reclamation plan approved by the Planning Commission as part of the application review process. There shall be no final slopes having a grade in excess of a minimum ratio of one (1) foot vertical to five (5) feet horizontal, and, for permanent water areas, for a distance of not less than ten (10) feet nor more than fifty (50) feet, the submerged slopes shall be graded from the water's edge at a grade not in excess of a minimum ratio of one (1) foot vertical to seven (7) feet horizontal; the entire site shall be planted with sufficient vegetation so as to sustain short and long term growth, in order to avoid erosion and washout, and, to the extent necessary to achieve this objective, suitable soils shall be placed on the property; and, all structures, machinery, equipment and improvements shall be removed from the site, unless, following approval of the Planning Commission the same are deemed consistent with the zoning district in which the site is situated. The Planning Commission or City Council shall have the right to impose performance bonds or letters of credit to insure that the reclamation and restoration plans as submitted are implemented.

SECTION 16.15 SITING OF A HELIPORT AND THE NON-MEDICAL EMERGENCY USE OF HELICOPTERS *(Rev. 3/04)*

a. Definitions

For purposes of this Section, the following definitions apply:

Helicopter – A type of aircraft whose aerodynamic support is obtained from propellers rotating on a more or less vertical axis and which is capable of rising and descending vertically.

Heliport – An area of land, water or a fixed structure used or intended to be used for the landing and take off of helicopters or other rotary wing aircraft.

Helistop – A landing area for occasional and infrequent use by rotary wing aircraft not exceeding a gross weight of 10,000 pounds and not for regularly scheduled stops.

Non-Medical Emergency – Any condition other than a sudden life-threatening medical emergency related to the health of one or more human beings which condition calls for immediate evacuation to a hospital.

b. Siting

The siting of a heliport and the siting of a helistop may be considered as a special use only in the Racetrack (RTD) District, Performance Regulated Industrial District NO. 1 (PR-1) and Performance Regulated Industrial District NO. 2 (PR-2). Such siting shall be done pursuant to applicable federal and state standards. It shall not be permitted in any other zoning district in the City of Northville.

c. Non-Medical Emergency Use of Helicopters

The non-medical emergency use of helicopters shall be limited to the heliport/helistops cited in Section 16.15b above.

d. Nothing in this Ordinance applies to the emergency use of a helicopter relating to the evacuation of a human being(s) with a serious medical condition which condition requires immediate evacuation to a hospital.

SECTION 16.16 SEXUALLY ORIENTED BUSINESS *(Rev. 12/05)*

a. No sexually oriented business may be located within 1,000 feet of another sexually oriented business.

b. No sexually oriented business may be located in or within 400 feet of any residential zoning district, school property, church, public park, child care facility,

- nursery, pre-school, or other use which is primarily oriented to youth (less than 18 years of age) activities.
- c. The sexually oriented business shall be measured in a straight line from the nearest property line upon which the proposed sexually oriented business is to be located to the nearest property line of the residential zoning district, school property, church, public park, child care facility, nursery, pre-school, or other use which is primarily oriented to youth (less than 18 years of age) activities.
 - d. Sexually oriented businesses shall be permitted in the PR-2, Performance Related District of the Zoning Ordinance and deemed special land uses subject to the standards of this Section. The discretionary standards of Section 16.01 shall not be applicable.
 - e. No sexually oriented business shall be located in any principal or accessory structure already containing a sexually oriented business.
 - f. The proposed sexually oriented business must meet all applicable written and duly promulgated standards of the City and of other governments or governmental agencies having jurisdiction, and that to the extent required, the approval of these governments and/or governmental agencies has been obtained or is reasonably assured.
 - g. The proposed sexually oriented business shall conform to all standards and schedule of regulations of the zoning district in which it is located.
 - h. Entrances to a proposed sexually oriented business must be posted on both the exterior and interior walls, in a location clearly visible to those entering and exiting the business, and using lettering no less than two (2) inches in height that states: a) "Persons under the age of 18 are not permitted to enter the premises," and, b) "No alcoholic beverages of any type are permitted within the premises unless specifically allowed pursuant to a license duly issued by the Michigan Liquor Control Commission."
 - i. Sexually oriented business hours of operation shall be limited to 9:00 a.m. to 11:00 p.m., Monday through Saturday.
 - j. All off-street parking areas shall comply with City Ordinances and shall additionally be illuminated during all hours of operation of the sexually oriented business, and until one (1) hour after the business closes.
 - k. Any booth, room, or cubicle available in any sexually oriented business, except in an adult motel, used by patrons for the viewing of any entertainment characterized by the showing of "specified sexual activities" or "specified anatomical areas":

1. Is handicap accessible to the extent required by the Americans with Disabilities Act.
 2. Is unobstructed by any door, lock or other entrance and exit control device.
 3. Has at least one (1) side totally open to the public, and lighted aisle so that there is an unobstructed view at all times from the adjoining aisle of any occupant.
 4. Is illuminated such that a person of normal visual activity looking into the booth, room or cubicle from its entrance adjoining the public lighted aisle can clearly determine the number of people within.
 5. Has no holes or openings in any side or rear walls not relating to utility, ventilation or temperature control services or otherwise required by any governmental building code or authority.
- l. No person operating a sexually orientated business shall permit any person under the age of 18 years of age to be on the premises.
 - m. No person shall reside in or permit any person to reside in the premises of a sexually oriented business.
 - n. Any prior existing, non-conforming use or permitted use abandoned for 90 days shall be required to re-apply for special land use approval.

SECTION 16.17 LARGE ASSISTED SENIOR LIVING FACILITY *(Rev. 5/18)*

A Large Assisted Senior Living facility shall be provided as a planned development, and are subject to the following:

- a. Minimum lot size shall be two-acres in size.
- b. All Assisted Senior units in a congregate type building shall consist of at least three hundred fifty (350) square feet per unit (not including sanitary facilities).
- c. Maximum density shall be 20 residents to the acre.
- d. The proposed facility may not exceed a height of two and one-half (2 1/2) stories or 30 feet. Buildings of greater height may be allowed, provided front, side, and rear yards are increased above the minimum required yards by one foot for each foot of building height that exceeds the maximum height allowed.

- f. Off-street parking shall meet the requirements for Large Assisted Senior Living Facility provided in Article 17.
- g. A landscape buffer, privacy fence/wall or combination thereof, shall be constructed along property lines abutting properties that are zoned or used for single-family residential purposes. The buffer, fence or wall shall be constructed in a manner which will achieve a minimum opacity of eighty (80) percent during the summer and sixty (60) percent opacity during the winter.

SECTION 16.18 CONTINUING CARE RETIREMENT COMMUNITY *(Rev. 5/18)*

A Continuing Care Retirement Community (CCRC) shall be provided as a planned development. The size, design, and operating characteristics of the facility shall be compatible with the character of the surrounding neighborhood, with consideration given to scale, lot coverage, density, access, traffic, and other relevant factors. These facilities are subject to the following:

- a. Minimum lot size shall be five-acres in size.
- b. All Independent Senior dwellings shall be independent dwelling units, as defined by this ordinance. Units in a congregate type building shall consist of at least six-hundred (600) square feet per unit (not including kitchen and sanitary facilities). Units in other types of structures shall meet the minimum requirements of Section 15.02, Footnote 15.
- c. All Assisted Senior units and nursing/memory care units in a congregate type building shall consist of at least three hundred fifty (350) square feet per unit (not including sanitary facilities).
- d. Maximum density of the CCRC development shall be calculated using the land area devoted to each use as follows:
 - i. Independent Senior Living = 14 dwelling units/acre
 - ii. Assisted Senior Living and Nursing/Memory Care = 20 residents/acre
- e. The proposed facility may not exceed a height of two and one-half (2 1/2) stories or 30 feet. Buildings of greater height may be allowed, provided front, side, and rear yards are increased above the minimum required yards by one foot for each foot of building height that exceeds the maximum height allowed.
- f. Off-street parking shall meet the requirements for Continuing Care Retirement Community provided in Article 17.
- g. Sidewalks shall be required along all street frontages, in accordance with Chapter 74 of the Northville Code of Ordinances. Where possible, sidewalks shall be positioned five (5) feet back from the curb for public safety and to facilitate pedestrian connection between residential and commercial areas. A pedestrian

system shall be provided throughout the development, including access to open space and between dwelling units.

- h. A landscape buffer, privacy fence/wall or combination thereof, shall be constructed along property lines abutting properties that are zoned or used for single-family residential purposes. The buffer, fence or wall shall be constructed in a manner which will achieve a minimum opacity of eighty (80) percent during the summer and sixty (60) percent opacity during the winter.

ARTICLE 17**OFF-STREET PARKING AND LOADING REGULATIONS****SECTION 17.01 OFF-STREET PARKING REQUIREMENTS**

There shall be provided in all districts except in the CBD (Central Business District), at the time of erection or enlargement of any main building or structure, automobile off-street parking space with adequate access to all spaces. The number of off-street parking spaces, in conjunction with all land or building uses shall physically be available prior to the issuance of a certificate of occupancy, as hereinafter prescribed or as further provided in Section 24.05.

Section 17.01.1 Location of Parking Lot

Off-street parking for other than residential use shall be either on the same lot or within three hundred (300) feet from the building it is intended to serve, measured from the nearest point of the building to the nearest point of the off-street parking lot. Ownership shall be shown of all lots or parcels intended for use as parking by the applicant.

When any required off-street parking is provided, not upon the same lot, but a lot within three hundred (300) feet of the building it is intended to serve, documentation meeting the requirements for recording at the Register of Deeds, shall be provided reflecting that the ownership of the realty (upon which parking is located) has given to the owner of the realty (upon which the building requiring the parking is located), a permanent right of user for the required number of parking spaces.

The Planning Commission may at their discretion, modify the numerical requirements for off-street parking, based upon evidence provided by the applicant that indicates that another parking standard would be more reasonable. The Planning Commission may consider:

- Current or future levels of employment or patrons
- Peak period usage versus normal usage
- Banked or reserved parking for future use
- Environmental factors which accommodate additional landscaping and the minimization of impervious areas.
- Other factors pertinent to a modification of parking requirements. *(Rev. 8/06)*

Section 17.01.2 Location of Parking Lot – PR-1, PR-2

Off-street parking for the PR-1 and PR-2 Performance Regulated Industrial Districts and the RTRU District may be located within five hundred (500) feet of the building it is intended to serve, providing the parking is located within a PR-1, PR-2 or RTD District.

Section 17.01.3 Size and Location, Residential

Residential off-street parking spaces shall consist of a parking strip, parking bays with dimensions of not less than nine by nineteen feet (9' x 19'), driveway, garage, or combination thereof and shall be located on the premises they are intended to serve, and are subject to the provisions of Section 17.01.10 “Front Yard Parking, Residential District,” and Section 18.04 “Accessory Buildings”.

Section 17.01.4 Modification to Designated Parking Area

- a. Any area once designated as required off-street parking shall not be changed to any other use unless and until equal facilities are provided elsewhere except as provided in Article 19, “Site Development Plan Review Provisions”.
- b. Off-street parking existing at the effective date of this Ordinance, in connection with the operation of an existing building or use shall not be reduced to an amount less than hereinafter required for a similar new building or new use.

Section 17.01.5 Multiple Use Consideration

- a. Two or more buildings or uses may collectively provide the required off-street parking in which case the required number of parking spaces shall not be less than the sum of the requirements for the several individual uses computed separately.
- b. In the instance where a parking lot can serve a dual function and where off-street parking demands do not overlap, the Board of Appeals may grant an exception and consider certain parking spaces as available to other nearby land uses.

Section 17.01.6 Storage

The storage of merchandise, motor vehicles, or the repair of vehicles on designated off-street parking areas is prohibited.

Section 17.01.7 Uses Not Defined

For those uses not specifically mentioned, the requirements for off-street parking facilities shall be in accord with a use which the Chief Enforcement Officer considers is similar in type.

Section 17.01.8 Fractional Spaces

When units or measurements determining the number of required parking spaces result in the requirement of a fractional space, any fraction up to and including one-half (1/2) shall be disregarded and fractions over one-half (1/2) shall require one (1) parking space.

Section 17.01.9 Relationship of Gross Floor Space

For the purpose of computing the number of parking spaces required, the definition of Gross Floor Area in Article 26 “Definitions”, shall govern except where the term Usable Floor Area is used then the appropriate definition shall apply.

Section 17.01.10 Front Yard Parking, Residential District

No parking area shall project into the required front yard in any residential district or be permitted between the curb line and property line in any district except on a driveway, or as may be provided in approved parking arrangements for R-3 and R-4, Residential Districts. In addition, the following shall apply:

- a. Parking on the lawn or unpaved area in a front yard (required and non-required) is not permitted.
- b. Parked vehicles shall not block a public sidewalk.

Section 17.01.11 Front Yard Parking, CBD

Unless otherwise provided herein, off-street parking shall not be permitted in any required front yard or area from the building front to street right-of-way within the CBD zoning district, except for use of the driveway.

Section 17.01.12 Change of Use

Whenever a use of a building or structure is changed to another use the provisions of Section 17.02 for that particular use shall apply.

Section 17.01.13 Parking Within the CBD

a. CBD Parking Requirement:

Off street parking requirements within the CBD shall be subject to the following regulations:

Residential 1 bedroom or less	1 space/unit
Residential 2 bedroom	2 spaces/unit
Retail	1 space/250 sq. ft. gross floor area
Office	1 space / 250 sq. ft. gross floor area
Restaurant	1 space/150 sq. ft. gross floor area

Any use or intensity of use not on the table above shall be calculated in accordance with the parking requirements of Section 17.02. (Rev. 4/21)

b. Collective Parking within the CBD

Within the CBD, the Planning Commission may consider the collective use of parking areas. Two or more buildings or uses located within four hundred (400) feet of each other, (measured from the perimeter of a building or perimeter of a lot held in ownership or control) may collectively provide the required off-street parking in which case, the required number of parking spaces shall not be less than the sum of the of requirements for the several individual uses computed separately. Collective parking usually increases a site’s total parking count and also promotes more efficient circulation. Please refer to Diagram A and Diagram B.

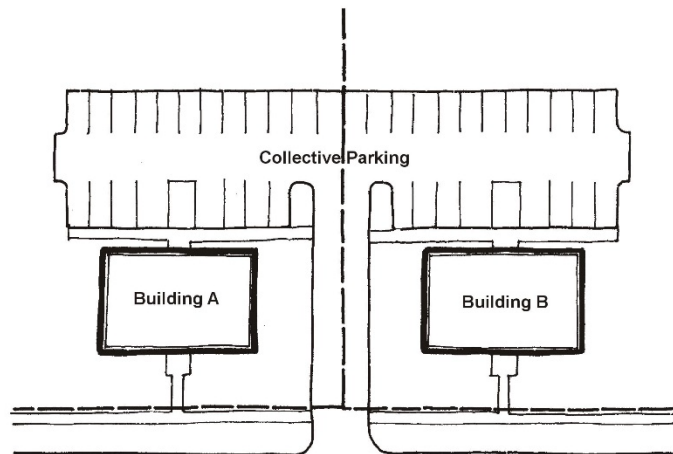


Diagram A. Collective Parking – Contiguous Lots

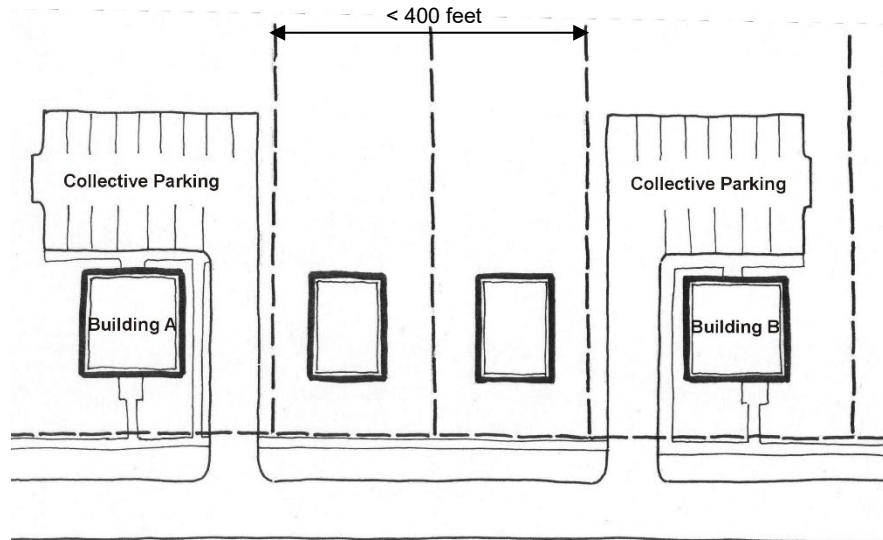


Diagram B. Collective Parking – Non-contiguous Lots

Proposed lease agreements or other similar contractual agreements (“Collective Use Parking Agreements”) between collective parking entities may be considered by the Planning Commission and shall be reviewed by the City Attorney. A Collective Use Parking Agreement shall contain a provision that indicates that the Collective Use Parking Agreement shall be in effect for at least five (5) years. After five (5) years, the Collective Use Parking Agreement will be subject to review for renewal by the Planning Commission and the City Attorney. Any such Collective Use Parking Agreement must be reviewed, renewed, and approved every five (5) years by the Planning Commission after review by the City Attorney. In the event that the Collective Use Parking Agreement is terminated for any reason or is not renewed by the Planning Commission, the parties must inform the City, and the entities covered by the Collective Use Parking Agreement will then have to either enter into another Collective Use Parking Agreement, provide the required parking pursuant to the Parking Ordinance, or purchase parking credits, in accordance with Section 17.03.

Once the Collective Use Parking Agreement is approved by the Planning Commission, the Agreement shall be recorded on the land titles for all affected properties with the County Register of Deeds. The Agreement shall not be cancelled by either party without twelve (12) months written notice to any and all parties to the Agreement, any entities affected by the Agreement, and to the City of Northville.

In the event of a change of use or other change of parking configuration or termination of the Collective Use Parking Agreement for any reason, each use shall be reviewed for parking compliance and shall be subject to the requirements of this Article. A site which fails to provide necessary parking shall be in violation of Article 24 of the Zoning Ordinance and shall be subject to enforcement action by the City.

c. Shared Parking within the CBD

Shared parking within the CBD may be considered for neighboring uses (within 400 feet, measured from the perimeter of a building or perimeter of a lot held in ownership or control or a municipal lot) based upon the fact that certain uses may operate at different times over a 24-hour period with the greatest demand for parking occurring during different times. The Planning Commission may require that applicants submit parking studies and / or documentation on parking use. The total number of combined spaces required for one or more use may be reduced by up to thirty (30) percent from the aforementioned chart (17.01.13.a). This reduction shall be recommended by the Planning Commission and considered by the City Council and shall be based upon the following factors:

1. The peak hours of operation for each use.
2. The average parking demand and the peak parking demand for each use, based on reliable data. Such data will include actual parking counts for these uses, or if similar uses or actual parking counts are not available, reliable traffic / parking demand models may be used.
3. The impact of the shared parking arrangement on adjacent uses.
4. Written legal evidence of a Shared Parking Agreement which, if recommended by the Planning Commission and approved by the City Council, must be recorded on all affected land titles with the County Register of Deeds.

Proposed lease agreements or other similar contractual agreements (“Shared Parking Agreements”) between shared parking entities may be considered by the Planning Commission and City Council and shall be reviewed by the City Attorney. A Shared Parking Agreement should contain a provision that indicates that the lease shall be in effect for at least five (5) years. After five (5) years, the Shared Parking Agreement will be subject to review for renewal by the City Council and the City Attorney. Any such Shared Parking Agreement must be reviewed, renewed, and approved every five (5) years by the City Council after review by the City Attorney. In the event that the Shared Parking Agreement is terminated for any reason or is not renewed by the City Council, the parties must inform the City, and the entities covered by the Shared Parking Agreement will then have to either enter into another Shared Parking Agreement, provide the required parking pursuant to the Parking Ordinance, or purchase parking credits, in accordance with Section 17.03.

Once the Shared Parking Agreement is approved by the City Council, the Agreement shall be recorded on the land titles for all affected properties with the County Register of Deeds. The Agreement shall not be cancelled by either party without twelve (12) months written notice to any and all parties to the Agreement, any entities affected by the Agreement, and to the City of Northville.

In the event of a change of use or other change of parking configuration or termination of the Shared Use Parking Agreement for any reason, each use shall be reviewed for parking compliance and shall be subject to the requirements of this Article. A site which fails to provide necessary parking shall be in violation of Article 24 of the Zoning Ordinance and shall be subject to enforcement action by the City.

d. CBD/Mixed Use Parking

For mixed use projects within the CBD, the Planning Commission may recommend and the City Council may consider a reduction in parking from Section 17.01.13a subject to the following criteria:

1. Application. The City may authorize a reduction in the total number of required parking spaces for two or more uses jointly providing on-site parking subject to the following criteria:
 - (i) The respective hours of operation of the uses may overlap, as demonstrated by the following Table (Schedule of Mixed Use Parking Calculations). If one or all of the land uses proposing to use joint parking facilities do not conform to one of the general land use classifications, the applicant shall submit sufficient data to indicate that there is not substantial conflict in the principal operating hours of the uses. Such data may include information from a professional publication such as those published by the Institute of Transportation Engineers (ITE), the Urban Land Institute (ULI), or by a professionally prepared parking study.
 - (ii) A Parking Plan shall be submitted for approval which shall show the layout of proposed parking based on City of Northville zoning standards.
2. Calculation. The applicant shall calculate the number of spaces required for each use if it were free-standing (with no application of this program). The applicable general land use category to each proposed use shall be applied, as well as the percentages to calculate the number of spaces required for each time. The table provided below shall be used for the calculations. The applicant shall add the number of spaces required for all applicable land uses to obtain a total parking requirement for each time period. The time period with the highest total parking requirement and use shall be the mixed use parking requirement. The Planning Commission may require that the applicant submit parking studies and/or documentation on parking use, anticipated schedule for shared parking, peak hour demand, or adequacy of parking spaces. These studies, together with the recommendations of the Planning Commission, will be forwarded to the City Council.

<i>Schedule of Mixed Use Parking Calculations</i>						
	<i>Weekdays</i>			<i>Weekends</i>		
	<i>Midnight-7:00 a.m.</i>	<i>7:00 a.m. – 6:00 p.m.</i>	<i>6:00 p.m. – Midnight</i>	<i>Midnight – 7:00 a.m.</i>	<i>7:00 a.m. – 6:00 p.m.</i>	<i>6:00 p.m. – Midnight</i>
<i>Office</i>	5%	100%	5%	0%	60%	10%
<i>Retail</i>	0%	100%	80%	0%	100%	60%
<i>Residential</i>	100%	55%	85%	100%	65%	75%
<i>Restaurant</i>	50%	70%	100%	45%	70%	100%
<i>Hotel</i>	100%	65%	90%	100%	65%	80%
<i>Cinema/Theater</i>	0%	70%	100%	5%	70%	100%

3. If there is a change of use which alters the mixed use parking allowance, the site parking requirements shall be re-calculated. If the new calculation requires additional parking spaces, the site shall be subject to the parking requirements of this Section or the purchase of parking credits in accordance with Section 17.03. *(Rev. 10/08)*
- e. Assignment of Parking Credits within the CBD *(Rev. 5/09)*
1. Parking credit assignments for existing buildings or uses in the CBD will be evaluated in conjunction with a change of use or the submittal of a site plan application.
 2. The need for additional on-site parking or purchase of parking credits will be required for change of use or site plan applications where the alteration of use is an intensification of land use activity which requires additional parking.
 3. Unless an applicant is able to provide different information approved by the Planning Commission, the City shall assign parking credits for existing buildings and properties based upon a parking rate of one (1) space per gross two hundred fifty (250) square feet for all floors. Existing residential uses shall be assigned one (1) parking credit for each one-bedroom dwelling unit, and two (2) parking credits for each two-bedroom dwelling unit. Basements and attic areas used for storage shall not be counted in the determination of parking credits. *(Rev. 4/21)*
 4. In the assignment of parking credits, the City shall count all floors of a business site, residence or institution.
 5. The City shall apply current CBD parking requirements as contained in Section 17.01.13 to any new change of use or site plan application.

SECTION 17.02 REQUIRED OFF-STREET PARKING SPACES

The minimum number of off-street parking spaces by type of use shall be determined in accordance with the following schedule:

USE	NUMBER OF MINIMUM PARKING SPACES PER UNIT OF MEASURE
A. Residential	
1. Residential, one family and two-family.	Two (2) for each dwelling unit.
2. Residential, multiple family.	Two (2) for each dwelling unit containing one (1) bedroom; two and one-half (2.5) for each dwelling unit containing two (2) bedrooms; three (3) for each dwelling unit containing three (3) bedrooms or more plus at least five (5) spaces for any office building or clubhouse facility.
3. Senior Housing: <i>(Rev. 5/18)</i>	Should senior housing revert to general occupancy, then multiple-family parking standards shall apply.
a. Independent Senior Living Facility:	
i. Single-Family (attached or detached) buildings:	Two (2) spaces for each one (1) unit.
ii. Congregate buildings:	One and one-half (1.5) spaces for each one (1) unit.
b. Assisted Senior Living Facility (congregate buildings)	One (1) space for each two (2) residents.
c. Nursing/Memory Care Facility (congregate buildings)	Four-tenths (0.4) space for each one (1) resident.
d. Continuing Care Retirement Community (CCRC)	Parking requirements will be calculated using the formulas above based on the number of senior units and/or residents in the CCRC.
4. Dwelling units in the CBD District pursuant to Section 10.02.	One (1) for each dwelling, plus one (1) for each bedroom in excess of one (1) per unit.
5. Mobile home park.	Two (2) for each mobile home and one (1) for each three (3) mobile homes for visitor parking.
B. Institutional	
1. Auditoriums, assembly halls, outdoor arenas for institutional uses, stadiums sports arenas, gymnasiums, and multi-purpose rooms.	One (1) space per each three (3) permanent seats and one (1) space per six (6) feet of bleachers. Plus one space for each one hundred (100) square feet of assembly area not having fixed seats.

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| 2. | Churches, temples or places of worship. | One (1) for each two (2) seats or four (4) feet of pews in the main unit of worship, plus any additional spaces needed for any day care, school, recreational facilities and other uses determined by calculation by this section. An operations plan shall be submitted to support the amount of parking provided. |
| 3. | Private Elementary, Middle, Junior, and Senior High Schools. | One (1) for each classroom and one (1) for each office, in addition to the requirements of permanent seating for the auditorium, assembly hall, multi-purpose room or seating of the gymnasium. |
| 4. | Group day care home. | Two (2) for each home in addition to the two (2) required for the residence. Such additional spaces may be located in the front or side yard setback. |
| 5. | Convalescent homes. <i>(Rev. 5/18)</i> | One (1) space for each two (2) beds. |
| 6. | Hospitals, including emergency rooms. | Two and one-half (2.5) spaces per each licensed bed; or one (1) space per each two (2) licensed beds, plus one (1) space per each staff doctor and employee during peak shifts, plus one (1) space for each five (5) outpatients on a typical peak outpatient week-day. |
| 7. | Municipal recreation centers. | Five (5) spaces per one thousand (1,000) square feet of floor area plus parking required for outdoor courts, fields and facilities, or thirty-three hundredths (.33) spaces per person of permitted capacity, whichever is greater. |
| 8. | Nursery School, Day Nurseries, or Child Care Centers. | One (1) for each one hundred and fifty (150) square feet of usable floor space. |
| 9. | Private Clubs or lodge halls. | One for each two (2) persons allowed within the maximum occupancy load as established by local, county or state fire, building or health codes or fifteen (15) spaces per one thousand (1,000) square feet of usable floor area, whichever is greater. |
| 10. | Senior High Schools. | Four (4) for each classroom and one (1) for each office, in addition to the requirements of the auditorium or gym, or assembly hall.
<i>(Rev. 5/18)</i> |

C. Business and Commercial

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| 1. | 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). |
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| 2. | Auto Wash (Self-Service or Coin Operated). | Five (5) for each washing stall in addition to the stall itself. |
| 3. | Automobile Service stations. | Two (2) for each service bay; and one (1) for each gasoline pump in addition of the requirements of a car wash and convenience store as provided herein. |
| 4. | Bars, nightclubs, lounges (majority of sales consist of alcoholic beverages). | One (1) space for each seventy-five (75) square feet of usable floor area. |
| 5. | Batting cage. | Three (3) spaces per cage. |
| 6. | Beauty Parlor or Barber Shop. | Three (3) spaces for each of the first two (2) beauty or barber chairs, and one and one-half (1 1/2) spaces for each addition chair. |
| 7. | Bowling Alleys. | Five (5) for each one (1) bowling lane, plus the requirements for accessory facilities such as bars and restaurants. |
| 8. | Building hardware and household equipment when not part of a department store. Otherwise see retail general. | One (1) space for each 500 square feet of gross floor area. |
| 9. | Club warehouses. | Six (6) spaces per one thousand (1,000) square feet of usable floor area. |
| 10. | Commercial outdoor recreation centers not specified elsewhere. | To be determined by the Planning Commission in consideration of the expected types of activities, number of participants, spectators, accessory uses and occupants per vehicle. |
| 11. | 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. |
| 12. | Custom workshops such as furniture, refinishing or custom designed furniture manufacturing. | One (1) space for each 800 square feet of gross floor area. |
| 13. | Dance Halls, pool or billiard parlors, roller or skating rinks, exhibition halls and assembly halls without fixed seats. | One (1) for each two (2) persons allowed within the load established by the Building Code. |
| 14. | Discount store. | Five (5) spaces per one thousand (1,000) square feet of usable floor area. |
| 15. | Driving range. | One (1) space per two (2) tees plus parking required for any other uses. |
| 16. | Dry cleaners. | Two (2) spaces per each one thousand (1,000) square feet of usable floor area plus two (2) stacking spaces for each drive-through lane. |

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| 17. Food Stores. | One (1) space for each two hundred and fifty (250) square feet of gross floor area. |
| 18. Funeral homes and mortuaries. | One (1) space per fifty (50) square feet of service parlors, chapels, and reception areas, plus one (1) space per each funeral vehicle stored on the premises. |
| 19. Appliance, household equipment sales and service when not part of a department store. Otherwise see retail general. | One (1) space for each 800 square feet of gross floor area. |
| 20. Furniture/carpet store. | One and one-half (1.5) spaces per one thousand (1,000) square feet of usable floor area. |
| 21. General retail sales and service establishments, not elsewhere classified. | One (1) space for each 200 square feet of gross floor area. |
| 22. Golf course, par three. | Three (3) spaces per each course hole plus parking required for accessory uses such as arcades or batting cages, plus one (1) space for each employee at the peak shift. |
| 23. Golf courses (public or private) except miniature or par 3 courses. | Six (6) spaces for each one (1) golf hole and one (1) space for each one (1) employee. Plus any spaces required for banquet rooms, restaurant and other uses. |
| 24. Hypermarket (combined grocery and department store). | Six (6) spaces per one thousand (1,000) square feet of usable floor area. |
| 25. Laundromats. | One (1) space for each two (2) machines. |
| 26. Mini-, self-storage warehouse. | Minimum of six (6) spaces. |
| 27. Motel, hotel, or bed and breakfast inn. | One (1) for each one (1) occupancy unit, plus extra spaces for dining rooms, ballrooms, meeting rooms, etc., as required herein. |
| 28. Motor Vehicle Sales and Service Establishments. | One (1) space for each two hundred (200) square feet of usable floor space of salesroom and two (2) spaces for each one (1) auto service stall in the service room.
The areas devoted to customer service and employee parking shall be clearly delineated on the parking plan and reserved for that purpose. Parking space is exclusive of the requirement for new vehicle storage and display. |
| 29. Oil change facility. | A minimum of three (3) spaces for employees, but not less than two (2) for each lubrication stall, rack, pit, or similar service area. In addition, two (2) waiting spaces for each service area shall be provided. |
| 30. Planned Commercial or Shopping Center in which the prime tenant is a Supermarket and/or Department Store | One (1) for each sixty-six (66) square feet of usable floor space. |

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| 31. | Private golf club, swimming pool clubs, tennis clubs, or other similar uses. | One (1) for each two (2) member families or individuals, or four (4) for each tennis court/paddle or hand ball court. |
| 32. | Racquetball/tennis centers. | One (1) space per one thousand (1,000) square feet floor area or six (6) spaces per court, whichever is greater. |
| 33. | Restaurant (including restaurants with or without dancing, lounges, bars and entertainment facilities, which provide only seated table service). | One (1) space per one hundred (100) square feet of gross floor area, plus any spaces required for any banquet and meeting rooms. |
| 34. | Restaurant, Family (without a bar or lounge area which provides food delivered to tables or dining counters and only incidental carry-out service). | One (1) space per one hundred (100) square feet of gross floor area plus any spaces required for any banquet or meeting rooms. |
| 35. | Restaurant, Take Out, Fast Food (including drive through and drive-in, providing quickly or previously prepared foods. The patron typically carries the food out or separate indoor or outdoor seating area). | One (1) space per one hundred (100) square feet of gross floor area, plus three (3) stacking spaces per order pick-up station, plus spaces for employees of a peak shift, minimum of three (3) spaces. |
| 36. | Shopping centers. | Six (6) spaces per one thousand (1,000) square feet of usable floor area, plus spaces required for supermarket or restaurant, if included. |
| 37. | Swimming pool. | One (1) space per each three (3) persons of capacity authorized by the Building Code. |
| 38. | Theaters, cinemas, and auditoriums. | One (1) space for each three (3) seats or six (6) feet of benches. |
| 39. | Video arcade. | One (1) space per fifty (50) square feet of usable floor area, with a minimum of six (6) spaces required. |
| 40. | Video rental establishments. | Fifteen (15) spaces per one thousand (1,000) square feet of usable floor area, with a minimum of six (6) spaces provided. |

D. Office

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| 1. | Branch bank, credit union or savings and loans. | One (1) space per each two hundred (200) square feet of usable floor area plus two (2) spaces per each 24-hour teller, plus two (2) stacking spaces for each drive-up teller. |
| 2. | Business and Professional. | One (1) space for each two hundred (200) square feet of gross floor space. |
| 3. | Business and Professional Office - CBD Zoning District. | One (1) space for each three hundred (300) square feet of gross floor space for second floor or upper level office uses within the CBD. |

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| 4. | Medical clinic: Outpatient care centers, emergency care/24 hour med stations, etc. | Two (2) spaces per exam or outpatient procedure/operating room, plus one (1) for laboratory or recovery room, plus one (1) space for each two (2) rooms for employee parking. |
| 5. | Medical/Dental offices. | One (1) space for each one hundred and fifty (150) square feet of gross floor area. |

E. Industrial

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| 1. | Light industrial, manufacturing, testing labs, research and development centers. | Five (5) spaces plus two (2) spaces per one thousand (1,000) square feet of usable floor area, or one and two-tenths (1.2) spaces per employee at peak shift, whichever is greater; plus one (1) space for each corporate vehicle, plus spaces required for any sales area or office. Space on site shall also be provided for all construction workers during periods of plant construction. |
| 2. | Wholesale/warehouse establishments (non-retail warehouse). | Five (5) spaces plus one (1) space for every one (1) employee in the largest working shift, or one (1) space for every seventeen hundred (1,700) square feet of usable floor area, whichever is greater plus spaces required for any sales area or office. |

SECTION 17.03 CASH IN LIEU OF PARKING OR SPECIALLY PROVIDED PARKING ARRANGEMENTS IN THE CBD

In the interest of creating a viable central business district and to enhance the goal of separation of pedestrian and vehicular requirements, it is the goal of the City of Northville to encourage the development of strategically located parking lots, developed largely out of public support rather than encourage the indiscriminate location of small dysfunctional parking spaces much to the detriment of creating a compatible and aesthetic arrangement of land uses. In keeping with this policy, the provision of off-street parking requirements as herein provided shall not be required of individual developers on land which they hold in fee simple, with the consent of the Council.

In lieu thereof, the City Council may determine that the number of spaces normally required at the time of erection or enlargement of any building or structure requiring off-street parking space pursuant to Section 17.02, shall be provided in the form of an amount of cash according to policy established by resolution of the City Council. In establishing such policy, the City Council shall take into account the current inventory and future needs of CBD parking, the method by which actual parking shall be provided through such cash payments in lieu of parking, and the amount of cash which shall be contributed in lieu of parking, taking into account the benefit to the private owners and to the public from such parking which would subsequently be provided by the city. In implementing such policy, the City Council shall assure that the future needs for parking in the CBD shall be adequately met by such cash payments in lieu of parking.

A determination of the number of spaces normally required shall be based on Section 17.02 "Required Off-Street Parking Spaces".

SECTION 17.04 OFF-STREET PARKING SPACE LAYOUT, STANDARDS, CONSTRUCTION AND MAINTENANCE

Wherever off-street parking requirements as provided above in Section 17.02 require the building of an off-street parking facility, such off-street parking lots shall be laid out, constructed and maintained in accordance with the following standards and regulations:

- a. No parking lot shall be constructed unless and until a permit is issued by the Chief Enforcement Officer. Applications for a permit shall be submitted to the Chief Enforcement officer in such form as may be determined by the Chief Enforcement Officer and shall be accompanied with two (2) sets of plans for the development and construction of the parking lot showing that the provisions of this Section will be fully complied with.
- b. Plans for the layout of off-street parking facilities shall be in accord with the following minimum requirements:

Parking Pattern	Maneuvering Lane Width	Parking Space Width	Parking Space Length	Average Total Width of One Tier of Spaces Plus Maneuvering Lane	Average Total Width of Two Tiers of Spaces Plus Maneuvering Lane
0 degree (Parallel curb parking)	--	8 feet	23 feet	--	--
30 degree to 53 degree	12 feet	8.5 feet	19 feet	31 feet	50 feet
54 degree to 74 degree	15 feet	9 feet	19 feet	36.5 feet	58 feet
75 degree to 90 degree	20 feet	9 feet	19 feet	39 feet	58 feet

The above is graphically illustrated on the following pages.

- c. All spaces shall be provided adequate access by means of maneuvering lanes, except in the Central Business District with approved attendant parking. Attendant parking is defined as the use of an off street area whereon parking of vehicles is permitted in a pattern which does not meet the minimum parking space requirement. Maneuvering lane and access drive dimensions as set forth in this ordinance because an attendant is provided to direct vehicles while parking may be modified.

Approval of attendant parking use must be obtained from the Planning Commission as part of the Site Development Plan approval process. Attendant parking shall be permitted only in connection with the operation of a commercial parking lot or in connection with the operation of a business, or activity, which has peak operating periods, as defined by the Planning Commission, such as restaurants, dining lounges, etc., and any permit for the use of attendant parking shall be conditioned upon the applicant's agreement that he shall have a person, or persons employed whose principal duty during peak operating periods is to park and retrieve automobiles for customers of applicant's business and further that the granting of a permit for attendant parking will not have an adverse effect upon neighboring business, or their parking facilities.

The definition of "Peak Operating Periods" shall be made a part of the Site Development Plan approval and shall be reviewed by the Planning Commission if there is a change in peak operating periods. All attendant parking lots shall have parking spaces and maneuvering lanes striped in accordance with the standards provided in this ordinance for non-attendant lots for use when the attendant is not required to be on duty. In all cases of off street parking the driving of a vehicle from a parking stall, or a space directly onto a public street is expressly prohibited.

- d. Adequate ingress and egress to the parking lot by means of clearly limited and defined drives shall be provided for all vehicles. Ingress and egress to a parking lot in connection with a non-residential use shall not be located opposite a single family residential district.
- e. Except for parallel parking, all parking spaces shall be clearly striped and maintained with double lines twenty-four (24) inches apart or single striped lines to facilitate the orderly alignment of parked vehicles (see diagram entitled "Striping Layout").
- f. All maneuvering lane widths shall permit one-way traffic movement except that the ninety (90) degree pattern may permit two-way movement.
- g. Each entrance and exit to and from any off-street parking lot located in an area zoned for other than single-family residential use shall be situated at least twenty five (25) feet distance from any adjacent property located in any single-family residential district.
- h. Off-street parking areas shall be provided with a continuous and obscuring wall not less than four feet six inches (4' 6") in height measured from the surface of the parking area. This wall shall be provided on all sides where the next zoning district is designated as a residential district.

When a front yard setback is required, all land between said wall and the front property line or street right-of-way line shall be kept free from refuse and debris and shall be landscaped with deciduous shrubs, evergreen material and ornamental

trees. The ground area shall be planted and kept in lawn. All such landscaping and planting shall be maintained in a healthy, growing condition, neat and orderly in appearance.

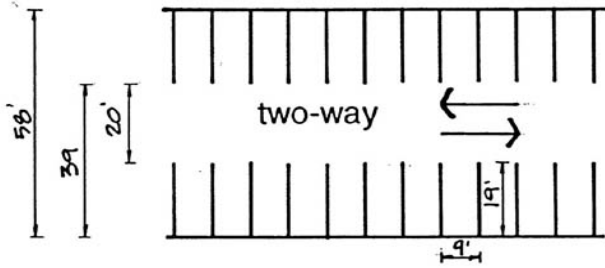
- i. The entire parking area, including parking spaces and maneuvering lanes, required under this section, shall be provided with asphaltic or concrete surfacing in accordance with specifications approved by the City Engineer. The parking area shall be surfaced within one (1) year of the date the permit is issued.

Off-street parking areas shall be drained so as to dispose of all surface water accumulated in the parking areas in such a way as to preclude drainage of water onto adjacent property.

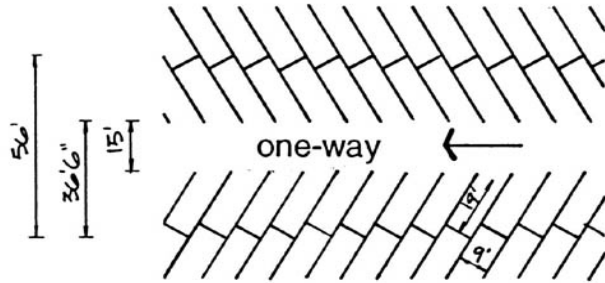
- j. All lighting used to illuminate any off-street parking area shall be so installed as to be confined within and directed onto the parking area only, and shall be of such intensity as to provide not less than one (1) foot candle of light at any point on the lot.
- k. In all cases where a wall extends to an alley which is a means of ingress and egress to an off-street parking area, it shall be permissible to end the wall not more than ten (10) feet from such alley line in order to permit a wider means of access to the parking area.
- l. The Board of Appeals, upon application by the property owner of the off-street parking area, may modify the yard or wall requirements, where, because of unusual circumstances, no good purpose would be served by compliance with the requirements of this Section.

PARKING LAYOUTS

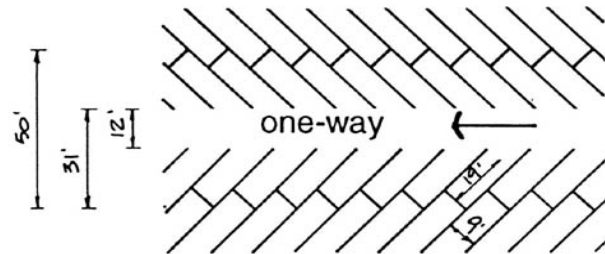
90 Degree



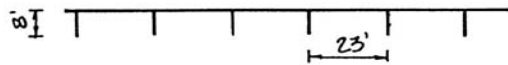
60 Degree



45 Degree



Parallel

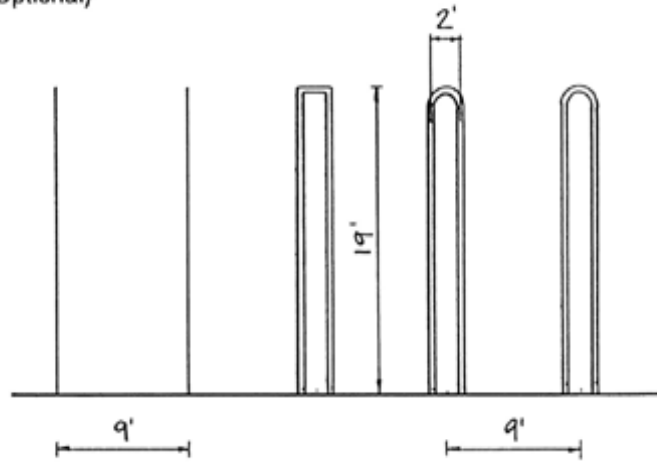


PARKING LOT STRIPING LAYOUT

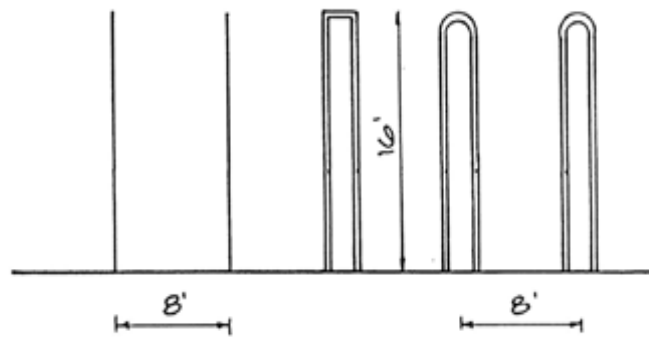
4" Wide Yellow or White Paint Stripes

Double Striping (Optional)

Single Striping



SMALL CAR PARKING LOT



- m. For publicly owned parking lots the following design standards shall apply:
- 1) The public agency may design parking stations specifically designed to accommodate a specified number of small cars.
 - 2) Small-car and standard-car spaces shall be prominently signed, if small-car spaces are used.
 - 3) Small-car spaces may be designed in stall configurations of eight (8) feet by sixteen (16) feet, whereas standard-car stall design shall be as provided by Section 17.04.b. A prototype or a combined surface parking lot is graphically shown below in the diagram entitled “Small-car Layout”.
 - 4) The number of permitted small car spaces and stall configuration shall be subject to site plan approval by the Planning Commission. (*Eff. date 2/92*)
- n. Parking stall length for all non-parallel parking spaces shall be nineteen (19) feet. However, the Planning Commission may allow a two (2) foot overlap on to landscape islands or parking lot perimeters thereby reducing the parking stall length to seventeen (17) feet. Parking stall overlap shall not impinge on the required width of pedestrian sidewalks, driveways, or maneuvering lanes. (*Rev. 12/05*)

SECTION 17.05 OFF-STREET LOADING AND UNLOADING

On the same premises with every building, structure, or part thereof, involving the receipt or distribution of vehicles or materials or merchandise, there shall be provided and maintained on the lot, adequate space for standing, loading, and unloading in order to avoid undue interference with public use of dedicated right-of-way. Such space shall be provided as follows:

- a. All spaces shall be provided as herein required.
- b. All spaces shall be laid out in the dimensions of at least ten by fifty (10 by 50) feet, or five hundred (500) square feet in area, with a clearance of at least fourteen (14) feet in height, unless otherwise approved by the Planning Commission pursuant to Article 17.

Loading dock approaches shall be provided with a pavement having an asphaltic or Portland cement binder so as to provide a permanent, durable and dustless surface.

<u>GROSS FLOOR AREA (IN SQUARE FEET)</u>	<u>LOADING AND UNLOADING SPACE REQUIRED IN TERMS OF SQUARE FEET OF USABLE FLOOR AREA</u>
0 - 1,400	None
1,401 - 20,000	One (1) space
20,001 - 100,000	One (1) space plus one (1) space for each 20,000 square feet in excess of 20,001 square feet.
100,001 and over	Five (5) spaces

- c. The Board of Appeals may permit a waiver or modification in the foregoing requirements where there are unusual practical difficulties or unnecessary hardships in the carrying out of these provisions due to an irregular shape of the lot, topographical, or other extraordinary conditions.

SECTION 17.06 HANDICAPPER PARKING SPACE

- a. Definitions.

- 1) “Parking Area” means an area used by the public as a means of access to and egress from, and for the free parking of motor vehicles by patrons of a shopping center, business, factory, hospital, institution, or similar building or location.
- 2) “Shopping Center” means a minimum area of three (3) acres of land on which there is located one (1) or more stores or business establishments, and where there is provided a parking area.
- 3) “Handicapper Parking Space” shall mean a parking space eight (8) feet wide with two (2), five (5) foot wide aisles or twelve (12) feet wide with one (1), five (5) foot wide aisle, marked off in blue handicapper paint. A sign located approximately six (6) feet above grade inscribed with the international wheelchair symbol or a reasonable facsimile thereof shall identify the handicapper space.
- 4) Barrier Free Parking Space Requirements shall be in accordance with the Michigan Department of Labor, Construction Code Commission, Barrier Free Design Division:

Total Spaces	# Required	Total Spaces	# Required
1-25	1	101-150	5
26-50	2	151-200	6
51-75	3	201-300	8
76-100	4	301-400	12
		over 400	12 plus 2 for every 250 or fraction thereof over 400

b. Handicapper Parking Space Restricted Use.

No driver shall be permitted to use a handicapper parking space except those vehicles which display prominently a certificate issued by the Michigan Department of State under the provisions of MCLA 257.675 (5) or who display special registration plates pursuant to MCLA 257.803D.

c. Handicapper Parking Space Required.

Every shopping center within the geographical boundaries or under the jurisdiction of the City of Northville shall provide handicapper parking spaces in numbers to conform with the requirements of Section 2 of Act No. 1 of the Public Acts of 1966, as amended, being Section 125.1352 of the Michigan Compiled Laws.

d. Handicapper Parking Space Provided in Private Parking Areas.

The City of Northville shall enforce the handicapper parking spaces on private property when the owner or person in charge has requested it, and has established the handicapped spaces according to specifications.

e. Violations, Penalties.

Unauthorized use of handicapper parking space by a vehicle not identified as required under Section 17.06b or this section shall be subject to towing away and impoundment at the owner's expense and liability. Violations of this ordinance shall be processed in the same manner as a civil infraction under Act No. 300 of the Public Acts of 1949, as amended, being Sections 257.2 ET SEQ of the Michigan Compiled Laws.

ARTICLE 18**GENERAL PROVISIONS****SECTION 18.01 CONFLICTING REGULATIONS**

Whenever any provision of this Ordinance imposes more stringent requirements, regulations, restrictions or limitations than are imposed or required by the provisions of any other law or ordinance, then the provisions of this Ordinance shall govern. Whenever the provisions or any other law or ordinance imposes more stringent requirements than are imposed or required by this Ordinance, then the provisions of such ordinance shall govern.

SECTION 18.02 SCOPE

- a. No building or structure or part thereof, shall hereafter be erected, constructed or altered and maintained, and no new use or change shall be made or maintained of any building, structure or land, or part thereof, except in conformity with the provisions of this Ordinance.
- b. No building shall be erected, converted, enlarged, reconstructed or structurally altered, nor shall any land be used, filled or excavated, which does not comply with all the district regulations established by this Ordinance for a district in which the building or land is located.
- c. No building shall be erected, converted, enlarged, reconstructed or structurally altered to exceed the height or bulk limit herein established for the district in which such building is located.
- d. No building shall be erected, converted, enlarged, reconstructed or structurally altered so as to intrude upon the area required for the front, side, and rear yards as herein established; provided further, no yard or open space on adjoining property shall be considered as providing a yard or open space for a lot whenever a building is to be erected except in conformity with the provisions of this Ordinance.
- e. No lot area shall be so reduced or diminished that the yards or other open spaces shall be smaller than prescribed by this Ordinance, nor shall the density of population be increased in any manner except in conformity with the area regulations as hereinafter provided, nor shall the area of any lot be reduced below the minimum requirements herein established.

- f. Every building hereafter erected or structurally altered shall be located on a lot as herein defined and in no case shall there be more than one main building and the customary accessory building on one lot except as otherwise provided, in conformity with the provisions of this Ordinance.

SECTION 18.03 REQUIRED STREET FRONTAGE

Any parcel of land which is to be occupied by a use or building, other than an accessory use or building, shall have frontage on and direct access to a public street, or private street easement. All lots shall have a minimum road frontage of sixty (60) feet except for lots on a cul-de-sac or on a curvilinear street. In these cases, the road frontage may be less than sixty (60) feet, however the minimum lot width as required by the zoning district, shall be measured at the required front setback.

SECTION 18.04 ACCESSORY BUILDINGS AND STRUCTURES

Accessory buildings and structures, except as otherwise permitted in this Ordinance, shall be subject to the following regulations:

- a. Where the accessory building is structurally attached to a main building, it shall be subject to and must conform to all regulations of this Ordinance applicable to the main building. Structural attachments between the accessory building and main building must be a habitable space in order to be considered part of the main building or primary structure.
- b. Unless exempted below, accessory buildings and structures shall not be erected in any required yard, except a rear and side yard. Accessory buildings and structures, on a corner lot of record, that conflict with required yards shall be submitted to the Board of Appeals for a variance. Their decision as to extent and location shall be compatible with the intent of this Ordinance.

One (1) arbor, trellis, or pergola, meeting the size and height limits defined by this ordinance, may be located in the required front yard of a lot. For corner lots, the one (1) arbor, trellis, or pergola may be placed in either of the two (2) required front yards, but not both. The one (1) arbor, trellis or pergola in a required front yard shall occupy an area no greater than thirty-two (32) square feet and nine (9) feet in height (as measured from the existing grade at the base of the structure to the highest point of the structure). The area of any roof or overhead feature shall be included in calculating the area. The one (1) arbor, trellis or pergola in the required front yard must be located outside of the road right-of-way, not interfere with the visibility from a driveway, and meet the requirements for corner visibility and clear vision zones at intersections, as required in Section 18.07 of this ordinance. See Section 18.11.12 for regulations pertaining to garden ornaments. *(Rev. 4/16)*

- c. In residential districts an accessory building not exceeding one (1) story or fourteen (14) feet in height may occupy not more than twenty-five (25) percent of a required rear yard, plus forty (40) percent of any non-required rear yard, provided that in no instance shall the accessory building exceed the ground floor area of the main building or ten (10) percent of the total lot whichever is the lesser.
- d. No detached accessory building shall be located closer than ten (10) feet to any main building nor shall it be located closer than five (5) feet to any rear lot line or side lot line.

In those instances where a rear lot line is coterminous with an alley right-of-way, the accessory building shall not be closer than one (1) foot to such rear lot line. In no instance shall any accessory building be located within a dedicated easement right-of-way.

- e. No detached accessory building in any residential district shall exceed one (1) story or fourteen (14) feet in height. Accessory buildings in all other districts may be constructed to equal the permitted maximum height of structures in said districts.
- f. When an accessory building is located on a corner lot, the accessory building shall be setback from the street line the same distance or greater than the building to which it is contiguous, or said building shall not project beyond the front yard line required on the lot in rear of such corner lot.
- g. Detached accessory buildings shall not be used as habitable space. Sleeping, eating, cooking or office uses shall not be permitted within detached accessory buildings.

Section 18.04.1 Regulation of Earth Terminal Antenna or Earth Terminal

Section 18.04.1.1 Statement of Intent

The City or Northville Planning Commission desires to permit the use of parabolic, or earth terminal antennas, commonly know as satellite TV dish antennas. Therefore; the following provisions allow such use provided these antennas comply with the following reasonable regulations to protect the rights of other property owners, to preserve aesthetic considerations and historical preservation areas, and to protect the health, safety, and welfare of all residents of the City of Northville.

Section 18.04.1.2 Definition

Earth Terminal Antenna or Earth Terminal:

Any apparatus or device commonly known as earth terminal antenna, earth terminal, earth station, satellite communications antenna, satellite antenna, microwave dish antenna, or dish antenna, and including as part of such apparatus or device the main reflector, sub-reflector feed, amplifier and support structure, which is designed for the purpose of transmitting and/or receiving microwave, television, radio, satellite or other electromagnetic energy signals into or from space, but does not include conventional television, radio and amateur radio antenna. Such earth terminal antenna devices are considered structures which are subject to all ordinances relating to structures.

Main Reflector:

That part of an earth terminal, commonly known as a dish, which, absent any protective covering, is dish shaped, parabolic, spherical, or conical in configuration and designed for the reception and/or transmission or electromagnetic energy.

Section 18.04.1.3 Permit Required

No person, firm, partnership, corporation, trust or other legal entity shall construct an earth station which exceeds a diameter of three (3) feet without a permit, nor shall construction commence before a permit is issued in accordance with Section 18.04.1.4.

Section 18.04.1.4 Application for Permit

The owner, or occupant with written permission from the owner, or any residential, commercial, or industrial facility within the City of Northville, Michigan, who desires to construct an earth station on said premises or land parcel, shall first obtain a permit to do so from the City of Northville. Satellite dishes with a diameter greater than six (6) feet shall be required to submit a site plan for review by the Planning Commission. Satellite dishes less than six (6) feet in diameter shall be reviewed by the Building Official. Only one (1) permit for an earth station shall be granted for each main structure or planned grouping of such structures.

The application for a permit to install an earth station shall include:

- a. A plot plan showing the proposed location of the earth station.
- b. A site plan showing not only the building locations or the land parcel involved, but also building locations on immediately adjacent properties.
- c. Sketches or pictures of the proposed earth station that would depict the view from the adjacent properties.

- d. Construction plans and specifications, plus a structural engineering analysis prepared and submitted by a professional engineer registered in the State of Michigan. The City Engineer may waive this requirement based upon a finding that the earth station is similar to previously approved plans, engineer approved satellite dish structure kits where professional engineer certification is unnecessary. Appeals from decisions of the City Engineer shall be made to the Zoning Board of Appeals as provided by City or Northville Zoning Ordinance Article 25.
- e. A statement by a qualified installer that the equipment will meet all FCC requirements applicable to noise and spurious emissions.
- f. A statement by a qualified installer that the installation complies with all applicable building and electrical codes.

Section 18.04.1.5 Installation Requirements

1. Ground Mounted:

- a. Any such structure shall be located in a rear yard. Exceptions may be made in certain commercial or industrial locations if approved by the Planning Commission upon review of the site plan. The Board of Zoning Appeals may modify this requirement for any zoning district where the requesting party shows that a signal cannot be obtained from a ground mounted station or elevated station.
- b. The outside extremity of the earth station shall be no closer than three (3) feet from any property line.
- c. The earth station and accessory structures shall be obscured from the view of adjacent property owners or public right-of-way when containing a diameter in excess of three (3) feet by: buildings, screen wall, fence, berm, evergreen plantings or any combination thereof. Such screening devices shall be at least eighty (80) percent obscuring for at least the first six (6) feet above the base of the antenna. Obscuring shall be measured at all points around the entire perimeter of the satellite dish as measured in plan. Screening shall also afford as great a degree of obscuring above the six (6) feet as practical.
- d. The dish antenna portion or the earth station shall not exceed twelve (12) feet in diameter and no portion of the earth station shall be capable of exceeding a height of fifteen (15) feet above grade when installed and operating.
- e. The earth station shall be designed to withstand a wind force of not less than seventy-five (75) miles per hour.
- f. Loads. The structure shall be securely braced and anchored to resist a wind of not less than thirty (30) pounds per square foot on the net area of both sides of ice-

loaded latticed construction, and on the projected area of the ice-loaded antenna; all calculations shall assume the presence of a one-half inch ice coating on the structure and antenna in determining whether or not the wind load standard is achieved. Due allowance shall be made for the effect of shape of individual elements and contour of the tower.

- g. Dead Load. Antenna and supporting towers and poles shall be designed for the dead load plus ice load; our calculations shall presume the presence of one-half (1/2) inch ice coating upon the antenna and supporting towers and poles.
- h. Uplift. Adequate foundation and anchorage.

SECTION 18.05 EXTERIOR LIGHTING

- a. All external lights, including parking area lighting, building lighting, and lighting for signs, awnings and canopies, shall be shielded or otherwise positioned so that the source of light does not adversely affect driver or pedestrian visibility, and does not adversely affect adjacent properties. *(Rev. 12/05)*
- b. The site development plan shall show the location, height and kind of lighting proposed. The minimum requirement of one (1) foot candle of illumination at the surface of all parking areas must be indicated on the plan. Light levels shall not exceed a maximum of 0.5 foot candle at property lines abutting non-residential uses and 0.3 foot candle for parcels abutting residential uses.
- c. Lighting fixtures shall not exceed a height of twenty-five (25) feet or the height of the building whichever is less. The height of the fixture shall be measured from the ground.
- d. Temporary holiday lighting and decorations are exempt from the aforementioned provisions.
- e. Luminous tube and exposed bulb fluorescent lighting is prohibited as an architectural detail on all buildings (e.g. along the roof line, eaves, windows, etc.) Architectural accent lighting may be permitted, however, any point source or glare shall not be visible from adjacent properties, roadways, or public sidewalk.
- f. Site plan requirements. All lighting, including ornamental lighting, shall be shown on site plans in sufficient detail with appropriate photometric studies to allow determination of the effects of such lighting upon adjacent properties, traffic safety, and overhead sky glow. Building or roof mounted lighting intended to attract attention to the building and/or use and not strictly designed for security purposes shall not be permitted. *(Rev. 12/05)*

SECTION 18.06 RESIDENTIAL ENTRANCEWAY

In all “R” Districts, so called entranceway structures, including but not limited to walls, columns, and gates, marking entrances to single-family subdivisions or multiple housing projects may be permitted and may be located in a required yard, except as provided in Section 18.07, Corner Clearance, provided that such entranceway structures shall comply to all codes and ordinances of the City of Northville and shall be approved by the Chief Enforcement Officer and a permit issued.

SECTION 18.07 CORNER VISIBILITY AND CLEAR VISION ZONES

No wall, fence, hedge planting or other obstruction shall be established or planted on any lot which creates a public hazard and which will unreasonably obstruct or interfere with traffic visibility on a curve or at any street intersection. *(Rev. 5/09)*

1. Standards

Clear vision zones shall be provided as follows:

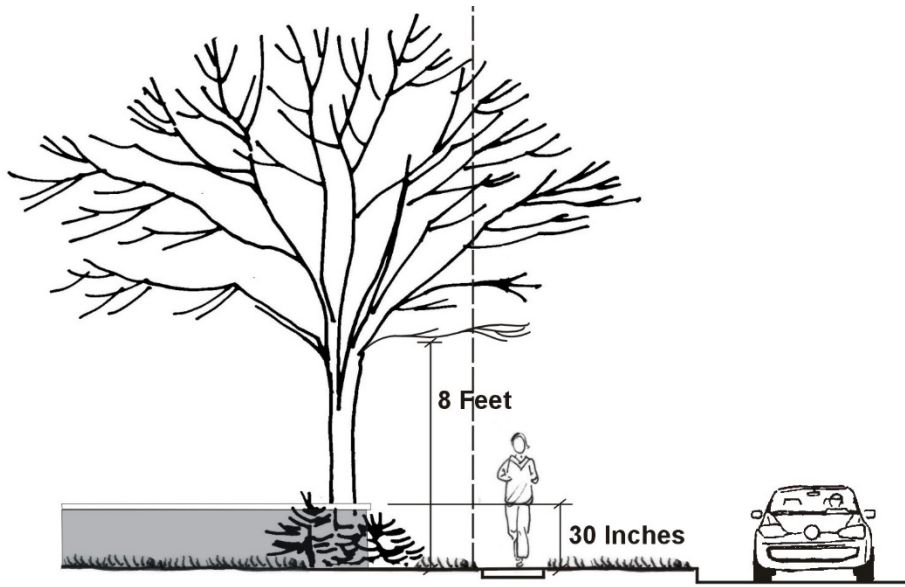
- a. Intersecting Streets or Roads. The clear vision zones shall consist of triangular areas defined by the street setback lines and a line connecting two points located on the street setback lines set back a distance of twenty-five (25) feet from their point of intersection.
- b. Intersection of a Driveway and a Street or Road. The clear vision zones shall consist of triangular areas defined by the street setback line, the access easement line (or edge of driveway pavement where no easement is provided), and a line connecting two points located on these lines set back a distance of eight (8) feet from their point of intersection.

2. Vision Obstructions Prohibited

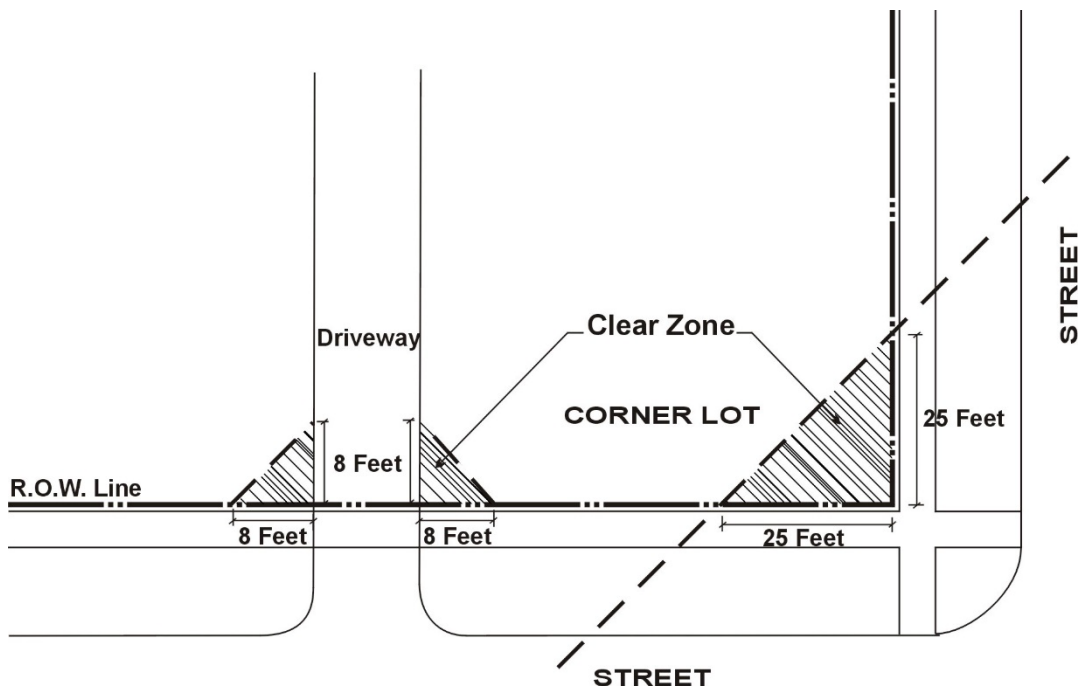
Within these clear vision zones, the area extending from the height of thirty (30) inches above grade at top of curb to eight (8) feet above grade shall remain clear and unobstructed, with the intent of permitting clear visibility for pedestrians and motorists. Street trees may be permitted, provided that all branches are at least eight (8) feet in height above the ground. Non-obscuring streetscape elements which do not obstruct vision, such as individual brick piers, and non-obscuring fencing, may be permitted within the clear vision zone.

3. **Additional Requirements**

A larger clear vision area may be required where determined to be necessary by the Planning Commission or City Engineer in view of anticipated traffic volumes, traffic speeds, topographic conditions, or a traffic engineering analysis using the standards of the American Association of State and Highway Transportation Officials (AASHTO).



Maximum height 30 inches for walls, solid fences, shrubs, etc.



SECTION 18.08 WALLS, SCREEN BARRIER

- a. For those use districts and uses listed below there shall be provided and maintained on those sides abutting or adjacent to a residential district an obscuring wall or screen barrier having a minimum height, as required below:

<u>USE</u>	<u>REQUIREMENTS</u>	
	<u>(MIN. VERTICAL HEIGHT)</u>	<u>(MAX. VERTICAL HEIGHT)</u>
Multiple family districts when contiguous to single-family districts.	4 ft 6 in	6 ft 6 in
Commercial use districts adjacent to any residential district.	4 ft 6 in	6 ft 6 in
Industrial use districts adjacent to any residential or commercial district.	5 ft 6 in	6 ft 6 in
Other institutional, park, school, library, municipal facility, publicly owned historic village, or utility buildings, sub-stations and the like adjacent to residential district.	4 ft 6 in	6 ft 6 in

(Rev. 4/21)

- b. Required walls or screen barrier shall be located on the lot line except where underground utilities interfere and except in instances where this Ordinance requires conformance with front yard setback lines in abutting Residential Districts. Required walls may, upon approval of the Planning Commission, be located on the opposite side of an alley right-of-way from a nonresidential zone when mutually agreeable to affected property owners.

The continuity of the required wall on a given block will be a major consideration of the Planning Commission in reviewing such request.

- c. Such walls and screening barrier shall have no openings for vehicular traffic or other purposes, except as otherwise provided in this Ordinance and except such openings as may be approved by the appropriate department.
- d. All walls and screen barriers herein required shall be constructed in one of the following manner, however the Planning Commission will determine when, in its opinion, a wall, screen barrier, planting strip, landscape berm, and/or fence as distinct from a wall will be required. *(Rev. 4/21)*
 - 1) Masonry wall as herein provided.

- (a) Masonry walls shall be erected on a concrete or cement block foundation which shall have a minimum depth of forty-two (42) inches below a grade approved by the Chief Enforcement Officer and shall be not less than the width of the wall to be erected.
 - (b) Masonry walls may be constructed with openings above grade provided such openings are not larger than sixty-four (64) square inches each and do not comprise more than one-third (1/3) of the total area of the part of the wall.
- 2) A planting strip ten (10) feet wide on which is planted dense narrow evergreens on three (3) foot centers or wider growing evergreens at a spacing which will provide immediate screening.
 - 3) A landscaped berm with a vertical rise equal to the height of the obscuring wall as may be necessary. Maximum gradient of berm shall not exceed thirty-three (33) percent. Along the top of the berm there shall be planted such plant material as required by the Planning Commission.
 - 4) A fence shall be constructed of materials complementary to the building on site, and meet the requirements of Section 18.09. *(Rev. 4/21)*
- e. The Planning Commission may waive or modify the foregoing requirement where cause can be shown that no good purpose would be served and that the waiver or modification would neither be injurious to the surrounding neighborhood nor contrary to the spirit and purpose of Section 18.08.
 - f. Walls shall be permitted in residential districts subject to the standards for location and height set forth in Section 18.09. Walls in residential districts shall be constructed of masonry materials that is architecturally compatible with the materials on the façade on the principal structure such as face brick, decorative block or stone. *(Rev. 5/09)*

SECTION 18.09 FENCES AND WALLS (RESIDENTIAL AND NON-RESIDENTIAL)
(Rev. 4/21)

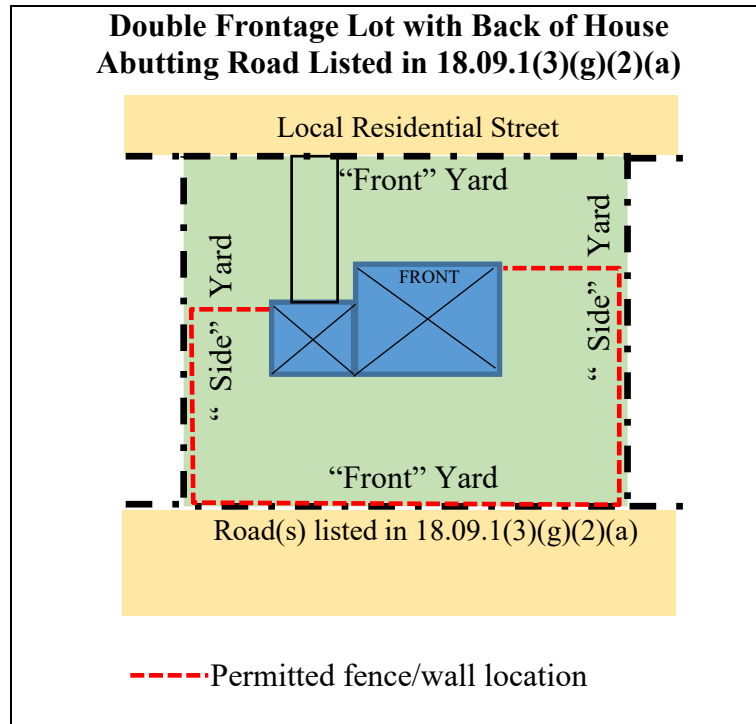
Section 18.09.1 Fences and Walls (Residential)

1. All uses in the following districts are subject to the provisions of this section, including:
 - a. First Density Residential District (R-1A and R-1B)
 - b. Second Density Residential District (R-2)
 - c. Third Density Residential District (R-3)
 - d. Forth Density Residential District (R-4)

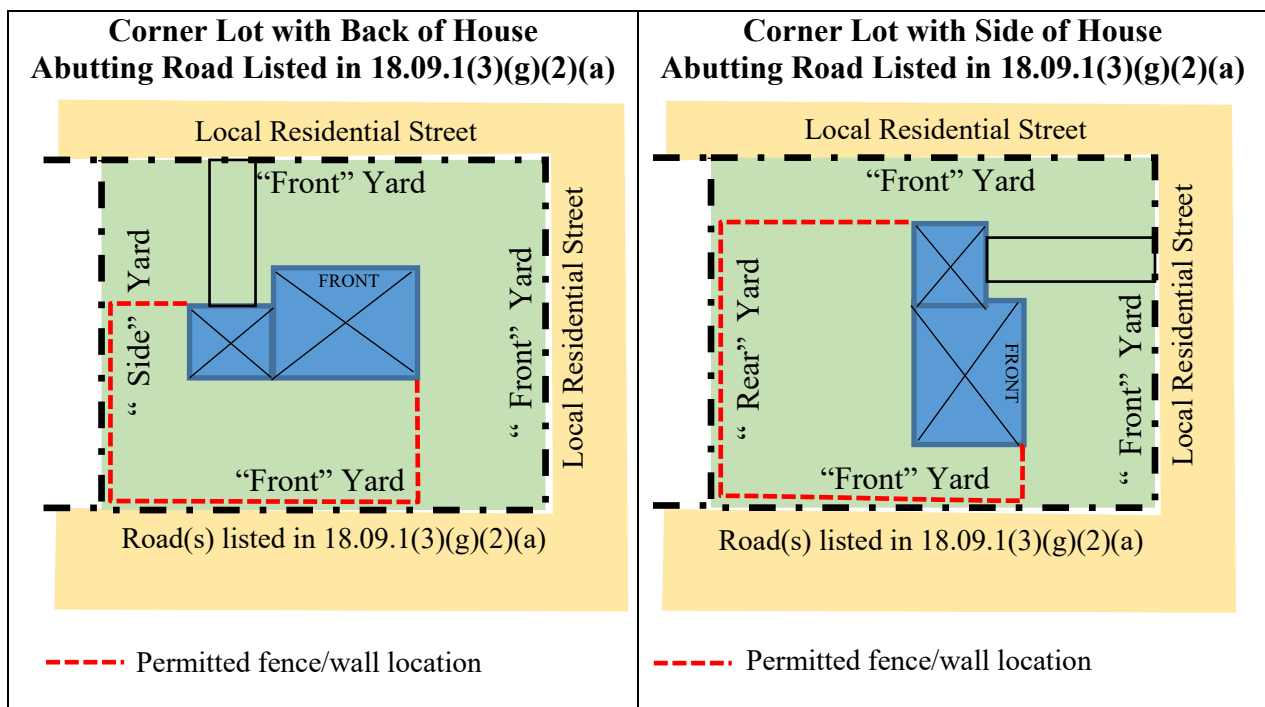
2. Residential buildings in the following districts are also subject to the provisions of this section:
 - a. Central Business District Overlay (CBD-O)
 - b. Cady Street Overlay District (CSO-1 and CSO-2)
 - c. General Commercial District (GCD)
 - d. Seven-Mile/South Main Street Overlay (SMO)

3. Fences and walls that are permitted, or are required in the districts above, are subject to the following:
 - a. Permit Required. No fence or wall shall be erected or altered in any zoning district without first obtaining a permit from the City Building Official. The permit fee shall be set from time to time by resolution of the City Council. Applications shall include a sketch of the property showing location of the proposed fence/wall and a description of the type and height of the fence/wall, as well as other information which may be required by the Building Official in order that he/she may determine whether the construction of such fence/wall complies with the city ordinances and restrictions.
 - b. Applicable Regulations. All fences and walls shall comply with the regulations contained within this section of the Zoning Ordinance, Section 18.10.2(h), and the Building Code. Required screen walls shall also meet the regulations in Section 18.08.
 - c. Position Within Lot. All fences/walls shall be placed on the lot line except where underground utilities interfere. Posts, foundations, and overhanging elements shall be constructed within the property lines of the lot being fenced. The City shall not be responsible for determination of the location of any fence/wall to be erected on lot lines.
 - d. Corner Visibility. Fences/walls shall not be erected in a manner that would be a hazard to traffic or pedestrians, and shall meet the requirements of Section 18.07, Corner Visibility and Clear Vision Zones. At a minimum, fences/walls shall be constructed at least one (1) foot from any public sidewalk or right of way line.
 - e. Site Drainage and Utilities. Fences and walls shall not be erected in a manner that obstructs the free flow of surface water within or across the lot to which it is associated or the adjacent lots. Fences and walls shall not be erected in a manner that causes damage to underground utilities.
 - f. Height. The following provisions apply to fences/walls:
 - 1) Fences and walls, other than retaining walls, in any rear yard shall not exceed six and one-half (6 ½) feet in height.

- 2) Fences and walls, other than retaining walls, in any side yard that are located up to 10-feet behind the front face of the house shall not exceed six and one-half (6 ½) feet in height. Fences and walls in any side yard located closer than 10 feet to the front face of the house shall not exceed 48-inches in height (see illustration in “i” below).
 - 3) Fence posts and finials may extend no more than six (6) inches above the maximum permitted height of a fence.
- g. Fences/Walls in Front (Street-side) Yards. No type of constructed fence or wall may be erected ahead of the front building line or line parallel to the street which passes through the extreme front of the principal building. This shall exclude:
- 1) Fences or walls, located in any portion of the front yard, which are no greater than forty-eight (48) inches in height and located on recorded lots having a lot area in excess of two (2) acres and a frontage of at least two hundred (200) feet.
 - 2) Fences or walls no greater than six and one half (6 ½) feet in height on the following lots:
 - (a) Double frontage lots where the yard on the back of the house abuts one of the following roads:
 - i. Eight-Mile Road
 - ii. Beck Road
 - iii. Taft Road
 - iv. Novi Road
 - v. Seven-Mile/Edward Hines Drive
 - (b) Corner lots where the yard on the side or back of the house abuts one of the roads listed in “(a)” above.
 - (c) Double frontage lots with the configuration described in “(a)” above may erect a fence or wall, up to the maximum height permitted, between the property line along the back of the house and the extreme front of the house, as illustrated in the diagram below:



- (d) Corner lots with the configuration described in “(b)” above may erect a fence or wall, up to the maximum height permitted, between the property line along the back and street side of the house and the extreme rear of the house, as illustrated in the diagrams below:



- h. Corner Lots. For corner lots containing two front yards, a side and rear yard shall be designated and fencing or walls for both front yards shall comply with the regulations of this section, except as permitted for corner lots where the yard at the back of the house abuts one of the roads listed in Section 18.09.1(3)(g)(2)(a).

i.



- j. Orientation of Finished Side. All fences or walls shall be constructed with the finished side exposed to neighboring properties, the fence support posts placed on the inside, and in a manner which serves to enhance the aesthetic appearance of the neighborhood or surrounding area.
- k. Fence/Wall Materials. Residents are encouraged to utilize ornamental materials for fence/wall construction including, but not limited to, materials such as wrought iron, aluminum, wood, brick, stone, and similar replications of these materials.
- l. Swimming Pool Fences. Fences for swimming pools shall comply with the regulations of the State Construction Code.
- m. Prohibited Fences. Fences or walls on lots within any residential district shall not contain barbed wire. Electric current fences, or fences charged with electricity are also prohibited. Underground electric pet containment fences are excluded from the regulations of this section. Wire fences, including chicken wire, are prohibited.
- n. Maintenance. All owners of lots upon which a fence or wall is erected shall be responsible for maintaining such fence/wall in good order, including that they be plumb and level, painted, rust proofed or otherwise protected against damage and decay so as to present an orderly appearance.

Section 18.09.2 Fences and Walls (Non-Residential)

1. Fences and walls in a side or rear yard for non-residential uses designed to protect the property enclosed (outdoor storage) may be constructed, erected, rebuilt, or maintained in the following zoning districts:
 - a. Cady Street Overlay District (CSO-1 and CSO-2)
 - b. General Commercial District (GCD)
 - c. Seven-Mile/South Main Street Overlay (SMO)
 - d. Performance Regulated Industrial District No. 1 (PR-1)
 - e. Performance Regulated Industrial District No. 2 (PR-2)
 - 1) Protective fences or walls, as outlined in this section, shall not be used to also provide screening of adjoining properties, as required in Section 18.08 and 18.10.2(h), and shall not be placed on a property line. If a screening fence/wall is required, then a protective fence shall be located no closer than 10-feet to the screening fence/wall.
 - 2) To erect a fence/wall to protect the property enclosed, the following requirements must be met:
 - (a) The City Manager, or his designee, approves the fence once the property owner shows the need of such fence.
 - (b) A fence permit is obtained from the Building Official, as described in Section 18.09.1(3)(a).
 - (c) The fence/wall shall not be taller than ten (10) feet, including any barbed wire or other protective device. The barbed wire or other protective device must not be less than six (6) feet above ground level.
 - (d) The fence/wall shall not be less than 25 feet from any street intersection, or eight (8) feet from the intersection of a driveway and street.
 - (e) Notwithstanding anything to the contrary contained in this section, barbed wire cradles may be placed on top of fences/walls enclosing public utility installations in a zoning district, which fences/walls shall be constructed to a height of not more than eight (8) feet, nor less than six (6) feet.
 - (f) Fences that contain or are charged with electricity shall be prohibited in all zoning districts.
2. Fences, railings, walls, planters, or similar barriers up to 4.5 feet tall may be located in a front yard on private property to provide a barrier or enclose outdoor seating areas for food or drink service in the following zoning districts:
 - a. Cady Street Overlay District (CSO-1 and CSO-2)
 - b. Central Business District Overlay (CBD-O)
 - c. General Commercial District (GCD)
 - d. Seven-Mile/South Main Street Overlay (SMO)

- 1) Enclosures facilitating year round dining outdoors are not permitted.
- 2) Enclosures for outdoor seating areas must be made of materials that are ornamental, compliment the building, and are high-quality such as aluminum, wrought-iron, wood, brick, stone, or similar replications of these materials.

SECTION 18.10 PLANT MATERIALS PROHIBITED AND LANDSCAPE REGULATIONS

Section 18.10.1 Plant Materials Prohibited

The following shrubs and trees may not be planted within any public right-of-way in the City of Northville: Box Elder, Horse Chestnut, Soft Maple, Poplars, Willows, Catalpa and Tree of Heaven.

Section 18.10.2 Plant Materials and Landscape Elements

Plants, materials and landscape elements used to comply with the Administrative Rules and Zoning Ordinance must meet the following standards:

- a. Quality. Plant and grass materials shall be of acceptable varieties and species, free of pests and diseases, and shall conform to standards of the American Association of Nurserymen, and shall have passed any inspections required under State Regulations.

No plant materials used to satisfy some or all planting requirements of the Administrative Rules and the Zoning Ordinance shall be comprised of non-living materials, such as petrochemical plant.

- b. Deciduous Trees shall be species having an average mature crown spread of greater than fifteen (15) feet and having trunk(s) which can be maintained with over five (5) feet clear stem if conditions of visibility require, except however, at intersections where the requirement of eight (8) foot clear stem shall be followed. Trees having an average mature crown spread of less than fifteen (15) feet may be substituted by grouping the same so as to create the equivalent of a fifteen (15) foot crown spread. Deciduous tree species shall be a minimum of ten (10) feet overall height or of a minimum caliper of one and three-quarters (1 3/4") inches and a burlapped ball size of at least ten (10) times the caliper size, immediately after planting.
- c. Evergreen Trees shall be a minimum of five (5) feet in height with a minimum spread of three (3) feet and a burlapped ball size of at least ten (10) times the caliper immediately after planting.

- d. Shrubs and Hedges. Shrubs shall be a minimum of two (2) feet in height when measured immediately after planting, or two (2) feet in spread if plants are low growing evergreens.
- Hedges, where provided, shall be planted and maintained so as to form a continuous, unbroken, visual screen within a maximum of two (2) years after time of planting.
- e. Vines shall be a minimum of thirty (30) inches in length after one growing season and may be used in conjunction with fences, screens or walls to meet physical buffer requirements so specified.
- f. Ground Covers used in lieu of grass in whole or part shall be planted in such a manner as to present a finished appearance and reasonably complete coverage after one (1) complete growing season with at least three (3) plants per square foot.
- g. Lawn Grass. Grass areas shall be planted in species normally grown as permanent lawns in Northville. Grass may be plugged, sprigged, seeded or sodded, except that rolled sod, erosion reducing net or suitable mulch, shall be used in swales or other areas subject to erosion. When complete sodding or seeding is not used, nurse-grass seed shall be sown and mulched for immediate protection until coverage is otherwise achieved. Grass sod and seed shall be clean and free of weeds and noxious pests or diseases.
- h. Landscape Elements:
- 1) Earth Mounds and Berms. Berms and mounds shall be constructed with slopes no greater than one (1) foot vertical for each three (3) feet horizontal with at least a two (2) foot flat on top and with adequate protection to prevent erosion unless alternative designs are approved by the Enforcement Official.
 - 2) Mulches. Mulching material for planting trees, shrubs and vines shall be a minimum of three (3) inch deep wood chip mulch. Straw or other mulch shall be used to protect seeded areas of a depth approved by the Enforcement Official. Mulches must be installed in a manner as to present a finished appearance.
 - 3) Walls and Fences. Walls shall be constructed of stone, brick or other artificial materials, while fences shall be constructed of wood. Chain link or other wire mesh fencing will be permitted only if covered with wood strips or plant materials, and as further provided in Section 18.08.
 - 4) Paving Materials. Paving materials shall be installed in a manner that will either contrast with or compliment the other landscaped elements.

- i. Irrigation. All landscaped areas shall have an underground irrigation system or shall be provided with a readily available and acceptable water supply with at least one (1) hose bib within one hundred (100) feet of all planted material to be maintained. *(Rev. 12/05)*

Section 18.10.3 Existing Plant Materials

- a. In all instances where healthy plant material exists on a site prior to its development, the Enforcement Official may adjust the application of the above standards to allow credit for such plant material if such an adjustment is in keeping with, and will preserve the intent of this Chapter.
- b. All existing plant materials must first be inspected by the Enforcement Official to determine the health and desirability of such materials. In the event plant materials are to be saved, prior approval must be obtained by the Enforcement Official before any delimiting, root pruning, or other work is done.
- c. If such existing plant material is labeled “To Be Saved” on site plans, protective techniques such as, but not limited to, fencing or boards placed at the drip line around the perimeter of the plant material shall be installed. No vehicle other than construction equipment shall be parked or stored within the drip line or any plant material intended to be saved. Other protective techniques may be used provided such techniques are approved by the Enforcement Official.
- d. In the event that healthy trees which are used to meet the minimum requirements of this Chapter are cut down, destroyed or damaged, as determined by the Enforcement Official, the contractor shall replace them or place in escrow with the City of Northville an amount equal to the value of the trees. This amount shall be determined from the Michigan Shade Tree Evaluation Chart, for the material destroyed as a result of construction damage. The escrow may be used by the City to replace the trees or released if the owner or developer replaces the trees.

SECTION 18.11 GENERAL EXCEPTIONS

Section 18.11.1 Area, Height and Use Exceptions

The regulations in this Ordinance shall be subject to the following interpretations and exceptions.

Section 18.11.2 Essential Service

Essential services shall be permitted as authorized and regulated by law and other ordinances of the City. The construction of buildings associated with essential services shall be subject to the

provisions of Article 19, Site Plan Review. Otherwise, the construction, maintenance, and alteration of essential services shall be exempt from the provisions of this Ordinance.

Section 18.11.3 Voting Place

The provisions of this Ordinance shall not be so construed as to interfere with the temporary use of any property as a voting place in connection with a municipal or other public election.

Section 18.11.4 Height Limit

The height limitations of this Ordinance shall not apply to chimneys, church spires, private wireless transmission towers (not exceeding fifty (50) feet), and decorative parapets not exceeding thirty-six (36) inches, or heating, electrical, and mechanical units which are screened on all sides.

Section 18.11.5 Lots of Record

Any lot existing and of record at the time of this Ordinance became effective may be used for any principal use, provided that the proposed use and structure is in accordance with Section 22.01.2. *(Rev. 11/07)*

Section 18.11.6 Reserved *(Rev. 7/17)*

Section 18.11.7 Multiple Dwelling Side Yard

For the purpose of side yard regulations, a two-family, a row house, or a multiple dwelling shall be considered as one (1) building occupying the lot.

Section 18.11.8 Porches

An open, unenclosed, and uncovered porch or paved terrace may project into a required front yard for a distance not exceeding ten (10) feet, but this shall not be interpreted to include or permit fixed canopies. However, sections 18.11.8.1 and 18.11.8.2 allow a porch with a fixed canopy to be located in the required front yard for a distance of up to four (4) feet if the standards in these sections are met.

Section 18.11.8.1 Front Porch Exception for New One Family Dwellings (Rev. 8/20)

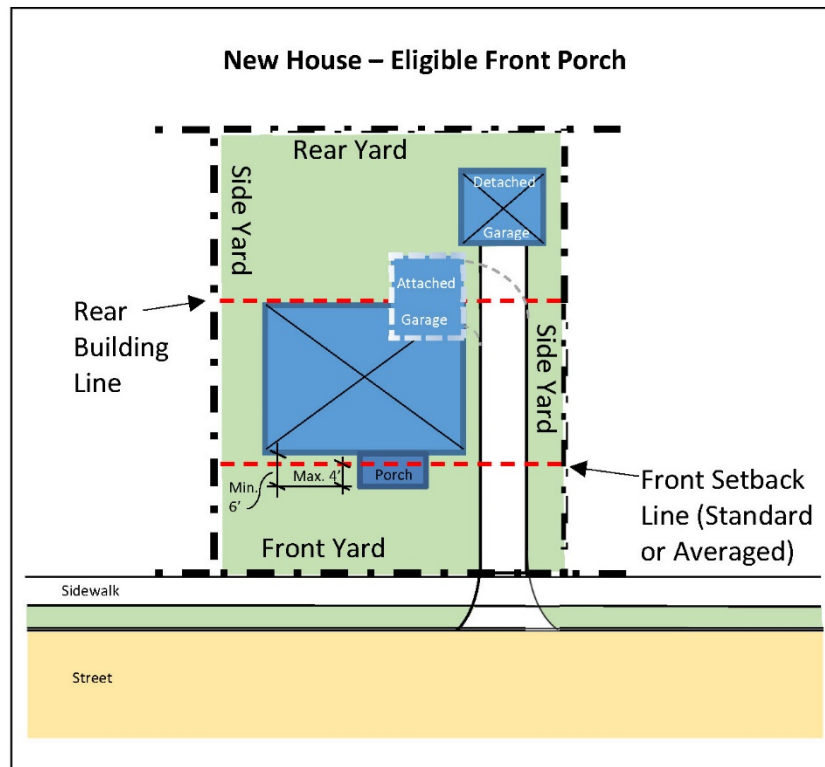
New one family dwellings are encouraged to positively contribute toward neighborhood enhancement and the walkability of the city. Walkability is the extent to which walking is readily available as a safe, connected, accessible and pleasant mode of transport. One way to accomplish walkability is to locate garages at the rear of a lot. Garages at the rear of a lot (whether attached to the dwelling or as a free-standing detached garage) help to support walkability by:

- Minimizing the width of the driveway at the front of the dwelling, allowing more space in the front yard for trees and vegetation, and more space along the street for street trees;
- Minimizing the potential of parked cars left in front of the garage door to block the sidewalk;
- Allowing space on the dwelling's front façade for windows and other human-scaled architectural elements; and
- Allowing space on the dwelling's front façade for a porch, where residents can interact with neighbors on the sidewalk and observe activities on the street.

To encourage locating garages at the rear of a lot, new one family residential projects that locate the garage in the rear, or retain an existing garage at the rear, may also locate a covered front porch in the front yard setback by up to four (4) feet. In addition, the area that the covered front porch occupies in the front yard setback shall not be considered in calculating lot coverage. To be eligible for this exception, the proposed construction must meet all of the following standards:

- a. The project includes construction of a new one family dwelling on the lot.
- b. The project includes construction of a new garage which is located either in the rear of the new dwelling (attached) or behind the rear building line of the home (detached), or retains an existing detached garage for continued use as a garage which is behind the rear building line of the home. If a residential dwelling has more than one garage, any garage in the front of the house (attached) or ahead of the rear building line of the house (detached) will disqualify the property from eligibility for a porch in the front setback.
- c. The front porch that is located in the front yard setback must:
 - 1) Be single-story in height, no higher than fifteen (15) feet, and as measured per the procedures described in section 26.02 of the zoning ordinance for building height; and
 - 2) Contain a deck that is no more than eight and one-quarter inches from the elevation of the finished first floor (i.e., at-grade decks and patios are not eligible for the front yard porch exception); and

- 3) Be a minimum of six feet in depth (distance between the front exterior wall of the residence and the edge of the porch deck); and
 - 4) Be covered with a roof; and
 - 5) Be unenclosed by walls, windows, screens or other enclosure at the time it is constructed or at any time in the future. This standard does not include open railings and balustrades.
- d. The front setback line used to determine where the front porch can be located on the lot shall equal the setback required by sections 15.01 and 15.02. If front yard setback averaging applies to the lot, the porch may be located within the average front yard setback, as described in section 15.02.16.

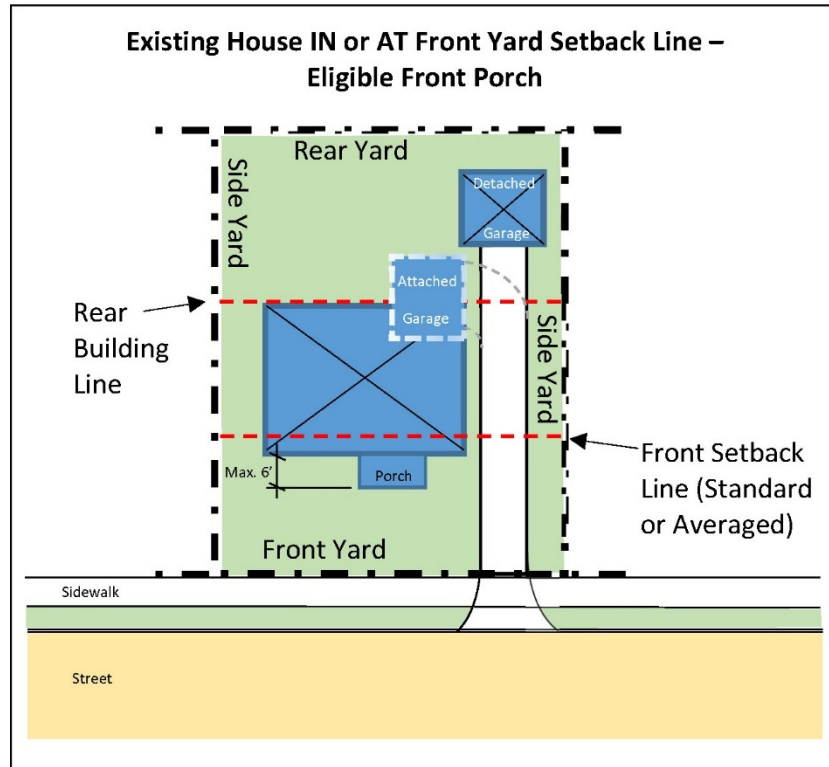


- e. On corner lots, porches may be constructed on either or both front facades, or built as one wraparound porch as long as the porch(s) meets the requirements in “a” through “d” above.
- f. The final Certificate of Occupancy for the residential dwelling shall not be issued until construction of the qualifying garage is complete.

18.11.8.2 Front Porch Exception for Existing One Family Dwellings (Rev. 8/20)

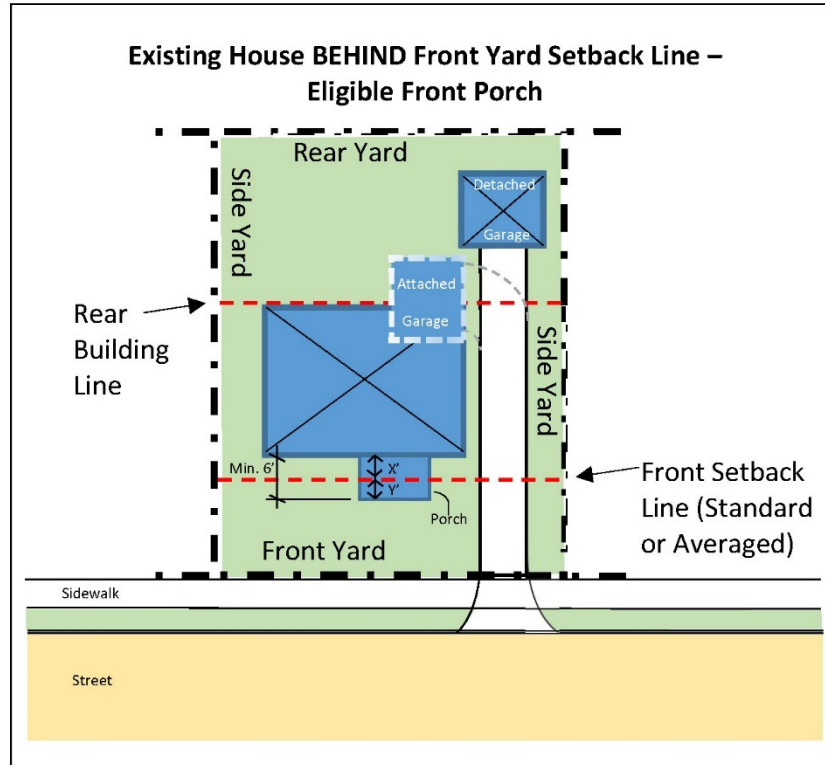
To support walkability throughout the city as described in 18.11.8.1 above, existing one family dwellings which construct a new garage in the rear, or have an existing garage in the rear, may also locate a covered front porch in the front yard setback by up to six feet. In addition, the area that the covered front porch occupies in the front yard setback shall not be considered in calculating lot coverage. To be eligible for this exception, the existing dwelling must be occupied as of January 1, 2019. Also, the proposed construction must meet all of the following standards:

- a. The project includes construction of a new garage which is located either in the rear of the existing residential dwelling (attached) or behind the rear building line of the home (detached), or retains an existing detached garage for continued use as a garage which is behind the rear building line of the home. If a residential dwelling has more than one garage, any garage in the front of the house (attached) or ahead of the rear building line of the house (detached) will disqualify the property from eligibility for a porch in the front setback.
- b. The front porch that is located in the front yard setback shall:
 - 1) Be single-story in height, no higher than fifteen (15) feet, and as measured per the procedures described in section 26.02 of the zoning ordinance for building height; and
 - 2) Contain a deck that is no more than eight and one-quarter inches from the elevation of the finished first floor (i.e. at-grade decks and patios are not eligible for the front yard porch exception); and
 - 3) Be a minimum of six feet in depth (distance between the front exterior wall of the residence and the edge of the porch deck); and
 - 4) Be covered with a roof; and
 - 5) Be unenclosed by walls, windows, screens or other enclosure at the time it is constructed or at any time in the future. This standard does not include open railings and balustrades.



- c. The front setback line used to determine where the front porch can be located on the lot shall be established using all of the following standards:
- 1) The front setback line shall equal the setback required by sections 15.01 and 15.02; and
 - 2) If front yard setback averaging applies to the lot, the porch may be located within the average front yard setback, as described in section 15.02.16; and
 - 3) For existing dwellings whose front exterior wall closest to the street is greater than the minimum front yard setback required in Section 15.01, then the distance between the front setback line and the exterior wall shall be subtracted from the depth of porch allowed in the front setback. For example, if a residential dwelling is setback 27 feet (or two feet more than the 25-foot minimum front yard setback), then two feet shall be subtracted from the porch depth allowed within the front yard setback. This results in a maximum depth porch in the front yard setback of four feet. The formula to calculate this requirement is as follows, and is illustrated in the graphic below:

$$6 \text{ feet minus "X" (feet) = "Y" (feet).}$$



- d. On corner lots, porches may be constructed on either or both front facades, or built as one wraparound porch as long as the porch(s) meets the requirements in “a” through “c” above.
- e. The qualifying existing garage or new garage must be constructed before constructing the front porch.
- f. Existing residential dwellings with an existing attached garage that faces the street are not eligible for this front porch exception.

Section 18.11.9 Projections Into Yards

Section 18.11.9.1 Architectural Features.

Architectural features, not including vertical projections, may extend or project into a required side yard not more than two (2) inches for each one (1) foot of width for such side yard; and may extend or project into a required front yard or rear yard not more than three (3) feet.

Section 18.11.9.2 Porte-Cocheres on Single-Family Dwellings (Rev. 8/20)

Porte-cocheres on single family dwellings. One porte-cochere, as defined by this chapter, may be attached to a single family dwelling over a driveway to provide shelter for passengers entering and existing vehicles parked in the driveway. A porte-cochere may only be attached to a residential dwelling if the residential dwelling is set back a minimum of 13 feet from the side property line. A porte-cochere shall be included in the lot coverage calculation and shall be constructed to meet all of the following standards:

- a. Only one porte-cochere is allowed per lot.
- b. The porte-cochere shall not be greater than 250 square feet in area.
- c. The porte-cochere shall meet the front yard setback requirement, and be located behind the front building line of the house.
- d. The porte-cochere may be located within a side yard setback if the following requirements are met:
 - i. The existing lot width is 60 feet wide or less;
 - ii. The porte-cochere is placed over a driveway that has a minimum width of nine (9) feet;
 - iii. The minimum distance between the dwelling wall and the opposite porte-cochere columns shall be 9.5 feet;
 - iv. No element of the porte-cochere is located closer than two feet from the side property line, including overhangs and similar elements, but excluding gutters; and
 - v. Columns located in the side yard setback shall not be greater than 18 inches square in size.
- e. The clearance between the ground and the ceiling of the porte-cochere shall be a minimum of eight feet.
- f. The maximum height to the top of the roof shall be no taller than the finished floor elevation of the second floor.
- g. The porte-cochere shall be entirely open and shall be supported only by the residential dwelling on one side and modest columns on the other. It shall be unenclosed by walls, windows or other enclosure at the time it is constructed or at any time in the future.

- h. The roof of the porte-cochere shall not be enclosed with railings, shall not be accessible from an opening in the residential dwelling, and shall not be used as a porch, balcony, or similar use.
- i. The porte-cochere shall be constructed of materials consistent with the main structure.

Section 18.11.10 Decks

A deck which is associated with a residential structure shall maintain a distance of at least twenty-five (25) feet from the rear lot line and shall not occupy any required side yard or front yard area, and shall be subject to the following restrictions:

- a. The portion of a deck which occupies the required rear yard shall not be above the elevation of the first floor of the residence;
- b. No more than twenty-five percent (25%) of any deck shall be covered with structures such as a gazebo or a screened porch and such structures shall be non-habitable; provided that the portion of a deck which occupies the required rear yard shall not contain any such covered structures;
- c. The portion of a deck which occupies the required rear yard shall not be converted into any enclosed habitable spaces;
- d. A deck shall be subject to lot coverage limitations.

Section 18.11.11 Roof Mounted Electrical-Mechanical Units

Roof mounted electrical-mechanical units shall be screened on all vertical sides with panels or decorative enclosures and shall be setback from building edge or located as near as possible to center of roof. The Planning Commission may require information regarding the location of electrical-mechanical units, details for the method of screening and information pertaining to sound levels. This may include sound studies and/or manufacturers specifications regarding sound rating and anticipated noise emissions. *(Rev. 12/05)*

Section 18.11.12 Garden Ornaments

Garden ornaments, as defined herein, shall not be considered accessory structures and may be located anywhere on a lot as long as they do not interfere with the visibility from a driveway and meet the requirements for corner visibility and clear vision zones at intersections, as required in Section 18.07 of this ordinance. Garden ornaments shall not be arranged to constitute a fence or barrier in the front yard of any lot. *(Rev. 4/16)*

SECTION 18.12 OUTDOOR PARKING AND STORAGE OF APPARATUS SUCH AS CAMPERS, TRAVEL TRAILERS, UTILITY TRAILERS AND BOATS (Rev. 4/19)

Apparatus such as campers, travel trailers, boats, airplanes, antique cars, racing cars, mobile homes, motorized homes, snowmobile trailers, general utility trailers not designed for a specific purpose such as, but not limited to, trailers equipped with a flat bed or box type container and the like may be parked or stored outdoors in any zoning district only on occupied lots subject to the following requirements and exceptions.

Apparatus shall not be deemed a storage structure or building, and shall not be used for the storage of any unrelated materials (such as scrap metal, construction materials, household items, furniture, and similar materials), equipment (such as tools, electronics, appliances, and similar equipment) and other items that are not normally associated with the primary use of the apparatus while parked or stored on a property under the provisions of this section. Materials that are normally associated with the primary use of the apparatus (fishing gear stored in a boat, dishes stored in the kitchen of an RV, snowmobiles on a snowmobile trailer, and the like) are not subject to these provisions. This limitation applies to all apparatus, whether enclosed or unenclosed.

Section 18.12.1 Storage of Apparatus

Not more than one of each of the above enumerated apparatus, with a maximum of four (4) of the same, may be parked or stored on a lot of record which is zoned and used for residential purposes; no closer than seven (7) feet to any side or rear lot line; and ownership of said apparatus must be in the name of a member of the immediate family of the lot's owner, tenant or lessee. In no instance shall any apparatus, whether enclosed or unenclosed, be used for the storage of materials, equipment, or other items for any time period, regardless of where it is parked on the property.

Section 18.12.2 Loading and Unloading

Campers, travel trailers, motorized homes, mobile homes and general utility trailers may be parked anywhere on the premises for loading or unloading purposes for a period not to exceed seventy-two (72) hours.

Section 18.12.3 Section Yard Space Requirements for Storage

Apparatus as defined in Section 18.12 where parked or stored shall be located only in the rear yard, except as allowed in Section 18.12.2 and, in addition, shall conform to the required yard space requirements for accessory buildings in the zoning district wherein located.

Section 18.12.4 Length of Apparatus

In no instance shall any apparatus as defined in Section 18.12 over thirty-one (31) feet in length be permitted in any district other than PR-1 and PR-2 Zoning Districts.

Section 18.12.5 Maximum Lot Coverage

A maximum permitted lot coverage of thirty percent (30%) for all buildings plus and including any uses such as camper, travel trailer or boat parking or storage on said lot, shall not be exceeded.

Section 18.12.6 Locking or Securing Apparatus

All apparatus as defined in Section 18.12 shall be locked or secured at all times when not being loaded or unloaded or worked upon so as to prevent access thereto by children and accidental release that would permit movement onto abutting public or private property.

Section 18.12.7 Non-Permanency Requirements

No apparatus as defined in Section 18.12 may have fixed connections to electricity, water, gas or sanitary facilities except as provided in Title 4, Chapter 5 of the City of Northville Code of Ordinances.

Section 18.12.8 Repair and License Regulation

All apparatus as defined in Section 18.12 normally requiring a license or registration must be kept in good repair and carry a current year's license and/or registration.

Section 18.12.9 Special Storage Permit – Temporary

Where unusual hardship or technical difficulties of a temporary nature are demonstrated, the City Manager or his assigns may issue a special permit to waive the requirements of Section 18.12.1, Section 18.12.2 and Section 18.12.3 for a period of thirty (30) days. The cost of such permit will be established by resolution of the Northville City Council. *(Rev. 8/11)*

Section 18.12.10 Special Storage Permit – Annual

Where unusual hardship or technical difficulties of a lasting nature prevent meeting the requirements of Section 18.12.3, the City Manager or his assigns may issue an annual permit to waive the requirements of Section 18.12.3 only. The cost of such permit will be established by resolution of the Northville City Council. *(Rev. 8/11)*

Section 18.12.11 Grievance of Storage Permits

Decisions of the City Manager and his assigns pertinent to Section 18.12.9 and Section 18.12.10 may be appealed to City Council by the aggrieved applicant or by any owner, tenant or lessee of any property abutting for such appeal. The final decision of such appeal shall be in the form of a resolution either reversing, modifying, or affirming, wholly or partly, the decision or determination appealed from.

SECTION 18.13 PERFORMANCE STANDARDS

Any use permitted by this Ordinance is subject to compliance with the following performance standards. Every use hereafter established shall not exceed the limits herein described except as provided in this Ordinance.

- a. Noise: No operation or activity shall be carried out in any District which causes or creates measurable noise levels exceeding the maximum sound pressure levels prescribed below, as measured on or beyond the boundary lines of the parcel on which the use is situated.

Maximum Permitted Sound Pressure Levels in Decibels

Octave Band (Cycles Per Second 1 (H2))		Day	Night
00	to 74	76	70
75	to 149	70	62
150	to 299	64	56
300	to 599	57	49
600	to 1,199	51	44
1,200	to 2,359	45	39
2,400	to 4,799	38	33
4,800 and above		36	31

- 1) A scale level (for monitoring purposes) dB(A). Sounds of very short duration, which cannot be measured accurately with the sound level meter, shall be measured by an impact noise analyzer; and the measurements so obtained may be permitted to exceed the maximum levels provided in the Tables shown by no more than five (5) decibels. For purposes of this Ordinance, impact noises shall be considered to be those noises whose peak values are more than seven (7) decibels higher than the values indicated in the sound level meter.

Maximum Permitted Sound Pressure Levels in Decibels

(Post-1960 Preferred Frequencies)

<u>Center Frequency (Cycles Per Second) (Hz)</u>	<u>Day</u>	<u>Night</u>
31.5	77	72
63	73	68
125	67	62
250	62	57
500	55	50
1,000	51	46
2,000	44	39
4,000	37	32
8,000	33	28

- 2) A Scale level (for monitoring purposes) dB(A), where street traffic noises directly adjacent to the boundary line exceed these maximum permitted levels, the intensity levels permitted may then exceed those levels specified in the tables but may not exceed the level of the subject adjacent street traffic noise.

In addition, sounds of an intermittent nature, or characterized by high frequencies, which the Building Official deems to be objectionable to adjacent land uses, shall be controlled so as not to generate a nuisance to adjacent land uses, even if the decibel measurement does not exceed that specified in those tables. *(Rev. 12/06)*

- b. Dust, Soot, Dirt, Fly Ash and Products of Wind Erosion: No person, firm or corporation shall operate or cause to be operated or maintained, any process for any purpose, a furnace, or combustion device for the burning of coal and/or other natural or synthetic fuels without maintaining recognized and approved equipment, means, methods, devices or contrivances to reduce the quantity of gas-borne or air-borne solids carried in fumes emitted, directly or indirectly, into the open air, to a concentration level (per cubic foot of the carrying medium at a temperature of five hundred (500) degrees Fahrenheit), not exceeding 0.20 grains.

For the purpose of determining the adequacy of such devices these conditions are to be conformed to when the percentage of excess air in the stack does not exceed fifty (50) percent of full load. The foregoing requirement shall be measured by the A.S.M.E., Test Code rot dust-separating apparatus. All other forms of dust, dirt and fly ash shall be completely eliminated insofar as escape or emission into the open air is concerned. The Building Inspector may require such additional data as deemed necessary to show that adequate and approved provisions or the prevention and elimination of dust, dirt and fly ash have been made.

- c. **Smoke:** It shall be unlawful to discharge into the atmosphere from any single source of emission, any smoke density or equivalent capacity which exceeds the following standards.
 - 1) For any period or periods of time, smoke, the shade or appearance of which is a dark or darker in shade as that designated as No. 2 on the Ringelmann Chart; except when the emission consists of only water vapors. The Ringelmann Chart, as published by the United States Bureau of Mines, which is hereby made a part of this Ordinance, shall be the standard. However, the Umbrascope readings of smoke densities may be used when correlated with the Ringelmann Chart.

- d. **Vibration:** Machines or operations which cause vibration shall be permitted, but no operation shall be permitted to produce ground transmitted oscillations which cause a displacement exceeding that specified in the following tables and/or as measured at the property line. These vibrations shall be measured with a seismograph or accelerometer; preferably the former.

For purposes of this Ordinance, steady state vibrations are vibrations which are continuous, or vibrations in discrete impulses more frequent than sixty (60) per minute. Discrete impulses which do not exceed sixty (60) per minute shall be considered impact vibrations.

Maximum Permitted Steady State Vibration in Inches

Frequency (Cycle Per Second)	PR-1
10 and below	0.001
10 to 19	0.0008
20 to 29	0.0005
30 to 39	0.0003
40 and above	0.0001

Maximum Permitted Impact Vibration in Inches

Frequency (Cycle Per Second)	PR - 1
10 and below	0.0002
to 19	0.0015
20 to 29	0.001
30 to 39	0.0005
40 and above	0.0002

Between the hours of 8:00 p.m. and 6:00 a.m., all the above maximum vibration levels, as measured on or beyond the boundary line of residentially used areas

adjacent to non-residential districts, shall be reduced to one-half (1/2) the indicated permissible values.

- e. Odor: The emission of noxious, odorous matter in such quantities as to be readily detectable at a point along any property line, when diluted in the ratio of one (1) volume of odorous air to four (4) or more volumes of clean air, so as to produce a public nuisance or hazard beyond lot lines is prohibited.
- f. Glare and Heat: Any operation producing intense glare or heat shall be performed within an enclosure so as to completely obscure and shield such operation from direct view from any point along the lot lines, except during the period of construction of the facilities to be used and occupied.

Bare bulbs used in or near a residentially used area shall be no greater than ten (10) watts. Within five hundred (500) feet of a residentially used area, bare bulbs which are visible in the residential area may not exceed fifteen (15) watts.

- g. Fire and Safety Hazards: The storage and handling of flammable liquids, liquefied petroleum gases, and explosives shall comply with all regulations of the City of Northville, Wayne County, and with all State rules and regulations, and regulations as established by the Fire Prevention Act, Act 207, P.A. of 1941, as amended. Further, all storage tanks for flammable liquid materials above ground shall be located at least one hundred fifty (150) feet from all property lines, and shall be completely surrounded by earth embankments, dikes or other types of retaining wall which will contain the total capacity of all tanks so enclosed.

Bulk storage tanks of flammable liquids below ground shall be located no closer to the property line than the girth depth to the bottom of the buried tank.

- h. Sewage Wastes: No industrial sewage wastes shall be discharged into sewers that will cause chemical reaction, either directly or indirectly, with the materials of such pipe or other structure construction to impair the strength or durability of sewer structure; cause mechanical action that will destroy or damage the sewer structures; cause restriction of the hydraulic capacity of sewer structures; cause placing of unusual demands on the sewage treatment process; cause danger to public health and safety; or cause obnoxious condition inimical to the public interest.

Specific conditions controlling sewage wastes are as follows:

- 1) The acidity or alkalinity shall be neutralized within an average PH range of between five and one-half (5 1/2) to seven and one-half (7 1/2) as a daily average on a volumetric basis, with a permissible temporary variation in PH of 4.50 to 10.0.
- 2) The wastes shall contain no Cyanides. Wastes shall contain no Chlorinated solvents in excess of 0.1 p.p.m.; no Fluorides in excess of 10 p.p.m.; no

more than 5 p.p.m. of Hydrogen Sulphide; and shall contain no more than 10 p.p.m. of Chromates.

- 3) The wastes shall not contain any insoluble substance in excess of 10,000 p.p.m.; exceed a daily, average or 500 p.p.m; fail to pass a No. 8 Standard Sieve; or have a dimension greater than one-half (1/2) inch.
 - 4) The wastes shall not have a Chlorine demand greater than 15 p.p.m.
 - 5) The wastes shall not contain Phenols in excess or p.p.m.
 - 6) The wastes shall not contain any grease or oil or any oily substance in excess or 100 p.p.m. or a daily average of 25 p.p.m.
- i. Light: Exterior lighting shall be so installed that the source of the light shall not be visible from the nearest residential district boundary and it shall be so arranged to reflect light away from any residential use. In no case shall more than one (1) foot candle power of light cross a lot line five (5) feet above ground into a residential district.
- Illumination levels shall be measured with a foot candle meter or sensitive photometer and expressed foot candles.
- j. Gases: The escape of emission of any gas which is injurious or destructive or explosive shall be unlawful and may be summarily caused to be abated. SO₂ gas, as measured at the property line at ground elevation, shall not exceed on average of 0.3 p.p.m., at ground elevation, shall not exceed an average of 0.3 p.p.m. H₂S likewise shall not exceed one p.p.m., Fluorine shall not exceed 0.1 p.p.m., Nitrous fumes shall not exceed 5 p.p.m., and Carbon Monoxide shall not exceed 15 p.p.m.; all as measured as the average intensity during any two (2) hour sampling period.
- k. Electromagnetic Radiation: Applicable rules and regulations of the Federal Communications Commission in regard to propagation or electromagnetic radiation are hereby made a part of this Ordinance,
- l. Drifted and Airborne Matter, General: The drifting or air-borne transmission beyond the lot line of dust, particles, or debris From any open stock pile shall be unlawful and shall be summarily caused to be abated.

SECTION 18.14 CONDOMINIUM DEVELOPMENT STANDARDS

The intent of this Section is to provide regulatory standards for condominiums and condominium subdivisions similar to those required for projects developed under other forms of ownership.

a. General Requirements.

- 1) Each condominium lot shall be located within a zoning district that permits the proposed use.
- 2) Each condominium lot shall front on and have direct access to a public street or a private street approved by the Planning Commission. Approval for a private street may be conferred by the Planning Commission between preliminary and final site plan. An approved private street shall comply with the same standards for public subdivision streets as set forth in Title 4, Chapter 8 of the Northville City Code.
- 3) All condominium project plans shall conform to the plan preparation requirements, design, layout, and improvements standards and all other requirements as established in the City of Northville Subdivision Regulations.
- 4) For the purposes of this ordinance, each condominium lot shall be considered equivalent to a single lot and shall comply with all regulations of the zoning district in which it is located.

b. Site Plan Approval Required

Preliminary approval and final approval of the site plan and condominium documents by the Planning Commission shall be required as a condition to the right to construct, expand or convert a site condominium project. Preliminary and final approval shall not be combined.

- 1) Preliminary Approval.
 - (a) A site plan pursuant to the standards and procedures set forth in Article 19 of this Ordinance shall be submitted to the Planning Commission for preliminary review.
 - (b) If the site plan conforms to all respects to applicable laws, ordinances and design standards, preliminary approval shall be granted by the Planning Commission.

- (c) If the site plan fails to conform, the Planning Commission shall either deny the application, refer the application back to the applicant for modification, or grant preliminary approval with conditions, provided such conditions are met before final approval. *(Rev. 5/18)*

2) Final Approval.

- (a) Following preliminary approval, the applicant shall submit draft Condominium Documents and Master Deed to the City staff for review and comment by the City Attorney. The Condominium Documents shall be reviewed with respect to all matters subject to regulation by the City including without limitation; ongoing preservation and maintenance of drainage, stormwater retention, wetlands, woodlands, and other natural features; maintenance of private roads, if any; and maintenance of stormwater, sanitary, and water facilities and utilities. *(Rev. 5/18)*

All review comments shall be submitted to the Building Official who shall compile the findings prior to consideration of the site plan for final approval by the Planning Commission.

- (b) Following receipt of preliminary approval, the applicant shall also submit to the Building Official engineering plans in sufficient detail for the City, along with appropriate consultants, to determine compliance with applicable laws, ordinances and design standards for construction of the project.

All review comments shall be submitted to the Building Official who shall compile the findings prior to consideration of the site plan for final approval by the Planning Commission.

- (c) Upon completion of the review of the Condominium Documents and engineering plans and receipt of the recommendations and findings from City staff and consultants, the site plan shall be submitted to the Planning Commission for final review in accordance with Article 18 of this ordinance.
- (d) If the site plan, Condominium Documents and/or engineering plans conform in all respects to applicable laws, ordinances and design standards, final approval shall be granted by the Planning Commission.
- (e) If the site plan, Condominium Documents and/or engineering plans fail to conform to the ordinance or development standards, final approval shall be denied by the Planning Commission.

- (f) In the interest of insuring compliance with this Ordinance and protecting the health, safety and welfare of the residents of the City, the Planning Commission, as a condition of final approval of the site plan, may require the applicant to deposit a performance guarantee as set forth in Section 24.08 of the Zoning Code for the completion of improvements associated with the proposed use. *(Rev. 5/21)*

3) Information Required Prior to Occupancy.

Prior to the issuance of occupancy permits for any condominium units, the applicant shall submit the following to the City:

- (a) A copy of the recorded Condominium Documents (including exhibits).
- (b) A copy of any recorded restrictive covenants.
- (c) A copy of the site plan on laminated photostatic copy or mylar sheet.
- (d) Evidence of completion of improvements associated with the proposed use including two copies of an “as-built survey”.

4) Revision of Site Condominium Plan.

If the site condominium subdivision plan is revised, the final site plan shall be revised accordingly and submitted for review and approval or denial by the Planning Commission before any building permit may be issued, where such permit is required.

5) Amendment of Condominium Documents.

Any amendment to a master deed or bylaws that affects the approved preliminary or final site plan or any conditions of approval of a preliminary or final site plan shall be reviewed and approved by the City staff or consultants and Planning Commission before any building permit may be issued, where such permit is required. The Planning Commission may require its review of an amended site plan if, in its opinion, such changes in the master deed or bylaws require corresponding changes in the original site plan. *(Rev. 2/93)*

SECTION 18.15 HOME OCCUPATION

1. It is the intent of this section to provide regulations and standards to allow for the establishment and operation of home occupations as specified below. It is also the intent to prohibit certain home occupations because of incompatibility with residential districts.
2. A home occupation as defined in Article 26, Section 26.02 shall be considered an accessory use in all residential districts provided the following standards are met:
 - a. Family members, residing on premises shall be allowed to be employed by such home occupation. However, not more than one (1) non-family, part-time employee shall be engaged in such activity; (*Rev. 10/94*)
 - b. The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than twenty five (25) percent of the floor area of the dwelling unit shall be used in the conduct of the home occupation;
 - c. There shall be no change in the outside appearance of the building or premises. Exterior signs associated with the home occupation shall be prohibited. (*Rev. 10/94*)
 - d. There shall be no exterior use, storage, display or visible evidence of the conduct of such home occupation. This shall prohibit the exterior storage of construction materials, mechanical equipment, supplies, merchandise or any other items associated with a home occupation.
 - e. No home occupation shall be conducted in any accessory building;
 - f. There shall be no sales directly from the home to customers in connection with such home occupation;
 - g. No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met off the street and other than in a required front yard.
 - h. No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot, if the occupation is conducted in a single family residence, or outside the dwelling unit if conducted in other than a single family residence. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.

SECTION 18.16 OUTDOOR PARKING OF COMMERCIAL VEHICLES IN RESIDENTIAL DISTRICTS

1. Outdoor parking of commercial vehicles is prohibited in Residential Districts. This shall be defined as any truck, pick-up truck or van in excess of eight thousand-eight hundred (8,800) pounds gross vehicle weight.

SECTION 18.17 CORNER LOT

1. For corner lots, the front yard regulations and setback requirements shall apply to each street side of the corner lot. This shall include street sides of public roads or private roads. Setbacks shall be measured from the edge of the public right of way or from the edge of the private road easement or right of way.

SECTION 18.18 PRIVATE ROADS / DRIVEWAYS

1. The pavement edge of any common driveway or private road shall be a minimum of fifteen (15) feet from any adjoining property line.
2. A landscape buffer, privacy fence/wall or combination thereof, shall be constructed along private roads or common driveways and adjacent property lines. The buffer, fence or wall shall be constructed in a manner which will achieve a minimum opacity of eighty (80) percent during the summer and sixty (60) percent opacity during the winter.
3. The Planning Commission may waive or modify the landscape buffer, fence or wall regulations of Section 18.18.1 and Section 18.18.2 where cause can be shown that no good purpose would be served and that the waiver or modification would neither be injurious to the surrounding neighborhood nor contrary to the spirit and purpose of this Section.
4. Any lot split within the R-1B Zoning District not having frontage on a public road and which is accessed via a private road or common driveway, shall have a minimum square footage of twelve thousand (12,000) square feet.

SECTION 18.19 FINISHED ATTICS

1. Finished attics or other readily accessible space between the roof framing and the ceiling of the rooms below shall not exceed one half of the floor area of the story below within the R-1A and R-1B zoning districts. *(Rev. 12/05)*

SECTION 18.20 FOUNDATION WALLS

1. The exposed foundation wall between the average of finished grade at the center of all walls of the building and the highest portion of the first floor shall not exceed thirty-six (36) inches from the average grade plane. In case walls are parallel to and within five (5) feet of a sidewalk, the above ground level shall be measured at the sidewalk, unless otherwise defined herein. This shall not include areas for walk out basements, window wells or other portions of exposed foundation wall which cannot be reasonably lowered or covered as determined by the Building Official. *(Rev. 4/16)*

SECTION 18.21 GRADING, DRAINAGE AND BUILDING GRADES

1. The ground areas outside the walls of any building or structure hereafter erected, altered, or moved shall be so designed that surface water shall flow away from the building walls in such a direction and with such a method of collection that inconvenience or damage to adjacent properties will not result. Where property is developed adjacent to existing properties previously developed, existing grades of adjacent properties shall have priority. Grades around houses or structures shall meet existing grades in the shortest possible distance, as determined by the Building Official, but under no circumstances shall exceed 1:4 slopes or twenty-five percent (25%) grades. *(Rev. 4/16)*
2. To minimize impacts on contiguous, developed, single-family residential property and ensure compatibility for new projects in established residential neighborhoods, the first story elevation height of new structures shall be consistent with the first floor elevation height of contiguous residences, in conformance with other requirements of this ordinance. Any property owner/developer who intends to add fill above the height of the existing contiguous grades shall demonstrate to the Building Official's satisfaction, that additional fill is not detrimental to surrounding properties in terms of compatibility and drainage issues. *(Rev. 4/16)*
3. A certificate of occupancy will not be issued until final grades are approved by the City Building Official. A certificate of grading shall be completed by the applicant. The Building Official shall require a certified copy of the grading plan to be submitted by a registered civil engineer or land surveyor. *(Rev. 4/16)*

SECTION 18.22 TEMPORARY STRUCTURES AND USES (REV. 8/18)

This section covers the following temporary structures and uses:

1. Membrane storage structures
2. Mobile food vending stands, trailers and vehicles
3. Portable on-demand storage structures
4. Dumpster roll-off containers
5. Temporary construction buildings or offices
6. Emergency temporary residences

7. Seasonal sales of perishable items conducted by a non-profit entity
8. Temporary outdoor special events held on private property that invite the general public

Other temporary structures and uses that are not listed in Section 18.22 shall be reviewed by the Board of Zoning Appeals in accordance with Section 25.04, or by City Council through a Special Events Permit, or by the Chief Enforcement Office, or his/her designee, through a Peddler's License.

Section 18.22.1 Membrane Storage Structures

Membrane storage structures are prohibited in all residential zoning districts.

Section 18.22.2 Mobile Food Vending

Registered mobile food stands, trailers or vehicles are permitted to operate in any zoning district subject to the following:

1. The mobile food vendor and the property owner hosting the mobile food vendor must register with the City annually. This requirement does not apply when the vendor is serving at a private event not open to the general public.
2. Each year, a registration application must be submitted to the Building Department, with any administrative fee to process the application, as determined by City Council. The registrations of both the food vendor and property owner must be approved by the Building Official for the current year before food vending can commence at the subject site.

Section 18.22.3 Temporary Structures/Uses Permitted by Building Official without a "Temporary Structure/Use Permit"

Portable on-demand storage structures and temporary dumpster roll-off containers may be permitted by the Building Official or his/her designee, as described, without the need to apply for a "Temporary Structure/Use Permit."

1. Portable on-demand storage structures may be allowed by the Building Official on any lot, subject to the following regulations:
 - a. A maximum of one (1) structure which does not exceed eight (8) feet high, eight (8) feet wide, and sixteen (16) feet long may be permitted on one lot at a time.
 - b. The portable on-demand storage structure may be placed on a lot for a period not to exceed ninety (90) days in a calendar year.

- c. Up to two (2) portable on-demand storage pods may be located on-site if the Building Official has issued a building permit. The time period for the storage pod shall coincide with the effective dates of the building permit, but may be extended for the storage pod by the Building Official if there is substantial progress or construction activity toward completion.
 - d. In the event of flood damage, fire damage, asbestos removal or similar catastrophes or emergency repairs, the Building Official may allow up to two (2) portable on-demand storage structures during the period of emergency repair. Time extensions may also be granted by the Building Official.
 - e. The portable on-demand storage structure must be placed at least five (5) feet from the side or rear lot line and fifteen (15) feet from the front lot line.
2. Dumpster Roll-Off Container may be allowed by the Building Official, subject to the following regulations:
 - a. In a residential zoning district, a dumpster roll-off container may be permitted by the Building Official for a maximum of five (5) days. This may be extended by the Building Official if the site has been issued a building permit, and if there is substantial progress or construction activity.
 - b. The dumpster roll-off container shall be placed on a driveway, at least five (5) feet from a side yard and shall be situated in order to maintain adequate sight distance from the public right-of-way.
 - c. In non-residential zoning districts, a dumpster roll-off container may be permitted by the Building Official for a maximum of ten (10) days. This shall exclude industrial operations where the use of dumpster roll-off containers are related to manufacturing or processing.

Section 18.22.4 Temporary Structures/Uses that Require a “Temporary Structure/Use Permit”

1. The temporary uses described below require a “Temporary Structure/Use Permit.” Applications for such permit shall be filed with the Building Department, and shall require information determined by the City to be necessary for the protection of the public health, safety and well-being.
2. The application shall be accompanied by a fee at the time the application is filed to cover administrative costs of processing the permit. The amount of such permit fee shall be established by City Council by resolution of Council from time to time. The application shall also be accompanied by proof that the property owner of the subject site is not delinquent on any property taxes or fees owed to the City.

3. The following temporary structures or uses shall not be erected or conducted until a “Temporary Structure/Use Permit” is issued:
 - a. Temporary Construction Building or Office subject to the following regulations:
 - 1) A temporary construction building, trailer, office or sales office may be permitted for a period of up to twelve (12) months. This may be extended by the Building Official if there is substantial progress or construction activity toward completion of the construction site.
 - 2) Setback requirements for the zoning district must be met.
 - 3) The site must provide adequate parking and a paved or gravel surface.
 - b. An emergency temporary residence in a residential district, subject to the following regulations:
 - 1) The Building Official has determined that the principal residential structure has been destroyed by fire, flood or other disaster, in whole or in part, and is not habitable as repairs are being made. A temporary residence requested because of planned home renovations rather than an emergency requires Board of Zoning Appeals approval, per Section 25.04.
 - 2) The application for a permit for the emergency temporary residence is accompanied by a plot plan showing the location of the proposed temporary residence.
 - 3) Approval for an emergency temporary residence may be granted by the Building Official for up to one (1) year from the date of permit approval upon a finding that all of the following conditions are met:
 - a) The property owner must not be delinquent on any property taxes or fees owed to the City.
 - b) The emergency temporary residence shall be connected to public sewer and water.
 - c) The emergency temporary residence shall comply with all applicable zoning district requirements including setback, area, bulk, and other requirements, except minimum house size requirements.
 - 4) To guarantee compliance with the provisions of this ordinance and removal of the emergency temporary residence upon expiration of the permit, the Building Official may require a cash bond to be posted prior to the issuance of a permit.

- c. Seasonal sales of perishable, seasonal items such as Christmas trees, flowers, or pumpkins, including temporary structures, conducted by and for the benefit of a non-profit entity, subject to the following regulations:
- 1) The non-profit entity has obtained tax exempt status from the Federal Internal Revenue Service, or has applied for such tax exemption.
 - 2) The sale is conducted on private property by the non-profit entity conducting the sale, and located in the Local Commercial District (LCD), Central Business District (CBD) or General Commercial District (GCD). Permission must be granted, in writing, by the private property owner. Seasonal sales conducted on City-owned property, for both for-profit and non-profit entities, are not covered under this section and require a Special Events Permit or a Peddler's License.
 - 3) Sales may be conducted by the permitted entity for up to thirty (30) consecutive days, not more than four (4) times in a calendar year, and not to exceed 75 days in a calendar year without obtaining the consent of the Board of Zoning Appeals.
 - 4) Sales area shall not occupy or obstruct the use of any fire lane, or create a traffic or safety hazard. Adequate on-site parking together with proper ingress and egress to the site shall be provided.
 - 5) Sales shall be conducted in a manner so as not to create a public nuisance to neighboring properties. If the sales area abuts property used for residential purposes, the Building Official may require buffering, screening, setbacks, or other techniques to minimize impacts to residences.
- d. Temporary outdoor special events, as defined below:
- 1) Amusement enterprises, as defined in the City of Northville Special Events Policy, and
 - 2) That are open to the general public, and
 - 3) That are held solely on private property, and
 - 4) Are accessory to and on the same lot as a principal permitted use.
- Events that satisfy the definition above may be permitted in any zoning district, subject to the following regulations:
- 1) One special event may be conducted on the subject site for up to three (3) consecutive days, not more than four (4) times in a calendar year.

- 2) Special events shall not occupy or obstruct the use of any fire lane, or create a traffic or safety hazard. Adequate on-site parking together with proper ingress and egress to the site shall be provided.
- 3) Adequate sanitation and other required health facilities shall be made available in or adjacent to any public assembly areas.
- 4) The permittee shall establish to the satisfaction of the Chief of Police that such necessary and sufficient security personnel will be provided by the permittee for the duration of the event.
- 5) The special event shall not be detrimental to adjacent property, not disturbing to the public peace, and shall not create undue traffic congestion or hazards. If the special event area abuts property used for residential purposes, the Building Official may require buffering, screening, setbacks, or other techniques to minimize impacts to residences.

These regulations do not apply to private events held on private property that are not open to the general public. Also, any special event that is conducted on the public right-of-way or City owned property shall require City Council approval through a Special Events Permit.

SECTION 18.23 WIRELESS COMMUNICATION FACILITIES (Rev. 3/13)

a. Purpose and intent.

- 1) It is the policy of the City to minimize the overall number of newly established locations for wireless communication facilities and Wireless Communication Support Structures within the community, and encourage the use of existing structures for attached wireless communication facility purposes. It is further the purpose and intent of the City to provide for such authorization in a manner which will protect the public health, safety, and welfare and retain the integrity of neighborhoods and the character and aesthetic quality of the community at large. This policy is consistent with the Federal Telecommunications Act of 1996 and PA 110 of 2006, as amended (MCL 125.3514).

b. Authorization. Wireless telecommunication facilities may be permitted within the City of Northville as either a Permitted Use subject to Administrative Review or as a Special Use according to the following regulations:

- 1) Wireless Communication Facilities as a Permitted Use Subject to Administrative Review.

A proposal for attached wireless communication facilities that satisfies the following criteria does not require special use or site plan approval. Confirmation

that these criteria are satisfied shall be determined by an administrative review by the Chief Enforcement Officer to the Building Official prior to issuance of any construction code permits. Such proposals shall also be reviewed for compliance with the standards and conditions in subsection c., General Regulations, with the certification to identify any items of noncompliance. The wireless facility shall also comply with the following:

- (a) The existing wireless communications support structure and/or wireless communications equipment compound are in compliance with this Ordinance and, if not, are in compliance with a prior approval under this Ordinance.
 - (b) The proposal or collocation will not increase the height of the wireless communications support structure by more than twenty (20) feet or ten percent (10%) of its original height (as first erected without any later additions), whichever is greater.
 - (c) The proposal will not increase the width of the wireless communications support structure by more than necessary to the stated and documented purpose of the increase.
 - (d) The proposal will not increase the area of the existing wireless communications equipment compound to more than two thousand five hundred (2,500) square feet.
- 2) As a Special Use.
- (a) A collocation on an existing structure which does any of the following: increases the height of the support structure by more than twenty (20) feet or 10% of its original height, increase the width of the support structure or increases the area of the equipment compound greater than 2,500 sq. ft.
 - (b) Subject to the standards and conditions set forth in this section, new wireless communication facilities shall be considered as a special use in the PR-1 and PR-2 zoning districts and subject to Section 16.01.
 - (c) If it is demonstrated by an applicant that a wireless communication facility, in order to operate, is required to be established outside of PR-1 and PR-2 districts and that existing structures are not available for collocation in other parts of the City, such wireless communication facilities shall be considered elsewhere in the City as a special land use, subject to the following:
 - (i) At the time of the submittal, the applicant shall demonstrate that alternative locations cannot reasonably meet the coverage and/or capacity needs of the applicant.

- (ii) Where feasible, wireless communication facilities shall be of a design such as a steeple, bell tower, water tower, or other form which is compatible with the existing character of the proposed site, neighborhood and general area, as approved by the City.
 - (iii) Locations outside of the PR-1 and PR-2 districts may only be considered at the following locations, subject to application of all other standards contained in this section:
 - a. Municipally-owned sites.
 - b. Other governmentally owned sites.
 - c. Religious or other institutional sites.
 - d. Public or private school sites.
 - e. Public utility sites.
 - (iv) If sites are not available in the PR-1 or PR-2 district, or on parcels identified above in subsection 2(c)(iii), other locations where there is a demonstrated need for service may be considered.
 - (v) All other criteria and standards set forth below in Subsection c. and d. are met as follows:
- c. General Regulations.
- 1) Standards and Conditions Applicable to All Facilities. All applications for wireless communication facilities shall be reviewed in accordance with the following standards and conditions, and, if approved, shall be constructed and maintained in accordance with such standards and conditions.
 - (a) Facilities shall not be demonstrably injurious to neighborhoods or otherwise detrimental to the public safety and welfare.
 - (b) Facilities shall be located and designed to be compatible with the existing character of the proposed site and harmonious with surrounding areas.
 - (c) Applicants shall demonstrate an engineering justification for the proposed height of the structures and an evaluation of alternative designs which might result in lower heights.
 - (d) The following additional standards shall be met:

- (i) The maximum height of the new or modified support structure and antenna shall not exceed height limits provided in Table 1, and shall be the minimum height demonstrated to be necessary for reasonable communication by the applicant and by other entities to collocate on the structure.

**Table 18.23-1
Support Structure Height Limits by Zoning District**

Zoning District	Height Limit
R-1A, R-1B, R-2, R-3, R-4, PBO, OR, LCD, CBD, GCD, RTD	145 feet
PR-1, PR-2	180 feet

Additional height over that which is provided in Table 18.23-1 may be permitted, in the sole discretion of the Planning Commission, when it can be demonstrated by the applicant that additional height is required to permit collocation. Evidence of collocation shall be provided by the applicant if additional height over that which is provided in Table 18.23-1 is requested. The accessory building contemplated to enclose such things as switching equipment shall be limited to the maximum height for accessory structures within the respective zoning district.

- (ii) The setback of the support structure and accessory structures shall be two hundred (200) feet from the boundary of any residentially zoned property. Otherwise, the setback of the support structure and accessory structures shall be one hundred (100) feet or a distance equal to 125% of the height of the support structure (whichever is greater) from an adjacent property boundary and all existing or proposed rights-of-way.
- (iii) There shall be unobstructed access to the support structure, for police, fire and emergency vehicles, and for operation, maintenance, repair and inspection purposes, which may be provided through or over an easement.
- (iv) The City shall review and approve the architecture and color of the support structure and all accessory buildings so as to minimize distraction, reduce visibility, maximize aesthetic appearance, and ensure compatibility with surroundings. It shall be the responsibility of the applicant to maintain the wireless communication facility in a neat and orderly condition. If lighting is required by the Federal Aviation Administration, Federal Communications Commission, Michigan Aeronautics Commission, or other governmental agencies, it shall be red between sunset and sunrise, white between

sunrise and sunset, and shall blink or flash at the longest permitted intervals, unless otherwise required.

- (v) The support system shall be constructed in accordance with all applicable building codes and shall include the submission of a soils report from a geotechnical engineer, licensed in the State of Michigan. This soils report shall include soil borings and statements indicating the suitability of soil conditions for the proposed use. The requirements of the Federal Aviation Administration, Federal Communication Commission, and Michigan Aeronautics Commission shall be submitted by the applicant in the original application for approval. The applicant shall furnish a written certification from the manufacturer or designer of the support system that the support system has been evaluated by a registered professional engineer and that the support system can safely accommodate attached antennas under expected weather conditions.
- 2) Standards and Conditions Applicable to Special Use Facilities. Applications for wireless communication facilities which shall be approved as special land uses shall be reviewed, and if approved, constructed and maintained, in accordance with the standards and conditions of this section and in accordance with the following standards:
- (a) The applicant shall demonstrate the need for the proposed facility based upon one (1) or more of the following factors:
 - (i) Proximity to an interstate or major thoroughfare.
 - (ii) Areas of population concentration.
 - (iii) Concentration of commercial, industrial, and/or other business centers.
 - (iv) Areas where signal interference has occurred due to tall buildings, masses of trees, or other obstructions.
 - (v) Topography of the proposed facility location in relation to other facilities with which the proposed facility is to operate.
 - (vi) A demonstrated need, including deficiency of service, proof of dropped calls, and/or inadequate capacity to accommodate call volume. The City may seek the advice of experts in the field for technical assistance regarding radio frequency engineering.
 - (b) The proposal shall be reviewed in conformity with the collocation requirements of this section.

d. Application Requirements.

- 1) Building permit applications shall be required for wireless facilities proposed as a permitted use subject to administrative review.
- 2) A site plan and special use application shall be required for wireless facilities proposed as a special use, in accordance with Article 16 and Article 19.

For wireless facilities subject to special use application, a site plan shall also include a detailed landscape plan prepared in accordance with Section 18.10. The purpose of landscaping is to provide screening and aesthetic enhancement for the structure base, accessory buildings and enclosure. In all cases, fencing of a minimum of six (6) feet in height shall be required for protection of the support structure and security from children and other persons who may otherwise access facilities.

- 3) An application shall include a description of security to be posted at the time of receiving a building permit to ensure removal of the facility when it has been abandoned or is no longer needed, as provided in Subsection f. In this regard, the security shall be posted and maintained in the form of: (1) cash; (2) irrevocable letter of credit; or, (3) other security arrangement accepted by the Building Official.

e. Procedures.

- 1) Review and administrative actions on special use and site plan approval applications.
 - (a) The Chief Enforcement Officer shall promptly review special land use and site plan approval applications to determine if they are administratively complete by inclusion of all information required in subsection d. If the application is not complete, no later than fourteen (14) business days after receiving it the Chief Enforcement Officer shall provide a written or electronic notice to the Applicant specifying the information necessary to complete the application. Such initial review for completeness by the Chief Enforcement Officer shall be on behalf of the Planning Commission for special land use and site plan approvals.
 - (b) The Chief Enforcement Officer shall review supplemental information submitted in response to an incomplete application notice and notify the Applicant of any remaining deficiencies.
 - (c) An application shall be administratively complete upon the Chief Enforcement Officer's determination or the expiration of fourteen (14) business days from receipt of the application without a notice to the Applicant of deficiencies.

- (d) Upon a special use or site plan approval application being administratively complete, the Chief Enforcement Officer shall promptly schedule it for a Planning Commission meeting that will allow for a Planning Commission site plan decision or special land use decision after the required public hearing within the time periods in subsection 2) below.
 - (e) If the applicant has disclosed professional opinions supporting the application and the Chief Enforcement Officer or Planning Commission has determined that independent professional review for the City of any such opinion should be performed, the reasonable costs of such review may be assessed to the Applicant by a written notice from the Chief Enforcement Officer as a professional review cost to be paid in accordance with the notice.
- 2) Decisions on special use and site plan approval applications.
- (a) The Planning Commission shall approve or deny a special land use application for a new wireless communications support structure not more than ninety (90) days after it is administratively complete.
 - (b) For all special use, site plan applications, and applications subject to administrative review, other than new wireless communications support structures, the Planning Commission shall approve or deny the application not more than sixty (60) days after it is administratively complete.
- 3) Post-approval costs, fees, and administrative actions.
- Zoning permits to implement and grant the authority allowed by a special land use or site plan approval for wireless communication facilities, and zoning certificates of use and occupancy for such facilities, shall be issued subject to and conditioned on all of the following:
- (a) Any conditions of the special land use or site plan approval.
 - (b) Payment of any outstanding professional review costs as described in subsection e.1)(e).
 - (c) Payment of permit fees in an amount established by or in accordance with a Resolution of City Council.
- f. Removal.
- 1) A wireless communication facility must furnish reasonable evidence of ongoing operation at any time after the construction of an approved tower.

- 2) A condition of every approval of a wireless communication facility shall be adequate provision for removal of all or part of the facility by users and owners upon cessation of operation.

SECTION 18.24 AIR CONDITIONING CONDENSERS AND EMERGENCY ELECTRICAL GENERATORS

In the R-1A, R-1B and R2 Districts, air conditioning condensers and emergency electrical generators are permitted subject to the following:

a. Permanent Location.

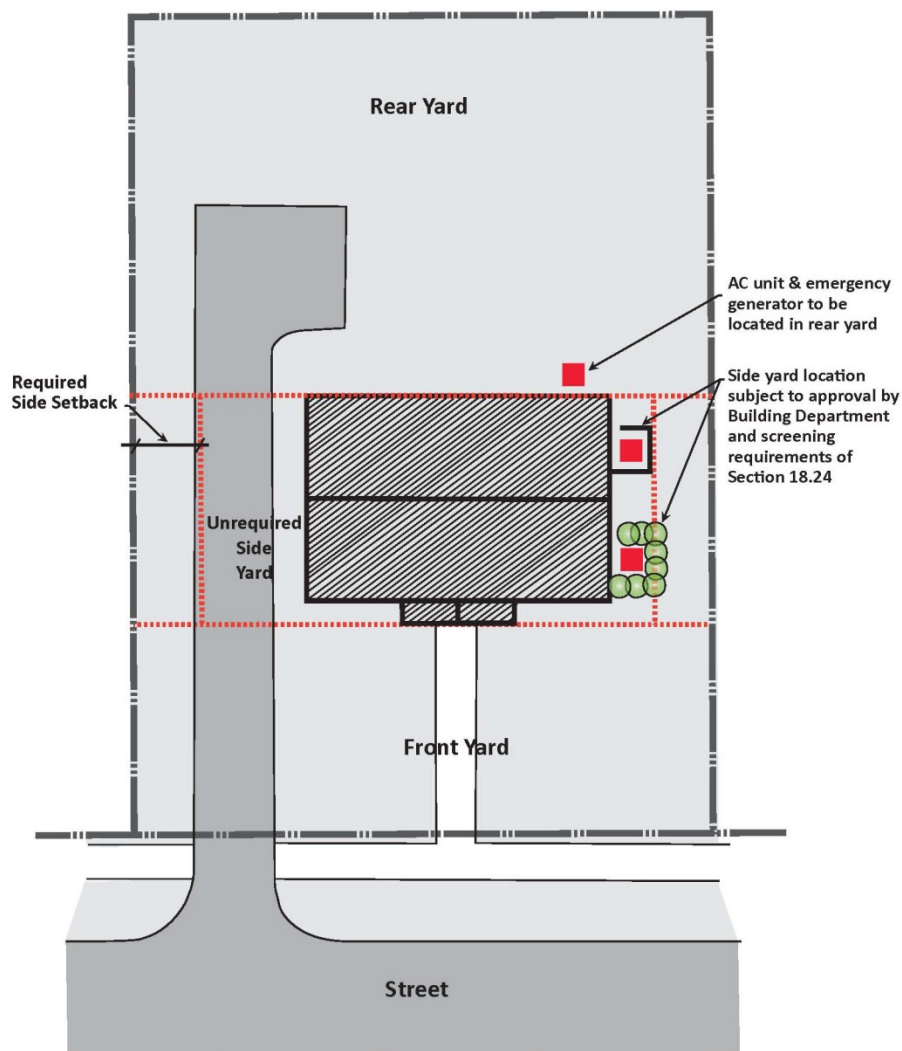
- 1) The air conditioning condenser or emergency electrical generator shall be permanently located on a concrete slab or prefabricated equivalent or as otherwise regulated by the Michigan Construction Codes.
- 2) In addition to compliance with the Michigan Construction Code, air conditioner condensers and emergency electrical generators shall be located in the rear yard, within eight (8) feet of the principal structure, unless prior approval is granted by the Building Official. No air conditioning condenser units or generators shall be located in the front yard.
- 3) Air conditioner condensers and generators may be permitted in the side yard under the following conditions:
 - (a) In order to obtain Building Department approval for a side yard location, the condenser and/or generator must be screened on all sides visible to the street, rear and side yard; and the screening is to be at least 12 inches higher than the top of the unit. The side yard placement of a condenser unit or generator shall not encroach into the required side yard setback requirements and shall be within eight (8) feet of the principal structure.
 - (b) Placement of generators or condenser units in existing nonconforming side yards shall be prohibited.

b. Enclosure, Production of Sounds and Exhaust Gases

- 1) Generators shall be enclosed within a sound attenuated cabinet or enclosure unless the unit itself is designed with sound attenuated elements.
- 2) Generator sounds produced at full load shall be less than 65 dBA at the property line and measured at a point fifteen (15') feet directly above the property line.

- 3) Any and all exhaust gases must be in compliance with any applicable emission regulations.
- 4) Generators shall be adequately screened from adjacent properties with appropriate landscaping, fencing or other appropriate means as approved by the building department. Screening materials may be masonry, wood, landscaped hedges or other opaque material. Color and texture of a masonry screen wall shall be compatible with the color and texture of the principal building on the site.

Figure 1. Air Conditioning Condensers and Emergency Electrical Generators Placement



(Rev. 12/14)

SECTION 18.25 MEDICAL MARIHUANA ACTIVITIES

Medical marihuana activities shall be subject to the following limitations:

- a. Medical marihuana activities except as prohibited elsewhere in this section, are permitted in the R-1A, R-1B, R-2, R-3 and R-4 zoning districts as well as within residential uses in the CBD, CBD-O, and CSO zoning districts. Medical marihuana activities are expressly prohibited in all other zoning districts.
- b. All medical marihuana activities shall be conducted in full compliance with Michigan Medical Marihuana Act, PA 2008, Initiated Law 1, as amended.
- c. All medical marihuana activities shall be conducted in full compliance with all applicable building and fire codes.
- d. Medical marihuana dispensaries, provisioning centers, cooperatives, or other joint or shared growing facilities are expressly prohibited.
- e. Medical marihuana activities shall not be conducted in accessory structures.
(Rev. 1/15)

SECTION 18.26 SINGLE FAMILY DWELLING UNIT STANDARDS (Rev. 8/20)

No residential structure, garage (attached or detached), mobile home, manufactured home, modular home or prefabricated home shall be built unless the dwelling unit has been reviewed by the building official subject to the following conditions:

- a. Dwelling units shall conform to all applicable city codes and ordinances and state and federal requirements with respect to the construction of the dwelling.
- b. Dwelling unit shall be permanently attached to a perimeter foundation. In instances where the applicant elects to set the dwelling on piers or other acceptable foundations which are not at the perimeter of the dwelling, then a perimeter wall shall also be constructed. Any such perimeter wall shall be constructed of durable materials and shall also meet all local requirements with respect to materials, construction and necessary foundations below the frost line. Any such wall shall also provide an appearance which is compatible with the dwelling and other dwellings in the area.
- c. Dwelling unit shall be provided with exterior finish materials compatible to the dwelling unit on adjacent properties or comparable types of dwellings within 300 feet. If the area within 300 feet does not contain any such dwellings, then the nearest 25 similar type dwellings shall be considered.

- d. Dwelling unit shall be provided with roof designs and roofing materials compatible to the dwelling unit on adjacent properties or comparable types of dwellings within 300 feet. If the area within 300 feet does not contain any such dwellings, then the nearest 25 similar type dwellings shall be considered.
- e. Dwelling unit shall be provided with an exterior building wall configuration which represents an average width to depth or depth to width ratio which does not exceed three to one, or is in reasonable conformity with the configuration of dwelling unit on adjacent properties or comparable types of dwellings within 300 feet. If the area within 300 feet does not contain any such dwellings, then the nearest 25 similar type dwellings shall be considered.
- f. The dwelling shall contain storage capability in a basement located under the dwelling, in an attic area, in closet areas, or in a separate structure of standard construction similar to or of better quality than the principal dwelling, which storage area shall be equal to ten percent of the square footage of the dwelling or 100 square feet, whichever is less.
- g. The building official may request a review by the planning commission of any dwelling unit with respect to subsections (3), (4), and (5) of this section. The building official or planning commission shall not seek to discourage architectural variation, but shall seek to promote the reasonable compatibility of the character of dwelling unit, thereby protecting the economic welfare and property value of surrounding residential uses and the city at large. In reviewing any such proposed dwelling unit, the building official may require the applicant to furnish such plans, elevations and similar documentation as is deemed necessary to permit a complete review and evaluation of the proposal. When comparing the proposed dwelling unit to types of dwelling areas, consideration shall be given to comparable types of dwellings within 300 feet. If the area within 300 feet does not contain any such dwellings, then the nearest 25 similar type dwellings shall be considered.
- h. Attached garages that face the street are allowed on lots that are 60 feet wide or greater.
- i. The total width of a garage attached to a single family dwelling shall:
 - 1) Not exceed 50 percent of the width of the entire front façade of the residential dwelling; and
 - 2) Be a minimum of 22 feet wide, measured from the exterior of the garage walls.
- j. Attached garages shall be located at least four feet behind the front façade of the front exterior wall of the residential dwelling, but in no case shall be closer than 30 feet from the front property line.

ARTICLE 19**SITE PLAN PROCEDURAL AND APPROVAL PROCESS****SECTION 19.01 STATEMENT OF PURPOSE**

The purpose of this section is to establish procedures for approval authorities and standards for the review and approval of site plan applications as herein prescribed. This section is further intended to improve the environmental quality of developments in the City of Northville, to minimize the possibility that a particular development may have an adverse effect upon adjacent property, and further to ensure proper relationships between the development features as they relate to: traffic safety, service roads, driveways, parking areas, accessory buildings and uses, and open spaces. To these ends, the Planning Commission is hereby empowered by the City Council and is given authority to establish procedures, standards and administrative rules whereby applicants are required to submit for approval a site plan to the satisfaction of the Planning Commission, subject to the provisions herein, prior to the issuance of a building permit. The Planning Commission, or administrative staff for Minor Site Plans, shall not approve a site plan unless the application for site plan approval complies with the standards contained within Article 19, additional requirements of the Zoning Ordinance, as well as all other applicable City, County or State requirements. (Rev. 7/17)

SECTION 19.02 SITE PLAN DEFINED

A site plan means a plan showing the outline of a building and its placement on a parcel of land with respect to the lot lines which form the parcel, and includes details of physical changes to the natural topography of the site; proposed pedestrian and vehicular circulation to and on the site; relationships to adjacent development, characteristics of the building space, including interior and exterior design; utility connections; methods of site drainage; proposed landscape improvements; screen buffer areas and advertising signs. (Rev. 7/17)

SECTION 19.03 SITE PLAN REVIEW PROCEDURES AND REGULATIONS

- a. General Requirements: The Building Official shall not issue a building permit for the construction or exterior building or site alterations until a site plan describing the changes has been submitted to the city, as herein described, for review and approval.
- b. Site Plan Review by the Planning Commission: Site plan review by the Planning Commission shall be required for the following:
 - 1) Development of a site and/or building from a vacant status to active use, including paving and/or underground structures.

- 2) Change of use from a non-conforming use to a conforming use or re-use that is an intensification of use.
 - 3) Any building addition, exterior building/structure remodeling, or site alteration that:
 - a. Increases the size of the area of the building by more than five (5) percent, or at least 2,500 square feet (whichever is smaller), or
 - b. Increases the height of an existing building or structure, or adds more stories (partial or full) to an existing building or structure.
 - 4) Any change of use, building/structure changes, or site alteration that requires more off-street parking spaces in addition to that already provided, or impacts the movement of vehicles into or across the site, or adjacent roadways.
- c. Minor Site Plan Administrative Review: Small-scale construction projects or changes in use or to existing sites that don't qualify for review by the Planning Commission may require a Minor Site Plan review by the City Manager, Planning Commission Chair (or his/her designee), and the City Planner. The City Planner, in concurrence with the City manager and Planning Commission Chair (or his/her designee), shall determine if a project qualifies for Minor Site Plan review or Planning Commission review, based on the intensity of the proposed use and anticipated impacts on adjacent land uses.

In general, projects that qualify for Minor Site Plan review include, but are not limited to, the following:

- 1) Any building addition, exterior building/structure remodeling, or exterior site alteration that increases the size of the area of the building by five (5) percent or less, or less than 2,500 square feet (whichever is smaller) as long as the alteration does not:
 - a. Increase the height of the building or add any stories (full or partial), or
 - b. Increase the required off-street parking in addition to that already provided, or
 - c. Impact the movement of vehicles into or across the site, or adjacent roadways;
- 2) Structural changes and additions to meet barrier-free requirements;

- 3) Accessory buildings and structures for other than single- or two-family residential uses;
 - 4) Site improvements, other than to parking areas or underground structures, that meet ordinance standards; or
 - 5) Other similar building or site modifications that are deemed a minor intensification of use, and/or will only have minor anticipated impacts on adjacent land uses.
- d. Exceptions To Site Plan Review by the Planning Commission or Administrative Staff: Select projects are exempt from site plan review given their relatively low level of impact on adjacent land uses, and given that compliance with applicable building and fire codes and zoning regulations can be addressed during the building permit review process. A site plan review shall not be required by either the Planning Commission or administrative staff (for Minor Site Plans) for the following:
- 1) One family and two family detached dwelling units and related accessory buildings.
 - 2) Any change from one conforming use to another conforming use which does not require off-street parking in addition to that already provided, or will have no impact on the movement of vehicles into or across the site, or adjacent roadways.
 - 3) Any building addition, exterior remodeling or exterior alteration which does not meet the standards for Planning Commission or administrative staff (for Minor Site Plan) review, as determined by the City Manager, Planning Commission Chair (or his/her designee) and the City Planner.
 - 4) These exceptions do not eliminate the requirement for review of plans by the Historic District commission for exterior alterations to buildings within the Historic District.
- e. Impact of Development on Entire Site: In the event a change of use and/or a building addition effects the intensity of the entire site area, over and above the previous land use activity, the Planning Commission may apply the review requirements and standards to the entire site area for purposes of ingress and egress, landscaping and screening.
- f. Payments in Lieu of Parking in the Central Business District: The payment for parking space credits under Section 17.03 in lieu of providing required off-street parking spaces shall not affect the requirement for site plan review and approval.

Section 19.03.1 Special Land Use, Planned Unit Developments, Site Condominiums & Condominium Subdivisions

Site plans for Special Land Use, Planned Unit Developments, Site Condominiums & Condominium Subdivisions shall be subject to site plan review in accordance with Article 19 of this ordinance. *(Rev. 7/17)*

SECTION 19.04 APPLICATION PROCEDURES AND APPROVAL AUTHORITIES

The Site Plan approval process is hereby delegated to the City Planner and the Planning Commission, as herein provided.

Section 19.04.1 Pre-Application Meeting

It is encouraged that the applicant attend a pre-application meeting in order to review the Ordinance requirements. The pre-application meeting may be attended by the City Planner, Building Official, Public Works Director, and other individuals as requested by the City Manager. *(Rev. 03/14)*

Section 19.04.2 City Planner Review

- a. An application for site plan approval pursuant to this section shall first be submitted to the City Planner. The City Planner shall be responsible for reviewing the plan for conformance with provisions described herein and those administrative rules adopted by the Planning Commission for the review and approval of site plans. The City Planner shall determine whether the proposal meets the requirements for Planning Commission review or, after conferring with the City Manager and Planning Commission Chair (or his/her designee), for a Minor Site Plan review.
- b. Regardless of the type of review, the City Planner is hereby authorized to determine if the site plan application is consistent with the standards of this section and said administrative rules.
 - 1) If the project qualifies for Planning Commission review:
 - a. If the application is consistent with all requirements, then the City Planner shall communicate such in writing to the applicant and the Planning Commission and cause the site plan to be placed on the agenda of the next regular meeting of the Planning Commission.
 - b. Should the site plan application fail to meet the requirements of the zoning ordinance and/or the Planning Commission's administrative rules, the City Planner shall communicate in writing, to the applicant the following;
 - i. Where the application fails to meet the requirements, and

- i. What steps must be taken to permit the site plan application to be placed on the agenda of the Planning Commission for final approval.
 - 2) If the project qualifies for Minor Site Plan review, then the City Planner will distribute the plans to the City Manager, the Planning Commission Chair (or his/her designee), and City Staff for administrative review. The applicant shall receive the reviews, and conclusions of the review process, in writing. The administrative review may approve, approve with conditions, refer back for modification, or disapprove the Minor Site Plan. The administrative review will provide the applicant with findings of fact or reasons which justify refer back or disapproval of the Minor Site plan.
 - a. If a Minor Site Plan approval is not granted administratively for any reason, then the applicant shall submit a new application for site plan review by the Planning Commission, per the requirements of 19.04.3 to continue in the process.
 - c. Should the applicant disagree with the findings of the City Planner, he may request in writing that the site plan as submitted be forwarded to the Planning Commission for a determination by the Planning Commission.

Section 19.04.3 Preliminary and Final Site Plan Review by the Planning Commission

The site plan approval process may be a two-phased process if requested by the applicant. The process shall include a preliminary site plan and a final site plan.

- a. Preliminary Site Plan: The purpose of a preliminary site plan is to permit the applicant to obtain basic agreement regarding the most optimum location of a building(s), points of ingress and egress to the site, and an indication of other likely improvements necessary to facilitate preparation of the final plan. At this stage, details of landscaping, site grading, drainage, etc., are not required unless concurrent preliminary and final site plan approval is requested.

The preliminary site plan will first be submitted to the City Planner who shall make every attempt to assure that the application is appropriately drawn to scale, and shall contain all the basic requirements and required items of information as stipulated within the City's Site Plan Review Checklist (Appendix D). All required items of information shall be provided unless waived by the Planning Commission. The City Planner will place the preliminary plan on the agenda of the Planning Commission as soon as all requirements are met and will make a recommendation to the Commission regarding the resolution of the plan's acceptability.

The Planning Commission may approve, approve with conditions, refer back for modification, or disapprove the preliminary site plan. The Planning Commission

will provide the applicant with findings of fact or reasons which justify a motion to refer back or disapprove a site plan application. Section 19.09 describes expiration or extension of preliminary site plan approval.

Should the Planning Commission decide to disapprove the site plan, it shall set forth in the motion of disapproval findings of fact and revisions to the plan the applicant must take to obtain approval of the Planning Commission.

- b. Final Site Plan: Following approval of a preliminary site plan, the applicant may submit a final site plan to the City Planner. The City Planner shall review the plan for consistency with the approved preliminary site plan and those matters of further detail required by the final site plan approval phase.

Where the City Planner is satisfied that the final site plan is consistent with the provisions of this section and the administrative rules of the Planning Commission, he/she shall place the final site plan on the agenda of the next regularly scheduled meeting of the Planning Commission. The City Planner shall make a written recommendation to the Planning Commission regarding the resolution of the plan's acceptability. The Planning Commission may approve, approve with conditions, refer back for modification, or disapprove the final site plan. Section 19.09 describes expiration or extension of final site plan approval.

Should the Planning Commission decide to disapprove the site plan, it shall set forth in the motion of disapproval findings of fact and revisions to the plan the applicant must take to obtain approval of the Planning Commission.

Section 19.04.4 Outside Review Agencies

Should a review of the site plan be necessary by State, Wayne or Oakland County Agencies, it will be the responsibility of the applicant to consult these agencies and return a copy of their review of the plan to the City Planner. *(Rev. 7/17)*

SECTION 19.05 SITE PLAN STANDARDS

In the process of review for approval and/or approved with conditions, the City Planner (Minor Site Plans) and/or the Planning Commission shall apply the following design standards and criteria. The Planning Commission's and the City Planner's decision to approve, approve with conditions, refer back for modification, or disapprove will be based upon both the definitive and subjective guidelines described below.

Adequate documentation in the form of plans and specifications sufficient for the City Planner (Minor Site Plans) and/or the Planning Commission to address the standards contained herein shall be included on the plans. Generally, the specific level of information required is indicated on the site plan application form and checklist which will be provided each applicant and the adopted

administrative rules of the Planning Commission. Failure to adequately prepare site plans containing the level of information required by each application phase will result in the submitted material being returned to the applicant for revision and resubmittal. (Rev. 7/17)

In order to describe the design standards, guidelines and criteria, and for ease of interpretation and finding, they are given categorical and functional arrangement, and are described as follows:

- a. Building Arrangement(s).
 - 1) The arrangement of building(s) and structure(s) relative to building(s) and structure(s) on the project site and adjacent to the site, taking into account such features as scale and design compatibility should be clearly illustrated. The measured distance of all buildings between one another and to all lot lines shall be shown on the site plan.
 - 2) Where more than one (1) building is intended for a site, the plans will show the relationship of one (1) building to another, and take into account such features as scale and design compatibility, circulation of light and air, provision of adequate access to and around buildings for fire and police protection services, establishment of pleasant vistas, and arrangements conducive to enhancing the environmental quality of the site when developed minimizing the extent of impervious ground cover and minimizing the destruction of natural features which contribute to environmental quality.
 - 3) The arrangement of a single building or structure to likewise accomplish the objectives described above where applicable, should similarly be illustrated on the plan.
- b. Natural Modifications.
 - 1) The extent to which the natural features of the site or parcel of land to be developed will be modified, changed or altered, including all cut and fill activities, removal of vegetation, alteration of water bodies, wetlands (both seasonal and permanent), and floodplain areas should be shown on the plan.
- c. Vehicular And Pedestrian Circulation.
 - 1) The location and design of driveways providing vehicular ingress and egress from the site, in relation to streets giving access to the site, and in relation to pedestrian traffic should be shown on the plan.
 - 2) Traffic circulation features within the site and location of automobile parking areas should be clearly illustrated, and the manner in which such requirements will assure:

- (a) Safety and convenience of both vehicular and pedestrian traffic, both within the site and in relation to access streets.
 - (b) Satisfactory and harmonious relationship between the development on the site and existing and prospective development of contiguous land and adjacent neighborhoods, including the provision of landscaping techniques to screen parking lots of a residential use from vehicular noise and glare from headlights.
- 3) All driveways serving customer or employee parking lots and driveways shall provide for two-way traffic, unless otherwise part of a one-way ingress/egress system.
 - 4) All driveways, other than those serving individual single-family or two-family residential lots, shall be a minimum of twenty (20) feet in width. A lesser width may be permitted by the Planning Commission if it can be shown that the driveway will be increased to twenty (20) feet due to a cooperative joint use arrangement with an adjacent property owner. (Rev. 7/17)
 - 5) Driveways should be constructed with a raised curb (either concrete or asphalt) and said curb line should continue to the edge of the travel portion of the public street if curbing is in place within the existing right-of-way or is otherwise a planned capital improvement.
 - 6) Driveways serving parking lots shall be designed with a deceleration lane, tapers, or adequate curb radii as determined by the City Engineer, which would permit vehicles to gain access to the site without impeding the free flow of traffic in the public right-of-way. (Rev. 12/05)
 - 7) Except for large parking lots, driveways shall be limited to one (1) driveway per development.
- d. Building Characteristics and Architectural Relationships.
- 1) A floor plan showing the intended use and how the building is entered and exited shall be submitted.
 - 2) Building elevations detailing the building's appearance shall be submitted. For a project with several buildings of all the same architectural design, only typical elevations need be shown.
 - 3) If situated within the Historic District, all exterior modifications must be submitted for approval to the Historic District Commission as provided by Ordinance No. 6-12.

- e. Signs and Lighting.
 - 1) The Planning Commission shall determine the appropriateness of all on-site signs with respect to their impact on vehicular circulation, compatibility with the surrounding area and compliance with Ordinance No. 6-7.
 - 2) The site development plan shall show the location, height and kind of lighting proposed. *(Rev. 12/05)*
 - 3) Lighting is intended only to illuminate parking and vehicular use areas for the purpose of increasing safety to the user. Light standards should preferably be located on separate ground mounted standards adjacent to or in the parking lot or vehicular use area.

- f. Public Utilities.
 - 1) The plans will show connections to all public utilities and the Planning Commission will determine from affected agency reviews if off-site public utilities have sufficient capacity to handle the development or what steps need to be taken to overcome any off-site deficiency.

- g. Impact On Public Service.
 - 1) The Planning Commission will take into account the impact of the development on public services such as police and, fire protection, and may cause the site plan to be revised to assure that these services can be most effectively provided to the development.

- h. Storm Drainage.
 - 1) The plans shall show how surface water will be drained from the site. Surface drainage, otherwise referred to as sheet drainage, to the public right-of-way is unacceptable.
 - 2) Where connection to a public storm sewer system is not possible, the applicant shall utilize on-site storm drainage retention engineering techniques in accordance with the City of Northville engineering standards.
 - 3) Storm drainage via an underground system to, the public storm drainage system shall satisfactorily evidence that all surface water runoff flows to an on-site catch basin and that the invert or the catch basin in relationship to the invert of the public storm drain is sufficient to provide an adequate gravity flow condition.

- i. Landscape Improvements and Screening.
 - 1) The applicant shall submit a landscape plan either as a separate sheet or included with other site plan maps. Appropriate landscaping standards are established as follows:
 - (a) Wherever by the terms of the zoning ordinance, a greenbelt separation area is required between the right-of-way property line and the nearest portion of any off-street parking area, said area shall be minimally landscaped as follows:
 - (i) One (1) tree for each fifty (50) lineal feet, or fraction thereof, of required greenbelt separation area (including driveways). Such trees shall be located between the abutting right-of-way and the off-street parking area or vehicular use area.
 - (ii) In addition, a hedge, wall or berm, or other landscape elements with a vertical rise of at least three (3) feet shall be developed within said separation zone. The hedge, wall or berm shall have the effect of reducing the visual effect of parked cars. If the developer decides to construct a masonry wall, he shall in addition plant one (1) shrub or vine for each ten (10) lineal feet of masonry wall on the street side of the wall.
 - (iii) The remainder of the required landscaped separation area shall be landscaped with grass, ground cover or other landscape treatment, excluding paving such as concrete or asphalt. This shall not be construed to prohibit decorative brick paving.
 - 2) Whenever by the terms of the zoning ordinance, a buffer landscape area is required between two (2) different zoning districts as provided in Section 18.08, said area shall be minimally landscaped as follows:
 - (a) The latest developer of land which borders on a use relationship described in Section 18.08 shall install and maintain a landscape buffer, except as otherwise provided for a masonry wall of at least ten (10) feet in width or as otherwise required in the zoning ordinance. In the event two (2) or more parcels of land are being developed simultaneously, the developer who submits his site plan later shall be deemed the latest developer, provided however, that nothing herein contained shall prevent two (2) or more developers from agreeing upon a method of providing buffer landscaping in conformity with these rules. Such a landscape buffer shall be located along the common lot line and shall be designed to provide

- eighty (80) percent or more continuing summer opacity two (2) years after planting and sixty (60) percent winter opacity when viewed from two (2) to eight (8) feet above ground level.
- (b) A minimum of one (1) tree shall be provided for each forty (40) lineal feet of such landscape or fraction thereof. Such trees shall be located between the common lot line and use area within the ten (10) foot buffer area.
 - (c) If, at the discretion of the developer, a masonry wall is determined to be the preferential buffer device, the developer shall in addition to the masonry wall plant one (1) shrub or vine abutting the wall for each ten (10) lineal feet of masonry wall.
- 3) Whenever under the terms of the zoning ordinance, a developer is required to construct a parking lot and/or vehicular use area, the following landscape requirements shall apply:
- (a) Off-street parking and/or vehicular use areas shall have one and one-half (1 ½) square feet of landscape area for each one hundred (100) square feet, or fraction thereof, of paved area for the first fifty thousand (50,000) square feet of paved area, plus one (1) square foot of landscaped area for each one hundred (100) square feet of paved area, or fraction thereof, of all paved area over fifty thousand (50,000) square feet. Landscaped space required as a buffer planting area or separation space between the public right-of-way and the vehicular use area cannot be considered as vehicular use landscape area.
 - (b) Interior landscaped areas shall be no less than fifteen (15) square feet and shall have a minimum dimension of at least three (3) feet and shall be adequately landscaped. Authorized landscaping material, excepting trees, shall be maintained so as not to exceed three (3) feet in height. The total number of trees shall not be less than one (1) for each one hundred (100) square feet, or fraction thereof of required interior landscaped area.
 - (c) Interior landscaped areas are intended to break up the expanse of paving. Interior landscaped areas may be combined when they serve the purpose of an on-site drainage retention area.
 - (d) A vehicle may encroach upon any interior landscaped area when said area is protected by wheel stops or curbing so that the wheels of a motor vehicle cannot be stationed on required landscaped areas.

- 4) Dumpsters and enclosures shall be prohibited within the required or non-required front yard and shall be located in the side or rear yard area. Dumpsters shall comply with the side and rear setback requirements for the district in which they are located.

Refuse collection receptacles shall be screened from view from a public street. The screening shall be of live landscape material such as, but not limited, to trees, shrubs and hedges, and shall provide eighty (80) percent or more summer opacity and sixty (60) percent winter opacity within two (2) years when viewed from between two (2) and ten (10) feet above ground level. The height of the dumpster enclosure shall be at least one (1) foot higher than the dumpster in use.

Wood fencing or masonry walls may be used to screen trash receptacle areas in conjunction with one (1) vine which adheres to the fence or wall and planted every ten (10) lineal feet along said wood fence or wall.

The Planning Commission may waive the requirements for a dumpster or modify the location of dumpsters and the dumpster enclosure design subject to site characteristics including building orientation, site circulation, and screening. *(Rev. 12/05)*

- 5) The Planning Commission may alter the total landscaping plan if it can show cause, and particularly may require additional planting material when said planting is to facilitate a visual screen or to block the transmission of noise, fumes, erosion or other matter which may be objectionable to the public.
- 6) The plans as submitted and approved shall not be otherwise modified unless, after application for reconsideration the Planning Commission agrees, to such modifications. Failure to comply with the approved plan will result in a withholding of the occupancy permit.
- 7) In conjunction with the site plan review procedures of Article 19, a site plan shall include plans for compliance with the City's Tree Preservation Ordinance (City Code Chapter 90, Article II). *(Rev. 12/05)*

- j. Traffic Impact Study (*Rev. 12/05*)
1. Traffic Impact Study – The Planning Commission will require a traffic impact study for a PUD, site plan, rezoning or special use, if either or both of the following situations occur:
 - a. Proposed development which generates one hundred (100) or more directional vehicle trips (in bound or outbound) during the peak hour.
 - b. Proposed development which in the opinion of the City Engineer will generate significant traffic volumes, cause traffic safety concerns, or create burdens on the existing roadway network of the City.
 2. Minimum Contents of Traffic Impact Study
 - a. The following shall be submitted to the City Planning Commission who shall review and determine the applicability and/or necessity of the following items as they pertain to a specific development or rezoning request.
 - i. Existing conditions including existing daily and peak hour traffic volumes on adjacent street(s). Intersections in the vicinity which are expected to be impacted as identified by the City and a description of any site distance limitations along the site's right-of-way frontage. Existing traffic counts shall be taken on a Tuesday, Wednesday or Thursday of non-holiday weeks. Additional counts (i.e. on a Saturday for a proposed commercial development) may also be required in some cases. The following times/situations should also be avoided where possible so that the traffic count data would represent a typical day: construction detours in the area, summer days for a site near a school, etc. The consultant performing the impact study must make every effort to complete traffic counts during average or higher than average volume conditions (i.e. regarding weather or seasonal variations) for the area under study. Traffic data over one (1) year old will not be accepted unless the applicant can document that volumes have not changed more than two (2) percent.
 - ii. Forecasted trip generation of the proposed use for the a.m. and p.m. peak hour and average daily traffic generated. The forecasts shall be based on the data and procedures outlined in the most recent Institute for Traffic Engineers Trip

Generation Manual. The applicant may use other commonly accepted sources of data or supplement the standard data with data from similar projects in Michigan.

- b. The projected traffic generated shall be distributed (inbound v. outbound, left turn v. right turn) onto the existing street network to project movements at site driveways and nearby intersections and illustrated in the report. A description of the application of standard engineering procedures for determining the distribution should also be attached.
- c. Capacity analysis at the proposed driveway(s) using the procedures outlined in the most recent edition of the Highway Capacity Manual published by the Transportation Research Board. Before and after capacity analyses shall also be performed at all street intersections where the expected traffic will comprise at least five percent (5%) of the existing intersection capacity and/or for roadway sections and intersections experiencing congestion or a relatively high accident rate.
- d. Traffic accident data covering the most recent three (3) years for intersections analyzed in the impact Study shall be summarized in collision diagrams. The City may require traffic accident data if the segment of roadway adjacent to or near the subject site has experienced accident problems.
- e. A map and description of the location and design of proposed access (driveway or new street intersection), including any sight distance limitations, dimensions from adjacent driveways and intersections within two-hundred-fifty (250) feet, other data to demonstrate that the design and number of driveways proposed is the fewest necessary, and the driveway(s) will provide safe and efficient traffic operation and be in accordance with the standards of this Ordinance.
- f. An analysis of the potential need for bypass lanes or deceleration tapers/lanes including attachment of any correspondence by the County.
- g. A general description and illustration with arrows of internal site circulation, truck circulation, and how the site plan minimizes the amount of impervious surface.
- h. Documentation of approval for size and location of fire lanes and emergency vehicle access by the Fire Department.

- i. A general description of pedestrian circulation on and across the roadways including any pedestrian facilities provided.
- j. The Planning Commission shall evaluate the traffic study and may rely upon input from the City's consultants and/or City staff.
- k. The Planning Commission may waive or modify the requirements of the Traffic Impact Study subject to the site characteristics or a determination by the City Engineer that the proposed development will have minimal impact on the City's street system. *(Rev. 12/05)*

SECTION 19.06 FINANCIAL GUARANTEES

The planning commission may require a performance bond or similar guarantee in accordance with section 24.08 in order to ensure completion of the required improvements. *(Rev. 5/21)*

SECTION 19.07 ENVIRONMENTAL REVIEW

The Planning Commission may require the applicant to prepare and submit an environmental analysis of the potential and probable impacts of the project if established. Said environmental review will include an analysis of the physical, natural and biological elements that will or may be changed by the project. The review shall be made by persons qualified to conduct such reviews and who have no conflict of interest in the matter. The Planning Commission shall require the applicant to mitigate adverse environmental impacts as part of the development.

SECTION 19.08 PLAN REVIEW TIME

The Planning Commission or the City Planner (Minor Site Plan) shall within forty-five (45) days advise the applicant and Building Official that the plans as submitted are approved, or are conditionally approved, provided the modifications as specified by the Planning Commission or during administrative review in its communication are accepted by the developer and the plans are so modified. In the event of disapproval, the Planning Commission or City Planner shall state conditions for approval in a communication to the developer and the Building Official. *(Rev. 7/17)*

SECTION 19.09 EXPIRATION OF PRELIMINARY AND FINAL SITE PLAN APPROVALS

Approval of a preliminary site plan shall expire six (6) months from the date of approval, and shall be of no effect unless an application for a final site plan for all or part of the area in the approved preliminary site plan is filed with the city. The Planning Commission may grant an extension on preliminary site plan approval for up to six (6) months. All requests for extensions shall be made in writing before the approval expires, and shall include a statement of why the extension is

necessary and confirmation of ability to submit a final site plan. For phased plans, if a final site plan is submitted for only a part of the area included in the approved preliminary site plan, successive final site plans shall be filed at intervals no greater than three (3) years from the date of approval of the previously approved final site plan.

Final site plan approval, whether granted by the Planning Commission or as a result of a Minor Site Plan review, is valid for a period of one year from the date of Planning Commission or administrative action within which time all necessary Building or Construction Permits shall be secured and construction substantially commenced. The Planning Commission may grant an extension on final site plan approval for up to one year. This shall apply to all approvals, whether granted by the Planning Commission or administratively. All requests for extensions shall be made in writing before approval expires and include a statement of why the extension is necessary and confirmation of ability to complete construction in conformity with the final site plan as approved. For phased plans, if a final site plan is submitted for only a part of the area included in the approved preliminary site plan, successive final site plans shall be filed at intervals no greater than three (3) years from the date of approval of the previously approved final site plan. If such period is exceeded, the Planning Commission may declare the approved preliminary site plan invalid with respect to the remaining parts of the site, unless good cause can be shown for the development schedule. In such case the Planning Commission may require that the site plan be revised to meet current ordinance requirements. *(Rev. 7/17)*

SECTION 19.10 APPEALS OF FINAL SITE PLAN DECISION BY THE PLANNING COMMISSION

- a. Any person aggrieved by the decision of the Planning Commission in granting or denial of final site plan approval shall have the right to appeal the decision to the Board of Zoning Appeals (BZA). The appeal shall be filed with the Building Department within five (5) business days of the decision of the Planning Commission. The appeal shall state the aggrieved parties' grounds for appeal. *(Rev. 7/17)*
- b. The filing of an appeal of a decision of the Planning Commission concerning a site plan shall act to stay any building permit issued for improvements on the property which is the subject of the appeal.
- c. On hearing such appeal, the BZA shall review the record before the Planning Commission and shall determine whether or not there was support on the record for the original decision. The applicant shall not have the right to present new evidence, but shall be bound by the record before the Planning Commission. The BZA shall approve the site plan if the requirements of this Chapter and other applicable City Ordinances are met, and prepare written findings on its decision on the appeal.
- d. An appeal of a BZA decision concerning a site plan shall be to the Circuit Court.

SECTION 19.11 DEVIATIONS FROM APPROVED FINAL SITE PLAN

Amendments to the approved Final Site Plan may occur only under the following circumstances:

1. An applicant or property owner who has been granted Final Site Plan approval shall notify the Building/Code Enforcement Officer (Chief Enforcement Officer) of any proposed amendment to such approved site plan.
2. Minor changes may be approved by the Chief Enforcement Officer upon certification in writing to the Planning Commission that the proposed revision does not alter the basic design, compliance with the standards of Article 19, nor any specified conditions of the plan as agreed upon by the Planning Commission. In considering such a determination, the Chief Enforcement Officer shall consider the following to be a minor change:
 - a. For residential buildings, the size of structures may be reduced, provided that the overall density of units does not increase.
 - b. Square footage of non-residential buildings may be decreased.
 - c. Change of building height may be altered by up to five percent (5%), but in no case exceed height limitations.
 - d. Movement of a building or buildings by no more than five (5) feet provided required setbacks are met.
 - e. Designated "Areas not to be disturbed" may be increased.
 - f. Plantings approved in the Final Site Plan landscape plan may be replaced by similar types and sizes of landscaping which provides a similar screening effect on a one-to-one or greater basis.
 - g. Improvements to site access or circulation, such as inclusion of deceleration lanes, boulevards, curbing, pedestrian/bicycle paths, etc.
 - h. Changes in floor plans which do not alter the character of the use.
 - i. Slight modification of sign placement or reduction of size.
 - j. Relocation of sidewalks and/or refuse storage stations.
 - k. Internal rearrangement of parking lot which does not affect the number of parking spaces or alter access locations or design. This shall assume that all parking regulations are met.

- 1) Changes required or requested by the City Police or Fire Departments for safety reasons which do not affect site layout shall be considered a minor change.
3. Should the Chief Enforcement Officer determine that the requested modification to the approved Final Site Plan is not minor, the Planning Commission shall be notified in writing that the site plan has been suspended, and, if construction has initiated, a stop work order shall be issued for the section of the project deemed not to be in compliance. Thereafter, the applicant may revise the site plan; and submit the Chief Enforcement Officer for resubmission to the Planning Commission or minor site plan review in accordance with Section 19.04.2.
4. Should the Planning Commission determine that the modifications to the Final Site Plan significantly alter the intent of the Site Plan, a new submittal shall be required.
5. The above approval of minor change shall not apply to site plans approved as part of a special use permit or site plans associated with a Planned Unit Development (PUD).

SECTION 19.12 PROCESS AND APPLICABILITY

The table below summarizes the approval process and level of compliance required for development and re-occupancy applications. The following abbreviations represent the approval requirements for the projects listed in the table:

- SUR – Special Use Review in accordance with Article 16
- SPR – Site Plan Review in accordance with Article 19
- MSD – Minor Site Development in accordance with Section 19.04.2
- BP – Building Permit
- BR – Business Registration License in accordance with Chapter 18, City Code

Type of Project / One- and Two-Family Residential Excluded	Definition	Approval Required	Level of Compliance	Responsibility for Review
New Development – Vacant Site	Building or site modifications.	SPR or SUR as required by Planning Commission, BP, BR	Full compliance with all standards	Planning Commission
Redevelopment	Expansion or alteration of building footprint by greater than 5% or 2,500 s.f., increase in height, and/or exterior site modifications.	SPR, SUR, BP, BR	Full compliance with all the standards or in accordance with Article 22, Nonconformities	Planning Commission

Type of Project / One- and Two-Family Residential Excluded	Definition	Approval Required	Level of Compliance	Responsibility for Review
Minor Site Development	Expansion or alteration of building footprint by 5% or less, or less than 2,500 s.f., does not increase height, and/or does not require additional parking as specified in Section 19.04.2.	MSD, BP, BR	Full compliance with all the standards or in accordance with Article 22, Nonconformities	Committee consisting of Planner, City Manager, Chairman of Planning Commission
Change of Use <i>(See Article 26)</i>	An alteration or re-use which is an intensification of land, requires additional parking, and/or other negative impacts.	SPR, SUR, BP, BR	Full compliance with all the standards or in accordance with Article 22, Nonconformities	Planning Commission
Re-occupancy <i>(See Article 26)</i>	Re-occupancy of an existing building and site which does not require additional parking and is not a change of use.	BP, BR	Full compliance or partial compliance, depending on prior use	Building Official

(Rev. 7/17)

Note: Historic District Commission review required for areas within the City of Northville Historic District.

Note: Refer to Article 19 for complete regulations and requirements for site development, and Article 22 for development regarding non-conforming sites.

ARTICLE 20

PLANNED UNIT DEVELOPMENT (Rev. 11/17)

SECTION 20.01 PURPOSE AND INTENT

The Planned Unit Development (PUD) is provided as a design and planning option, intended to permit flexibility in the regulation of land development; to encourage innovation in land use, form of ownership (such as site condominiums) and variety in design, layout, and type of structures constructed; to preserve significant natural, historical, and architectural features and open space; to promote efficient provision of public services and utilities; to minimize adverse traffic impacts; to provide adequate housing and employment; to encourage development of convenient recreational facilities; and to encourage the use and improvement of existing sites or existing buildings when the uniform regulations contained in other zoning districts alone do not provide adequate protection and safeguards for the site or its surrounding areas or flexibility to consider adaptive re-use of existing structures.

SECTION 20.02 PUD REGULATIONS

1. A PUD may be applied for in any zoning district. The grant of a planned unit development application shall require a rezoning by way of amendment of this Ordinance upon the recommendation of the Planning Commission and approval of the City Council.
2. Any land use or mix of land uses authorized in this Ordinance may be included in a planned unit development, subject to adequate public health, safety, and welfare protection mechanisms being designed into the development to ensure the compatibility of varied land uses both within and outside the development.

SECTION 20.03 RESIDENTIAL AND NON-RESIDENTIAL PUD STANDARDS

1. Residential uses shall be permitted with the following general density standards, based upon the zoning district in which the property is situated immediately prior to classification under this Article. Land area under water, public road rights-of-way and private road easements shall not be included in the gross density calculation.

<u>District</u>	<u>Density Permitted (Dwelling Units/Gross Acres)</u>
R-1A First Density Residential	1 Dwelling Unit Per 12,000 sq. ft.
R-1B First Density Residential	1 Dwelling Unit Per 7,200 sq. ft.
R-2 Second Density Residential	(refer to Section 15.02)
R-3 Third Density Residential	(refer to Section 15.02)
R-4 Fourth Density Residential	(refer to Section 15.02)

2. Additional density greater than specified above may be allowed at the discretion of the Planning Commission and City Council based upon a demonstration by the applicant of design excellence and conformance to the standards for PUD Eligibility listed in Section 20.05 as well as conformance to the City of Northville Master Plan.
3. The Planning Commission and City Council may allow a residential PUD in areas having a non-residential base zoning subject to compliance with the City Master Plan or a determination by the Planning Commission and City Council that the proposed development meets the general intent for PUD Eligibility, as described in Section 20.05.
4. A Planned Unit Development incorporating non-residential uses such as commercial, industrial, institutional or a mix of non-residential and residential uses shall also be allowed subject to the design standards of this Article.

SECTION 20.04 GENERAL DESIGN STANDARDS

1. All regulations within the City Zoning Ordinance applicable to setback, parking and loading, general provisions, and other requirements shall be met in relation to each respective land use in the development based upon the zoning districts in which the use is listed as a Principal Uses Permitted. In all cases, the strictest provisions shall apply.

Notwithstanding the immediately preceding paragraph, deviations with respect to such regulation may be granted as part of the overall approval of the planned unit development, provided there are features or elements demonstrated by the applicant and deemed adequate by the City Council upon the recommendation of the Planning Commission designed into the project plan for the purpose of achieving the objectives of this Section.

2. The uses proposed will have a beneficial effect, in terms of public health, safety, welfare, or convenience, on the present and future potential surrounding land uses.
3. The uses proposed will not adversely affect the existing public utilities and circulation system, surrounding properties, or the environment.
4. The public benefit shall be one which could not be achieved under the regulations of the underlying district alone, or that of any other zoning district.
5. The number and dimensions of off-street parking shall be sufficient to meet the minimum required by the ordinances of the City of Northville. However, where warranted by overlapping or shared parking arrangements, the Planning Commission and City Council may reduce the required number of parking spaces.
6. All streets and parking areas within the planned unit development shall meet the minimum construction and other requirements of City ordinances, unless modified by the Planning Commission and City Council.

7. Landscaping shall be preserved and/or provided to ensure that proposed uses will be adequately buffered from one another and from surrounding public and private property.
8. Efforts shall be made to preserve significant natural, historical, and architectural features and the integrity of the land, including MDEQ regulated and non-MDEQ regulated wetlands or floodplains.
9. Thoroughfare, drainage, and utility design shall meet or exceed the standards otherwise applicable in connection with each of the respective types of uses served.
10. There shall be underground installation of utilities, including electricity and telephone.
11. The pedestrian circulation system, and its related walkways and safety paths, shall be separated from vehicular thoroughfares and ways.
12. Signage, lighting, landscaping, building materials for the exterior of all structures, and other features of the project, shall be designed and completed with the objective of achieving an integrated and controlled development, consistent with the character of the community, surrounding development or developments, and natural features of the area.
13. Where non-residential uses adjoin off-site residentially zoned or used property, noise reduction and visual screening mechanisms such as earthen and/or landscape berms and/or decorative walls, shall be employed in accordance with Section 18.08.
14. The proposed density of the planned unit development shall be no greater than that which would be required for each of the component uses (measured by stated acreage allocated to each use) of the development by the district regulations of the underlying zoning district unless otherwise permitted by the Planning Commission and City Council.

SECTION 20.05 PROCEDURE FOR REVIEW

1. Pre-application Conference - Prior to the submission of an application for planned unit development approval, the applicant shall meet with the City Manager, together with any staff and consultants whom the City Manager deems appropriate. The applicant shall present at such conference, or conferences, at least a sketch plan of the proposed planned unit development, as well as the following information: total size of the project; a statement of the number of residential units, if any; the number and type of non-residential uses, the size of the area to be occupied by each type of use; the known deviations from ordinance regulations; the number of acres to be preserved as open or recreational space; and, all known natural features or historic features to be preserved.
2. PUD Eligibility - Following the pre-application conference, the applicant shall apply for PUD Eligibility. The applicant shall submit preliminary sketch plans and/or other written documentation explaining the proposed project and request review of PUD eligibility from the Planning Commission. The Planning Commission shall review the development

request based upon the criteria in “a” below, and convey written or verbal comments to the applicant regarding the PUD eligibility.

The applicant may, at their own risk, combine their request for PUD eligibility with submission of the Preliminary Plan, as described in Section 20.06. Instead of a sketch plan, as described above, the applicant shall submit a Preliminary Plan, as well as all other information required for both PUD Eligibility and Preliminary Plan review. The Planning Commission will then use the PUD eligibility criteria below, as well as the standards applicable to Preliminary Plan review, as outlined in 20.03 and 20.04.

a. PUD Eligibility Criteria: The applicant for a PUD must demonstrate all of the following criteria as a condition to being entitled to planned unit development treatment:

- Grant of the planned unit development will result in one of the following:
 - A recognizable and material benefit to the ultimate users of the project and to the community, where such benefit would otherwise be unfeasible or unlikely to be achieved without application of the planned unit development regulations; or
 - Long-term protection and preservation of natural resources and natural features of a significant quantity and/or quality, where such benefit would otherwise be unfeasible or unlikely to be achieved without application of the planned unit development regulations; or
 - Long-term protection of historic structures or significant architecture worthy of historic preservation; or
 - A non-conforming use shall, to a material extent, be rendered more conforming, or less offensive, to the zoning district in which it is situated.
- The proposed type and density of use shall not result in an unreasonable increase in the need for or burden upon public services, facilities, roads, and utilities.
- The proposed planned unit development shall be harmonious with public health, safety and welfare of the City.
- The proposed planned unit development shall not result in an unreasonable negative environmental impact or loss of a historic structure on the subject site or surrounding land.
- The proposed planned unit development shall not result in an unreasonable negative economic impact upon surrounding properties.

- The proposed planned unit development shall be under single ownership and/or control such that there is a single person, corporation, or partnership having responsibility for completing the project in conformity with this Ordinance.
 - The proposed planned unit development shall be consistent with the Goals and Policies of the City of Northville Master Plan.
 - The proposed use or uses shall be of such location, size, density and character as to be in harmony with the zoning district in which it is situated, and shall not be detrimental to the adjoining zoning districts.
 - The planned unit development is not proposed in an attempt by the applicant to circumvent the strict application of zoning standards.
3. Neighborhood Review - The applicant is encouraged to meet with Neighborhood Associations and surrounding land owners prior to submittal of preliminary plans to the Planning Commission.

SECTION 20.06 PRELIMINARY PLAN

Following a determination of eligibility, the applicant shall submit a Preliminary Plan of the proposed planned unit development. A narrative report shall accompany the site plan providing a description of the project, discussion of the market concept of the project, and explanation of the manner in which the criteria set forth in the preceding design standards has been met.

1. *Information Required.* The Preliminary Plan and application for a PUD shall contain at a minimum the following information set forth below.
- Large size plans shall be submitted. Sheet size of submitted drawings shall be at least 24 inches by 36 inches, with graphics and scale.
 - Plans providing:
 - the applicant's name;
 - name of the development;
 - the preparer's name and professional seal of architect, engineer, surveyor or landscape architect indicating license in the State of Michigan;
 - date of preparation and any revisions;
 - north arrow;

- property lines and dimensions;
- complete and current legal description and size of property in acres;
- small location sketch of the subject site and area within one-half mile; at a scale of no less than 1" = 1000';
- zoning and current land use of applicant's property and all abutting properties and of properties located across any abutting public or private street from the PUD site;
- lot lines and all structures on the property and within one-hundred (100) feet of the PUD property lines;
- location of any access points on both sides of the street within one-hundred (100) feet of the PUD site along streets where access to the PUD is proposed.
- existing locations of significant natural, historical, and architectural features, existing drainage patterns, surface water bodies, floodplain areas, MDEQ designated or regulated wetlands with supporting documentation and a tree survey indicating the location and diameter (in inches, measured four feet above grade) of trees greater than 6" in diameter.
- existing and proposed topography at five (5) foot contour intervals, or two (2) foot contour intervals (two foot intervals required for Final Plan), and a general description of grades within one-hundred (100) feet of the site.
- dimensions of existing and proposed right-of-way lines, names of abutting public streets, proposed access driveways and parking areas, and existing and proposed pedestrian and/or bicycle paths.
- location of existing buildings, utility services (with sizes), and any public or private easements, noting those which will remain and which are to be removed.
- layout and typical dimensions of proposed lots, footprints and dimensions of proposed buildings and structures; uses with the acreage allotted to each use. For residential developments: the number, type and density of proposed housing units.
- general location and type of landscaping proposed (evergreen, deciduous, berm, etc.) noting existing trees and landscaping to be retained.
- size, type and location of proposed identification signs.
- if a multi-phase planned unit development is proposed, identification of the areas included in each phase. For residential uses identify the number, type, and density of proposed housing units within each phase.
- Any additional graphics or written materials requested by the Planning Commission or City Council to assist the City in determining the appropriateness of the PUD

such as, but not limited to: aerial photography; market studies; impact on public primary and secondary schools and utilities; traffic impacts using trip generation rates recognized by the Institute of Transportation Engineers for an average day and peak hour of the affected roadways; impact on significant natural, historical, and architectural features and drainage; impact on the general area and adjacent property; description of how property could be developed under the regulations of the underlying district; preliminary architectural sketches, building elevations, and conceptual plans or lists of building materials and estimated construction cost.

- A separately delineated specification of all deviations from this ordinance which would otherwise be applicable to the uses and development proposed in the absence of this planned unit development article.
- An explanation of why the submitted planned unit development plan is superior to a plan which could have been prepared under strict adherence to related sections of this Article.

2. *Planning Commission Action.* The Planning Commission shall review the proposed Preliminary Plan and shall schedule a public hearing if the project has been deemed eligible for PUD treatment, and the Planning Commission considers the information provided is generally complete. The public hearing before the Planning Commission shall be noticed in accordance with Article 29 and applicable state laws including P.A. 110 of 2006, as amended. Following the Public Hearing, the Planning Commission shall report its conclusions, determine a basis for its recommendation, and transmit its recommendation and summary comments received at the Public Hearing to the City Council. The Planning Commission shall review the Preliminary Plan and shall take one (1) of the following actions:

- *Approval.* Upon finding that the Preliminary Plan meets the criteria set forth in the Purpose and Intent and Sections 20.01-20.04, the Planning Commission may recommend preliminary approval. Approval shall constitute approval of the uses and design concept as shown on the Preliminary Plan and shall confer upon the applicant the right to submit the Preliminary Plan to the City Council. Approval of the Preliminary Plan by the Planning Commission shall not bind the City Council to approval of the Preliminary Plan.
- *Approval with Changes or Conditions.* The Planning Commission may recommend conditional approval subject to modifications as performed by the applicant.
- *Postpone and Refer Back to the Applicant.* Upon finding that the Preliminary Plan does not meet the criteria set forth in the Purpose and Intent or Sections 20.01-20.04, but could meet such criteria if revised, the Planning Commission may postpone consideration of the Preliminary Plan, and refer it back to the applicant for revisions based on the Planning Commissioners' comments.

- Postpone to a Date Certain: Upon finding that the necessary information, as determined by the Planning Commission, is not presented or available, the Planning Commission may postpone consideration of the Preliminary Plan to a date certain when a regularly-scheduled Planning Commission meeting will be held, or a special Planning Commission meeting has been scheduled.
 - Denial. Upon finding that the Preliminary Plan does not meet the criteria set forth in the Purpose and Intent or Sections 20.01-20.04, the Planning Commission shall recommend denial of the Preliminary Plan.
3. *City Council Action.* The Preliminary PUD plan shall be submitted to the City Council in conjunction with comments and recommendation from the Planning Commission. Following review, the City Council shall take one of the following actions: Approval, Approval with Conditions, Refer Back to the Applicant, or Denial. The City Council decision shall be based upon criteria established within this Article. Approval of the Preliminary PUD by the City Council shall constitute amendment of the City of Northville Zoning Map. The applicant shall then be authorized to proceed with Final Plan approval through the Planning Commission.

SECTION 20.07 FINAL PLAN

Within six (6) months following receipt of the City Council action, the applicant shall submit a Final Plan and supporting materials conforming to this Section. If a Final Plan is not submitted by the applicant for final approval within six (6) months following receipt of City Council action, the Preliminary Plan approval becomes null and void unless an extension is granted by the Planning Commission. The Planning Commission may, based upon the determination that good cause exists, grant one, six-month extension. The extension must be requested by the applicant, and this request must be heard and granted by the Planning Commission before the Preliminary Plan expires.

1. *Information Required.* A Final Plan and application for a PUD shall at a minimum contain the following information:
- A site plan meeting Article 19 Site Plan requirements, or Site Condominium requirements, or a Tentative Preliminary Plat in accordance with the City Subdivision Ordinance.
 - A separately delineated specification of all deviations from this ordinance which would otherwise be applicable to the uses and development proposed in the absence of this planned unit development article.
 - A specific schedule of the intended development and construction details, including phasing or timing.

- A specific schedule of the general improvements to constitute a part of the development, including, without limitation, lighting, signage, the mechanisms designed to reduce noise, utilities, and visual screening features.
 - A specification of the exterior building materials with respect to the structures proposed in the project.
 - Signatures of all parties having an interest in the property.
 - Draft PUD agreement with preliminary conditions.
2. *Planning Commission Final Action.* The Planning Commission shall review the Final Plan and shall take one of the following actions:
- Approval. Upon finding that the Final Plan meets the criteria established in the Purpose and Intent of this Ordinance and Sections 20.01-20.04, the Planning Commission may grant final approval.
 - Approval with Changes or Conditions. The Planning Commission may grant conditional approval subject to modifications as performed by the applicant as long as the plan meets the criteria established in the Purpose and Intent of this Ordinance and Sections 20.01-20.04.
 - Postpone and Refer Back to Applicant. Upon finding that the Final Plan does not meet the criteria set forth in the Purpose and Intent of this Ordinance and Sections 20.01-20.04, the Planning Commission may postpone consideration of the Final Plan, and refer it back to the applicant for revisions, based on the Planning Commissioners' comments.
 - Postpone to a Date Certain: Upon finding that the necessary information, as determined by the Planning Commission, is not presented or available, the Planning Commission may postpone consideration of the Final Plan to a date certain when a regularly-scheduled Planning Commission meeting will be held, or a special Planning Commission meeting has been scheduled.
 - Denial. Upon finding that the Final Plan does not meet the criteria set forth in the Purpose and Intent Section of this Ordinance and Sections 20.01-20.04, the Planning Commission shall deny final approval.
4. All actions on the Preliminary Plan or Final Plan by the Planning Commission and the City Council shall state the reasons for approval, conditional approval, postponement or denial within the body of the motion.
5. Approval of the PUD by the City Council and Final Plan approval by the Planning Commission shall authorize the applicant to proceed with any necessary permits such as final platting or construction submittals, for Building Department approval. All such

permits shall be subject to any conditions or changes included in the motions to approve the PUD and Final Plan. If the PUD is in the form of a subdivision, PUD approval from City Council and Final Plan approval by the Planning Commission shall also grant the applicant permission to submit for approval of additional phases of plat review including Final Preliminary Plat and Final Plat in accordance with the City's Subdivision Ordinance.

SECTION 20.08 PUD CONDITIONS

1. Reasonable conditions may be required by the Planning Commission before the approval of a planned unit development, to the extent authorized by law, for the purpose of ensuring that existing public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity, protecting the natural environment and conserving natural resources and energy, ensuring compatibility with adjacent uses of land, and promoting the use of land in a socially and economically desirable manner.
2. Permit conditions may be drafted in writing specifying conditions of approval and use. Conditions may stipulate that the PUD may only be used for selective land uses provided the restraint(s): advance, rather than injure, the interests of adjacent landowners; are a means of harmonizing private interests in land thus benefiting the public interest; are for the purposes of ensuring that the PUD fulfills the purposes and intent of this section and thus benefit the public interest; and/or possess a reasonable relationship to the promotion of the public health, safety, and welfare. A change of land use during operation of the PUD will render the PUD null and void or will require application for a revised PUD.
3. Conditions imposed shall be designed to protect natural resources and the public health, safety, and welfare of individuals in the project and those immediately adjacent, and the community as a whole; are reasonably related to the purposes affected by the planned unit development; and, necessary to meet the intent and purpose of this Ordinance, and be related to the objective of ensuring compliance with the standards of this Ordinance. All conditions imposed shall be made a part of the written record of the approved planned unit development which shall include a site plan and written PUD permit conditions signed by the City and the applicant.
4. In the event that Conditions set forth herein are not complied with, then the Building Official shall have the right to compel a Show Cause Hearing by the Planning Commission, or issue a violation pursuant to Article 33 of this Ordinance. At the Show Cause Hearing, additional conditions may be imposed by the Planning Commission, or the City may require submittal of a new PUD application.

SECTION 20.09 PHASING AND COMMENCEMENT OF CONSTRUCTION

1. Phasing - Where a project is proposed for construction in phases, the planning and designing shall be such that, upon completion, each phase shall be capable of standing on its own in terms of the presence of services, facilities, and open space, and shall also contain the necessary components to ensure protection of natural resources and the health, safety, and welfare of the users of the planned unit development and the residents of the surrounding area. In addition, in developments which include residential and non-residential uses, the relative mix of uses and the scheduled completion of construction for each phase shall be disclosed and determined to be reasonable in the discretion of the City Council after recommendation from the Planning Commission.
2. Commencement and Completion of Construction - Building or construction permits shall be secured and construction shall be commenced within one (1) year following the date the Planning Commission granted final approval of a planned unit development and shall proceed substantially in conformance with the schedule set forth by the applicant. If construction is not commenced within such time, any approval of a site plan on the project shall expire and be null and void unless an extension has been granted by the Planning Commission. The Planning Commission may, based upon the determination that good cause exists, grant one, six-month extension. The extension must be requested by the applicant, and this request must be heard and granted by the Planning Commission before the Final Plan expires. Moreover, in the event a site plan has expired, the City Council may take action, in accordance with Article 29 of the City of Northville Zoning Ordinance, and may reclassify the property to the previous zoning classification or to a different zoning classification in accordance with amendment procedures, including Planning Commission review and public hearing(s), as required by the Ordinance.

SECTION 20.10 EFFECT OF APPROVAL

When approved, the planned unit development amendment, with all conditions imposed, if any, shall constitute the land use authorization for the property, and all improvements and uses shall be in conformity with such amendment. Notice of adoption of the Final Plan and PUD Permit Conditions shall be recorded with the Wayne County or Oakland County Register of Deeds at the applicant's expense.

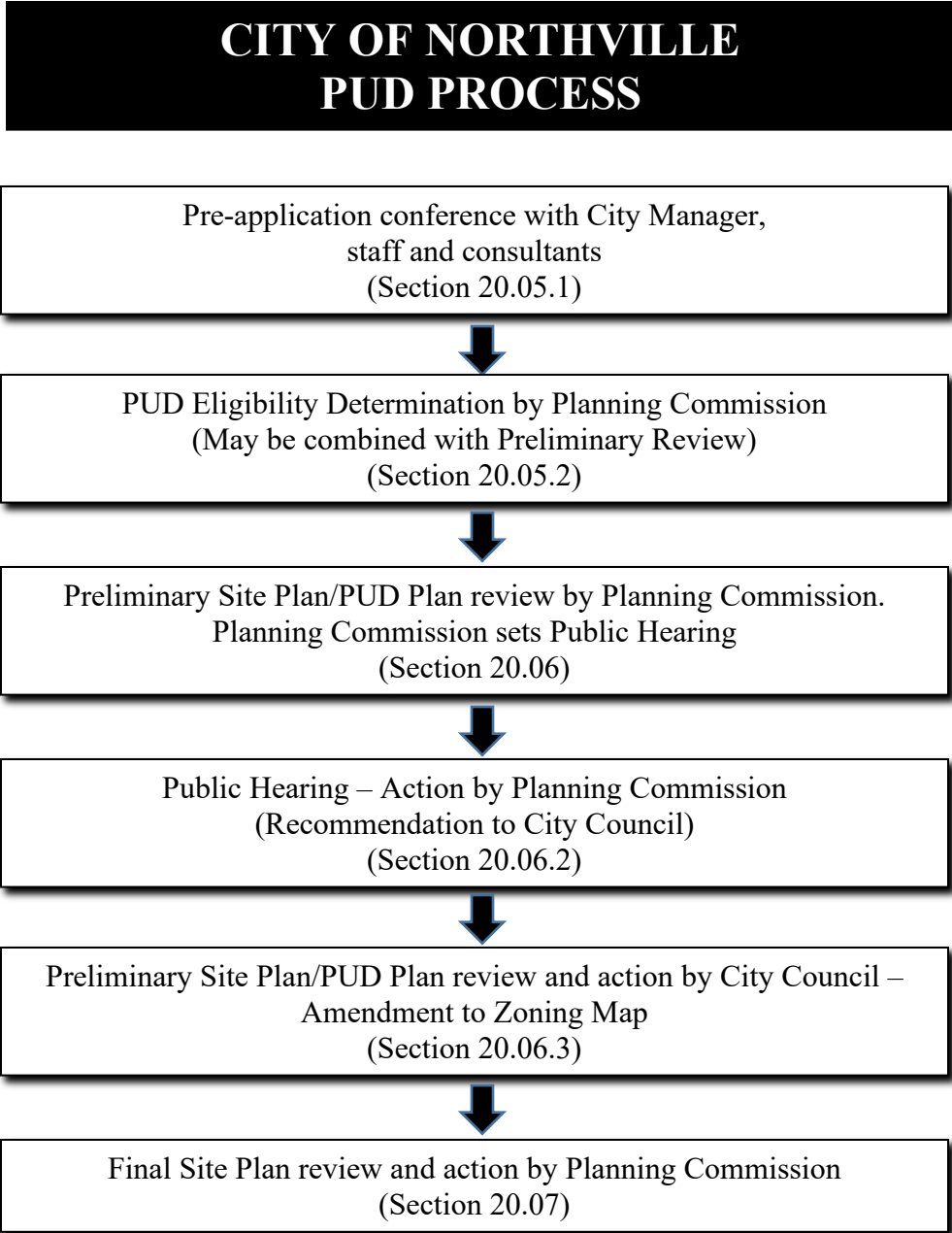
SECTION 20.11 DEVIATIONS FROM APPROVED FINAL PUD SITE PLAN

Deviations from the approved Final Plan may occur only under the following conditions:

1. An applicant or property owner who has been granted Final Plan approval shall notify the Building Official of any proposed amendment to such approved site plan or PUD conditions at the time they occur.

2. Minor changes may be approved by the City Building Official upon certification in writing to the Planning Commission that the proposed revision does not alter the basic design nor any conditions of the plan imposed upon the original approval by the Planning Commission. In considering such a determination, the Building Official shall consider the following to be a minor change:
 - a. For residential buildings, the size of structures may be reduced, or increased by five (5) percent provided that the overall density of units does not increase.
 - b. Square footage of non-residential buildings may be decreased, or increased by up to five (5) percent or two thousand five-hundred (2,500) square feet, whichever is smaller;
 - c. elevations may be altered by up to five (5) percent;
 - d. Movement of a building footprint by no more than ten (10) feet as long as required setbacks are not compromised;
 - e. Designated “Areas not to be disturbed” may be increased;
 - f. Plantings approved in the Final PUD Landscape Plan may be replaced by similar types of landscaping on a one-to-one or greater basis;
 - g. Improvements to site access or circulation, such as inclusion of deceleration lanes, boulevards, curbing, pedestrian/bicycle paths, etc.;
 - h. Changes of building materials to another of higher quality, as determined by the Building Official;
 - i. Changes in floor plans which do not alter the character of the use;
 - j. Slight modification of sign placement or reduction of size;
 - k. Relocation of sidewalks and/or refuse storage stations;
 - l. Internal rearrangement of parking lots which do not affect the number of parking spaces or alter access locations or design;
 - m. Changes required or requested by the City for safety reasons shall be considered a minor change.
3. Should the Building Official determine that the requested modification to the approved Final Plan is not minor or if a change in land use has occurred which is different than land uses previously approved, resubmittal to the Planning Commission shall be necessary and new public hearing and notification under Section 20.06 shall be required.

4. Should the Planning Commission determine that the modifications to the Final Plan significantly alter the intent of the Preliminary Plan, a new submittal illustrating the modification shall be required.
5. Any deviation from the approved PUD site plan, except as authorized in this Section, shall be considered a violation of this article and treated as a violation subject to Article 33 of this Ordinance. Further, any such deviation shall invalidate the PUD designation.



ARTICLE 21**SIGNS****SECTION 21.01 SIGN REGULATIONS**

a. Intent.

The intent of this Ordinance is to regulate the location, size, construction, and manner of display of signs and outdoor advertising in order to minimize their harmful effects on the public health, safety and welfare. While this Ordinance recognizes that signs and outdoor advertising are necessary to promote commerce and public information, failure to regulate them may lead to poor identification of individual businesses, deterioration and blight of the business and residential areas of the City, conflicts between different types of land use, and reduction in traffic safety to pedestrians and motorists.

To achieve its intended purpose, this Ordinance has the following objectives:

- 1) To prevent the placement of signs in a manner that will conceal or obscure other signs or adjacent businesses;
- 2) To keep the number of signs and sign messages at the level reasonably necessary to identify a business and its product or services;
- 3) To keep signs within a reasonable scale with respect to the buildings they identify;
- 4) To reduce visual distraction and obstructions to motorists traveling along, entering or leaving streets;
- 5) To promote a quality manner of display which enhances the character of the City;
- 6) To prevent the proliferation of temporary signs which might promote visual blight.

b. Definitions.

The following words and phrases shall have the meaning set forth in this section when they are used in this Chapter. Graphic examples of selected signs and regulations are attached as an appendix.

- 1) Awning - A shelter projecting from and supported entirely by the exterior wall of a building, constructed of non-rigid materials on a supporting framework.

- 2) Awning Sign - A sign painted on, printed on, or attached flat against and parallel to the surface of an awning. An awning sign is considered a wall sign and subject to wall sign regulations.
- 3) Building Frontage - The portion of a building which faces a public street right of way, private courtyard or other private area visible from the street right of way, excluding alleys, parking aisles and other public land as defined in the Appendix Sign Guidelines. For the purpose of computing allowable sign area, building frontage shall mean that portion facing a public road right of way only.
- 4) Business Site - The property owned by a business proprietor upon which the business is situated or land owned by the management entity of a commercial center or arcade, including any accessory buildings. In the case of multiple businesses operating from one business site, the tenants will be allowed a pro-rata share of the total sign area allowed as permitted by this Ordinance.
- 5) Canopy (Building) - A rigid multi-sided structure covered with opaque fabric, metal or other opaque material and supported by a building at one or more points or extremities. May be illuminated by means of external sources.
- 6) Canopy (Free-standing) - a rigid multi-sided structure covered with opaque fabric, metal or other opaque material and supported by columns or posts embedded in the ground. May be illuminated by means of internal or external sources.
- 7) Canopy Sign - A sign affixed or applied flat against and parallel to the exterior facing surfaces of a building or freestanding canopy. A canopy sign is a wall sign and subject to wall sign regulations.
- 8) Change of Copy - The replacement of the name of a tenant with another on a sign listing tenants in professional offices or buildings, industrial parks or commercial centers.
- 9) Electronic Changeable Copy Sign or Digital Message Center - A sign or portion thereof that displays changeable, electronic alphanumeric characters, graphics, or symbols using light emitting diodes (LEDs), fiber optics, light bulbs or other illumination devices within the display area. Electronic changeable copy/digital message centers include computer programmable, microprocessor controlled electronic displays. Electronic changeable copy signs/digital message centers include projected images or messages with these characteristics onto buildings or objects. *(Rev. 8/18)*
- 10) Marquee - A permanent roof-like structure, or canopy of rigid materials, supported by and extending from the facade of a building.

- 11) Sidewalk Sign - A temporary sign placed within the right-of-way. These types of signs may include "A" Frame, "T" Frame or other temporary styles which are not permanently affixed to the ground.
- 12) Message Unit or Item of Information - Each of the following equals one (1) message unit: each word, an abbreviation, a number containing up to seven digits, a logo, a person's or firm's initials containing up to seven letters. Punctuation marks are not counted in computing a number of message units. When a sign has identical messages facing opposite directions, only the message units on one (1) side of each such pair shall be counted in computing the permitted number of message units. Non-commercial, temporary or changing public signs or message boards are herein defined as containing only one (1) message unit. Changeable theater marquees and funeral home signs are also considered to be only one (1) message unit. Professional or business listings or name plates in a sign of unified design used as a directory or registry shall not be counted as a message unit.
- 13) Outdoor Advertising - The public display of graphical information, other than official traffic and informational signs, that call public attention to commercial products, businesses, or services (both public and private).
- 14) Sign - A name, identification, description, display, light, balloon, banner, photo or illustration which is affixed to, or painted, or otherwise located or set upon or in a building, structure or piece of land and which directs attention to an object, product, place, activity, person, institution, organization or business and which, is visible from any public streets, sidewalk, alley, park or public property. The definition includes interior and exterior signs but not signs primarily directed at persons within the premises of the sign owners. The definition does not include goods displayed in a business window. The definition does not include religious symbols or paintings which do not display lettering and do not advertise a business, product or service. *(Rev. 7/09)*
 - (a) Freestanding Sign – A sign which is attached to or part of a completely self-supporting structure. The supporting structure shall be placed on or below the ground surface and not attached to any building or any other structure whether portable or stationary.
 - (b) Internally Illuminated Sign – A sign that provides artificial light directly on the interior of or through any transparent or translucent material from a source of light connected with or integral to such sign. Examples of internally illuminated signs for purposes of this ordinance include, but are not limited to, the following:
 1. Static L.E.D. (Light Emitting Diode) signs and displays that do not have a changeable copy display, such as an “open” sign. *(Rev. 8/18)*

2. Signs made up of a frame fitted with translucent panels and a light source that shines from inside the frame through the panels.
 3. Channel letters (generally mounted on a flat surface) that are illuminated from behind the letters so that the light either shines through translucent letters or creates a halo around the letters on the mounting surface. *(Rev. 9/14)*
- (c) Marquee Sign - Any sign attached to or supported by a marquee structure.
 - (d) Portable Temporary Sign - A single or double surface painted or poster panel type sign or some variation thereof, which is temporary in nature, not mounted on wheels, easily movable, and not permanently attached to the ground.
 - (e) Projecting Sign - A sign which extends beyond the building wall and is perpendicular or nearly perpendicular to the building surface. A projecting sign shall not include a canopy, awning or marquee sign.
 - (f) Real Estate Sign - A temporary sign placed upon property for the purpose of advertising to the public the sale or lease of said property.
 - (g) Roof Sign - Any sign wholly erected to, constructed or maintained on the roof structure of any building.
 - (h) Wall Sign - Any sign that shall be affixed parallel to the wall or painted on the wall of any building; provided, however, said wall sign shall not project above the top of the wall or beyond the end of the building. For the purpose of this Ordinance, any sign display surface that is affixed flat against the sloping surface of a mansard roof shall be considered a wall sign.
- 15) Sign Surface - That part of the sign upon, against, or through which the message is displayed or illustrated.
 - 16) Temporary Real Estate/Real Estate Open House/Construction Signs - Temporary signs allowed to be displayed on property during periods of rent, lease, sale availability or construction, after which time period, all temporary signs shall be removed. Real Estate Open House signs may be permitted off-site on a temporary basis as regulated within this Article. *(Eff. date 2/1/02)*
 - 17) Total Surface Area Measurement of the Sign - The sum total of all exterior surfaces of the sign, computed in square feet as defined in the Appendix: Sign Graphics. The plane of measurement of the sign area shall be the surface of the sign and not the sign length extended to the street r.o.w. line.

- (a) Measurement of Sidewalk Signs and Projecting Signs - For Sidewalk Signs and Projecting Signs, the area of all faces shall be included in determining the area of the sign.
 - (b) Measurement of Freestanding Signs - Freestanding signs having two (2) faces which are placed back to back and at no point more than one (1) foot from one another, the area of the sign shall be taken as the area of one (1) face if the two (2) faces are equal area, or the area of the larger face, if the two (2) faces are of unequal area.
- c. Administration.
- 1) Administration - This Ordinance shall be administered by the City Manager or his designated representative.
 - 2) Permits Required.
 - (a) It shall be unlawful to display, erect, relocate, or alter any sign without obtaining a sign permit. A change of copy or sign face does not require a permit if located outside of the Historic District provided that it meets illumination standards and other requirements of this Ordinance. Right-of-way signs approved by governmental bodies, residential improvement contractor signs, real estate, political signs, institutional signs subject to Section 21.01.d.7.e, and window signs subject to Section 21.01.h shall not require a permit. Garage sale signs shall require a permit under Chapter 62, Article II of the City Code.
 - (b) When a sign permit has been issued by the City, it shall be unlawful to change, modify, alter, or otherwise deviate from the terms or conditions of said permit without prior approval of the building official. A written record of such approval shall be entered upon the original permit application and maintained in the files of the City.
 - (c) The application for a sign permit shall be made by the owner or tenant of the property on which the sign is to be located, or his authorized agent, or a sign contractor. Such applications shall be made in writing on forms furnished by the City Manager's office and shall be signed by the applicant.
 - (d) The application for a sign permit shall be accompanied by the following plans and other information;
 - (i) The name, address, and telephone number of the owner or persons entitled to possession of the sign and of the sign contractor or erector.
 - (ii) The location by street address of the proposed sign structure.

- (iii) Complete information as required on application forms including a site plan and elevation drawings of the proposed sign, caption of the proposed sign, and such other data as are pertinent to the application.
 - (iv) Plans indicating the scope and structural detail of the work to be done, including details of all connections, guy lines, supports and footings, and materials to be used.
 - (v) Required information for an electrical permit for all electrical signs if the person building the sign will make the electrical connection.
 - (vi) A statement of estimated costs of the sign.
- 3) Prior to the issuance of a permit for a wall, sidewalk, freestanding, projecting or internally illuminated window sign, the Building Official or designee shall refer the sign permit application to the Sign Review Committee. The Sign Review Committee shall consist of the following individuals: *(Eff. 2/11)*
- City Manager
 - City Building Official
 - Chairperson of the Planning Commission

The Sign Review Committee shall review a sign permit application for compliance with Article 21 of the City of Northville Zoning Ordinance. A sign permit shall not be issued by the Building Official or designee until all members of the Sign Committee have determined that the sign permit application is in substantial compliance with Article 21.

A member of the Sign Review Committee shall have the authority to refer a sign permit application to the Planning Commission and/or Planning Consultant for additional review or comment prior to the decision of the Sign Review Committee.

Proposed wall signs, sidewalk, freestanding, or projecting signs which are proposed to be erected within the Historic District shall be reviewed by the Historic District Commission prior to the issuance of a permit from the Building Official.

A summary of sign review responsibilities is provided as follows:

**Table 20-1
City of Northville Sign Review Responsibilities**

1) Signs proposed within the City of Northville Historic District:

Type of Sign	Review Responsibility
Wall	HDC (Historic District Commission)
Sidewalk	HDC
Freestanding	HDC
Projecting	HDC
Internally Illuminated Window	HDC
Window	Building Official

2) Signs proposed outside the City of Northville Historic District:

Type of Sign	Review Responsibility
Wall	Sign Committee
Sidewalk	Sign Committee
Freestanding	Sign Committee
Projecting	Sign Committee
Internally Illuminated Window	Sign Committee
Window	Building Official

d. General Conditions.

1) Location.

- (a) All signs must advertise a business or service on the premises upon which the sign is located and to which the sign is accessory, unless otherwise specified herein.
- (b) All signs shall be so placed as to not to interfere with the visibility or effectiveness of any official traffic sign or signal, or with driver vision at any access point or intersection.
- (c) No sign shall be erected, relocated or maintained so as to prevent free ingress to or egress from any door, window or fire escape or prevent ventilation.
- (d) No sign or associated landscaping shall be erected, placed or allowed to grow on corner lots so as to impede the vision between a height of two and one half (2 1/2) and ten (10) feet above the centerline elevation of the intersecting streets within an area bounded by the right-of-way lines and a line joining said right-of-way lines fifty (50) feet from their point of intersection.
- (e) Setback distances shall be measured from the street right-of-way line to the closest surface or point of the sign to the right-of-way.

- 2) Illumination.
 - (a) It is strongly recommended that all signs with internal illumination, including manual changeable message signs, provide a dark background with lighter colored message units. An internally lit sign with white background will generally exceed the maximum allowable brightness. *(Rev. 8/18)*
 - (b) Internal illumination shall not be permitted for any sign located within the Historic District except window signs indicating the “open” status of the business as allowed within this Ordinance. *(Rev. 9/14)*
 - (c) No sign shall be illuminated by other than electrical means and all wiring shall satisfy City Electrical Codes.
 - (d) The light from illuminated signs shall be shielded at its source in a manner that will not shine light on adjacent properties or onto abutting public streets.
 - (e) Flashing, rotating, intermittent or moving lights shall be prohibited. *(Rev. 8/18)*
 - (f) No portion of the sign shall have a luminance greater than fifteen (15) foot candles measured at four (4) feet perpendicular to any surface. *(Rev.8/18)*
 - (g) All non-security oriented sign illumination shall be turned off by 10:00 PM or at the close of business, whichever is later.
 - (h) All lighting fixtures or light sources for lighted signs including lighted awnings and canopies shall be positioned and/or shaded so that the light source is not visible from normal pedestrian perspectives, adjacent properties or the public right-of-way.
- 3) Safety.
 - (a) All signs shall be erected and maintained in compliance with all applicable building codes, and other applicable ordinances governing construction within the City of Northville. In the event of conflict between this Ordinance and other laws, the most restrictive shall govern.
 - (b) All signs shall be designed, located, erected and maintained in a manner which shall:

- (i) Avoid hazard due to collapse, fire, collision, decay, or abandonment; will not
 - (ii) Obstruct fire fighting or police surveillance; and will
 - (iii) Avoid traffic hazards by confusing or distracting motorists, or by impairing the driver's ability to see pedestrians, obstacles, or other vehicles, or to read street signs.
 - (c) Do not create a nuisance to persons using the public right-of-way.
 - (d) Do not constitute a nuisance to occupancy of adjacent property by their brightness, size, height, or movement.
- 4) Landscape Quality and Preservation. In the application of this Ordinance, it is the intent to protect the public welfare and to enhance the appearance and economic value of the landscape by providing that signs:
- (a) Do not interfere with scenic views.
 - (b) Are not detrimental to land or property values.
 - (c) Contribute to the special character and historical significance of particular areas or districts in the City.
- 5) Multi-Tenant Signs. In a multi-tenant building situation each tenant is entitled to the maximum pro-rata share of the total signage area allowed (e.g. the first lease is entitled to $1/x$ of the total sign area allowed, where x equals the total number of tenants).
- 6) Signs Prohibited in All Districts. Signs that are not specifically listed as permitted signs are prohibited. Examples of such signs include but are not limited to the following:
- (a) Roof signs.
 - (b) Signs containing flashing, intermittent or moving lights or with moving or revolving parts. (*Rev. 8/18*)
 - (i) In the case of a sign as described above located in the Historic District, the Historic District Commission may approve such sign upon a determination that:
 1. The sign is historically appropriate for the business it is intended to serve; and
 2. If historically appropriate for the business, the flashing or moving aspect of said sign is required to maintain the

historic authenticity of said sign, either as a restored sign or an accurate reproduction. *(Rev. 8/18)*

3. This exception by the HDC as described above does not apply to L.E.D. (Light Emitting Diode) signs, electronic changeable copy signs, digital message centers, channel letters, and similar modern signs. (Note that the HDC may permit a static internally illuminated window sign that communicates the “open” status of a business, as described in section h.2 *Permitted Window Signs* below.) *(Rev. 8/18)*

- (c) Electronic changeable copy signs and digital message centers. *(Rev. 8/18)*
- (d) Signs affixed to trees, rocks, shrubs or similar natural features, provided, signs denoting a site of historic significance may be allowed.
- (e) Signs which imitate traffic signals, traffic direction signs, or similar traffic control devices.
- (f) Temporary signs mounted upon stationary trucks, vans, or other wheeled devices. Signs permanently painted on, or otherwise displayed upon a vehicle, licensed and operating on the public streets and highways, identifying the owner's occupation or livelihood, shall be permitted.
- (g) Advertising devices such as banners, balloons, flags, pennants, pinwheels, searchlights, or other devices with similar characteristics.
- (h) Signs in the public right of way or on public property shall be prohibited, unless specifically approved by City Council or unless approved in accordance with this section.
- (i) Any sign or sign structure which:
 - (i) is structurally unsafe, or
 - (ii) constitutes a hazard to safety or health by reason of inadequate maintenance, dilapidation or abandonment, or
 - (iii) is not kept in good repair, or
 - (iv) is capable of causing electrical shocks to persons likely to come in contact with it.

- (j) Signs which make use of words such as “Stop”, “Look”, “Danger”, or any other words, phrases, symbols or characters, in such a manner as to interfere with, mislead or confuse traffic.
- (k) Any sign or other advertising structure containing any obscene, indecent or immoral matter.
- (l) Any sign unlawfully installed, erected or maintained.

7) Exempt Signs.

The following signs are specifically exempt from the provisions of this section:

- (a) Nameplates and house numbers not exceeding two (2) square feet in size; memorial signs, monumental citations, historical or commemorative markers, or tablets may be up to six (6) square feet in size.
- (b) Historical Marker: plaques or signs describing state or national designation as an historic site or structure and/or containing narrative, not exceeding twelve (12) square feet in area.
- (c) Directional signs which indicate the direction of traffic flow. Directional signs shall not exceed two (2) square feet in size, shall contain no advertising, and may be illuminated.
- (d) Flags bearing the official design of a nation, state, or municipality. Educational institution or other organization located on the premise may also display a flag.
- (e) Signs in right-of-way permitted by the City Council.
- (f) Permanent signs of a museum, library, community recreation facility or publicly owned historical village which do not exceed twenty-five (25) square feet in area, are a maximum of six (6) feet in height, are setback a minimum fifteen (15) feet from any property line or public street right-of-way, and meet the illumination standards of this chapter.

e. Permitted Freestanding Signs.

The following freestanding signs shall be permitted in the following districts in accordance with the regulations herein.

- 1) Special Requirements for Freestanding Signs.

- (a) All freestanding signs shall not exceed a total of ten (10) message units.
 - (b) All freestanding signs shall be structurally designed and constructed in conformance with the Building Code of the City of Northville.
 - (c) Prior to the issuance of a permit for a Freestanding, Projecting, Sidewalk or Wall Sign, the Building Official shall refer the sign permit application to the Sign Review Committee for review and approval, provided, that the Freestanding, Projecting, Sidewalk or Wall signs which are proposed to be erected within the Historic District, and which are not a part of a project involving a site plan review, shall be referred to the Historic District Commission only. *(Rev. 2/11)*
- 2) Permitted Freestanding Signs within the Central Business District (CBD).
- (a) Only one (1) freestanding sign shall be erected on any business site.
 - (b) A freestanding sign may be located at the property line but may not project into the public right-of-way.
 - (c) A freestanding sign shall not exceed eight (8) feet in height.
 - (d) Total permitted sign area shall be calculated by multiplying the total building frontage by one (1) lineal foot. The total permitted sign area applies to all freestanding, projecting, wall signs, or sidewalk signs. The total shall apply to any individual sign or a combination of the above listed sign types. However, not more than two (2) types of signs (free standing, projecting, wall or sidewalk) shall be allowed on any business site in the CBD. In calculating allowable square footage for projecting signs, wall signs, sidewalk signs, and freestanding signs, the total square footage of both sides of a projecting sign, freestanding or sidewalk sign shall be used in computing total sign area allowed.
 - (e) Notwithstanding the previous section, for business sites located within the CBD having less than twenty (20) lineal feet of frontage, a first floor business may have not more than two (2) types of signs (freestanding projecting, wall or sidewalk). However, total cumulative square footage shall not exceed twenty-eight (28) square feet.
 - (f) A freestanding sign shall not however exceed twenty-five (25) square feet per side in area, or exceed a total area of fifty (50) square feet and may be used in combination with projecting signs, wall signs, or other signs as may be permitted above.

- 3) Permitted Freestanding Signs within the Professional and Business Office District (PBO), Local Commercial District (LCD), General Commercial District (GCD), and Racetrack District (RTD) and Office/Research (OR) Districts.
 - (a) Only one (1) freestanding sign shall be erected on any business site.
 - (b) A freestanding sign may be located no closer than five (5) feet from the property line.
 - (c) A freestanding sign shall not exceed twelve (12) feet in height when located between five (5) and ten (10) feet inside the property line. Additional height of one-half (1/2) foot for each one (1) foot of setback from the property line is permitted. However, in no case shall the height of a freestanding sign exceed twenty (20) feet or the height of the building as defined in the Zoning Ordinance whichever is greater.
 - (d) A freestanding sign shall not exceed twenty-five (25) square feet per side in area, not to exceed a total area of fifty (50) square feet. Additional area of one (1) square foot for each one (1) foot of setback from the ten (10) foot setback line is permitted. However, in no case shall the area of a freestanding sign exceed fifty (50) square feet per side, or a total area of one hundred (100) square feet.
- 4) Permitted Freestanding Signs within the Performance Related Industrial Districts (PR-1 and PR-2).
 - (a) Only one (1) freestanding sign shall be erected on any business site.
 - (b) A freestanding sign may be located no closer than ten (10) feet from the property line.
 - (c) A freestanding sign shall not exceed six (6) feet in height when located at the ten (10) foot setback. Additional height of one (1) foot for each one (1) foot of setback from the ten (10) foot setback line is permitted. However, in no case shall the height of a freestanding sign exceed twelve (12) feet.
 - (d) A freestanding sign shall not exceed twenty (20) square feet per side in area, not to exceed a total area of forty (40) square feet. Additional area of one (1) square foot for each one (1) foot of setback from the ten (10) foot setback line is permitted. However, in no case shall the area of a freestanding sign exceed forty (40) square feet per side, or a total area of eighty (80) square feet.

- 5) Permitted Freestanding Signs for the following Special Land Uses: parks; city hall; public buildings; churches; private and public schools; child care centers; swimming pool clubs; private recreation areas and institutional or community recreation centers; golf courses; colleges, universities and other institutions of higher learning; hospitals; and convalescent and/or nursing homes.
 - (a) Only one (1) freestanding sign shall be erected on any business site.
 - (b) A freestanding sign may be located no closer than ten (10) feet from the property line.
 - (c) A freestanding sign shall not exceed six (6) feet in height when located at the ten (10) foot setback.
 - (d) A freestanding sign shall not exceed twenty (20) square feet per side in area, not to exceed a total area of forty (40) square feet.
 - 6) Permitted Freestanding Signs for single-family residential subdivision developments, planned residential unit developments, multiple family developments and senior housing developments. *(Rev. 5/18)*
 - (a) Only one (1) freestanding sign shall be erected on any premise.
 - (b) A freestanding sign may be located no closer than ten (10) feet from the property line.
 - (c) A freestanding sign shall not exceed six (6) feet in height when located at the ten (10) foot setback.
 - (d) A freestanding sign shall not exceed twenty (20) square feet per side in area, not to exceed a total area of forty (40) square feet.
- f. Permitted Wall Signs.

The following wall signs shall be permitted in the following districts in accordance with the regulations herein.

- 1) Special Requirements for all Wall Signs.
 - (a) No wall sign shall exceed a total of ten (10) message units.
 - (b) No wall sign shall be erected to extend above the top of the wall to which it is attached, nor extend beyond the ends of the wall to which it is attached. Signs erected on the vertical portion of the mansard roof are considered to be wall signs.

- (c) All wall signs shall be safely and securely attached to the building by means of metal anchors, bolts, or expansion screws. In no case shall any wall sign be secured with wire, strips of wood or nails.
 - (d) The vertical dimension of a wall sign shall not be in excess of six (6) feet unless subject to a smaller unit as specified in the ordinance.
 - (e) Signs not on a single wall surface: Where the elements of a single sign are located on two (2) or more awnings, or separated or broken by a canopy, bay window or other architectural feature of the building, the sign area shall be the accumulative total of the area of the elements on each architectural feature measured as if they were individual signs.
- 2) Permitted Wall Signs within the Central Business District (CBD).
- (a) Each tenant within a business site may have one (1) wall sign displayed on the exterior wall of that building.
 - (b) Total signage area per building or site frontage may be calculated in either of the following methods:
 - (i) For business sites having wall signs only: Thirty-two (32) square feet for the single tenant, fifty (50) square feet total for two (2) tenants and an additional fifteen (15) square feet for each additional tenant, or
 - (ii) For business sites having more than one type of sign - Total permitted sign area shall be calculated by multiplying the total building frontage by one (1) lineal foot. The total permitted sign area applies to all freestanding, projecting, wall signs, or sidewalk signs. The total shall apply to any individual sign or a combination of the above listed sign types. However, not more than two (2) types of signs (freestanding, projecting, wall or sidewalk) shall be allowed on any business site in the CBD. In calculating allowable square footage for projecting signs, wall signs, and sidewalk signs, and freestanding signs, the total square footage of both sides of a projecting, freestanding and sidewalk sign shall be used in computing total signage area allowed.
 - (iii) Notwithstanding the previous section, for business sites located within the CBD having less than twenty (20) lineal feet of frontage, a first floor business may have not more than two (2) types of signs (freestanding projecting, wall or sidewalk). However, total cumulative square footage shall not exceed twenty-eight (28) square feet.

- (c) Wall signs shall not exceed a maximum height of three (3) feet or a maximum size of sixty (60) square feet if calculated by using the above stated lineal foot formula.
 - (d) A business site may erect an additional twelve (12) square foot wall sign to be placed at a second means of access directly onto a public alley or parking lot, or on any other exposed building surface or wall other than the street frontage. (Rev. 4/17)
- 3) Permitted Projecting Signs - Projecting signs shall only be allowed in the CBD zoning districts and shall be subject to the following regulations.
- (a) Measurement of Total Permitted Sign Area - Total permitted sign area shall be calculated by multiplying the total building frontage by one (1) lineal foot. The total permitted sign area applies to all freestanding, projecting, wall signs, or sidewalk signs. The total shall apply to any individual sign or a combination of the above listed sign types. However, not more than two (2) types of signs (free standing, projecting, wall or sidewalk) shall be allowed on any business site in the CBD. In calculating allowable square footage for projecting signs, wall signs, and sidewalk signs, and freestanding signs, the total square footage of both sides of a projecting, freestanding and sidewalk sign shall be used in computing total signage area allowed.
 - (b) Notwithstanding the previous section, for business sites located within the CBD having less than twenty (20) lineal feet of frontage, a first floor business may have not more than two (2) types of signs (freestanding projecting, wall or sidewalk). However, total cumulative square footage shall not exceed twenty-eight (28) square feet.
 - (c) Each first floor business site having building frontage may have (1) projecting sign in accordance with this Section, and/or (1) wall sign or canopy/awning sign in accordance with Section 21.01.f.2.
 - (d) Total signage area for a projecting sign shall not exceed fifteen (15) square feet (both sides) or a maximum of seven and one half (7 1/2) square feet per side.
 - (e) A projecting sign shall provide at least eight (8) feet clearance above the sidewalk and shall not be installed above a maximum mounting height of fourteen (14) feet.
 - (f) A projecting sign's leading edge, shall not extend more than four (4) feet beyond the surface of the building or wall, and may not project over an area of the sidewalk which is two (2) feet or less back from the face of the curb.

- (g) One (1) angular projecting sign may be allowed for storefronts or business sites having frontage on a corner lot. An angular sign shall be a sign which projects towards a street corner and is positioned at the corner of a building having frontage on two (2) public streets. If an angular sign is used, additional projecting signs shall not be allowed to be employed on either of the two (2) building fronts of a corner building. Wall signs may be permitted for each corner building frontage as allowed by this ordinance.
- (h) If on a corner building, a projecting sign is used for one street side, a second projecting sign shall be permitted for the second street side. A wall sign in accordance with Section 21.01.f.2 shall, also, be permitted for each street frontage.
- (i) Internal illumination of projecting signs shall be prohibited. External luminaries shall not be visible from the sidewalk or street. Reflected light from an illuminated projecting sign shall not exceed ten (10) foot candles measured at a point which is four (4) feet away from the surface of a sign.
- (j) Total message units for a projecting sign shall not exceed five (5) units.
- (k) Measurement of projecting sign area shall be the entire area within a single rectangle, oval, circle or square enclosing the extreme limits of the writing, representation, or any figure of similar character, together with any frame (excluding bracket), background, or other material, or color forming an integral part of the display used to articulate or enhance such sign, shall be included in the measurement.
- (l) Projecting signs shall not have more than two (2) sign faces. A projecting sign shall be allowed a thickness or depth of up to six (6) inches without being considered to be a sign face.
- (m) The supporting bracket is to provide support and shall be designed to meet current building codes. The bracket is to provide support for the sign so as not to detract from the sign message and become a part of the sign design.
- (n) Projecting signs suspended or affixed to the underside of a horizontal plane such as a canopy or awning shall be subject to all of the above (a. through l.)
- (o) Each such sign must be maintained in a workmanlike manner and all surfaces shall be kept painted or protected with other approved coatings or materials. Each such sign shall be maintained free of

- broken, loose, rotting, crumbling, missing or inadequately finished materials.
- 4) Permitted Wall Signs within the Professional and Business Office District (PBO), Local Commercial District (LCD), General Commercial District (GCD), and Racetrack District (RTD) and Office/Research (OR) Districts.
 - (a) Each tenant within a business site may have one (1) wall sign displayed on the exterior wall of that building.
 - (b) No single wall sign may exceed the following square footage regulations. Total signage area may be calculated in either of the following methods:
 - (i) Thirty-two (32) square feet for the single tenant, fifty (50) square feet total for two (2) tenants and an additional fifteen (15) square feet for each additional tenant, or
 - (ii) One (1) square foot of sign area for each lineal foot of building frontage with a maximum height of three (3) feet.
 - (c) A common signage theme shall be required for each business site.
 - 5) Permitted Wall Signs within the Performance Related Industrial Districts (PR-1 and PR-2).
 - (a) Each tenant within a business site may have one (1) wall sign displayed on the exterior wall of that building.
 - (b) No single wall sign may exceed the following square footage calculations. Total signage area may be calculated in either of the following methods:
 - (i) Thirty (30) square feet for the single tenant, fifty (50) square feet total for two (2) tenants and an additional fifteen (15) square feet for each additional tenant, or
 - (ii) One (1) square foot of sign area for each lineal foot of building frontage with a maximum height of three (3) feet.
 - (c) A common signage theme shall be required for each business site.
 - 6) Permitted Wall Signs for the following Special Land Uses: parks; city hall; public buildings; churches; private and public schools; swimming pool clubs; private recreation areas and institutional or community recreation centers; golf courses; colleges, universities and other institutions of higher learning; hospitals; and convalescent and/or nursing homes.

- (a) Each tenant within a business site may have one (1) wall sign displayed on the exterior wall of that building.
 - (b) No single wall sign may exceed the following square footage regulations. Total signage area may be calculated in either of the following methods:
 - (i) Thirty-two (32) square feet for the single tenant, fifty (50) square feet total for two (2) tenants and fifteen (15) square feet for each additional tenant, or
 - (ii) One (1) square foot of sign area for each lineal foot of building frontage with a maximum height of three (3) feet.
 - (c) A common signage theme shall be required for each business site.
- 7) Permitted Wall Signs for multiple family developments and senior housing developments. *(Rev. 5/18)*
- (a) There shall be no more than one (1) wall sign permitted for each project. Projects which have frontage on two (2) public rights-of-way may have two (2) wall signs on each frontage provided the total square foot requirements set forth in other sections of this ordinance are met.
 - (b) The surface area of a wall sign or combination of wall signs shall not exceed a total of thirty (30) square feet.
- g. Permitted Marquee Signs.
- Marquee signs shall be permitted only in the CBD, PBO, LCD, and GCD zoning districts and may be substituted in whole or part for permitted wall signs. The total number of surface area of marquee signs, combination of marquee signs, or combination of marquee and wall signs shall comply with the requirements set forth in Section 21.01.f.
- h. Permitted Window Signs.
- 1) Interior Window signs shall be permitted only in all non-residential zoning districts. Interior window signs permitted on each floor level shall not exceed twenty percent (20%) of the window area on each floor level. Regulations for window signs shall extend back forty-eight (48) inches from the inside of the window surface. A permit shall be required for internally illuminated window signs. *(Rev. 7/09)*
 - 2) Window signs within the CBD/Historic District. First floor business establishments located within the CBD/Historic District shall be allowed not more than one (1) internally illuminated window sign that

communicates the “open” status of the business. The internally illuminated window sign shall not exceed four (4) square feet, and shall not exceed a total of twenty percent (20%) for the area of all windows. A permit shall be required for these internally illuminated window signs and shall be subject to review by the Historic District Commission. *(Rev. 9/14)*

- 3) For those first floor businesses having two (2) distinctive and separate main customer entrances facing different streets, alley or public parking areas, an additional internally illuminated window sign communicating the “open” status of the business placed near the second entrance shall be allowed. This additional window sign shall not exceed four (4) square feet in area and shall not exceed a total of twenty percent (20%) for the area of all windows. *(Rev. 9/14)*

- i. Permitted Temporary Signs.

The following temporary signs shall be permitted in accordance with the regulations herein.

- 1) Permitted Temporary Real Estate/Real Estate Open House/Construction Signs. *(Eff. date 2/1/02)*
 - (a) One (1) non-illuminated sign used for advertising land or buildings for rent, lease, sale, or construction shall be permitted in any individual single-family district provided such signs are located on the property intended to be rented, leased, or sold and are displayed only during periods when property is available by rent, lease or sale and shall be removed within one (1) business day of announced sale, leased occupancy, or within thirty (30) days of initial construction work or within three (3) days after construction is completed. Such signs shall not exceed an area of six (6) square feet or a height of four (4) feet in all single-family residential districts and an area of twenty (20) square feet and a height of ten (10) feet in all other districts.
 - (b) Portable real estate “open house” signs with an area not greater than six (6) square feet. One such sign may be located on the premises being sold. No more than two (2) additional such signs are permitted and may be placed back of property lines on private property on approach routes to an open house, provided however, that a property owner shall grant permission for placement of these signs. If permission is not granted a property owner shall have the right to remove and destroy or otherwise dispose of without notice to any person, signs which are placed without his or her permission on his or her property. Portable “open house” signs shall not be allowed within the public right-of-way. All of the signs permitted by this Section and pertaining to a single property may be displayed only

for six (6) hours during one (1) day in a seven (7) day period. All such signs shall be located so as not to interfere with the free passage of vehicular and pedestrian traffic upon the public right-of-way, and so as not to constitute a hazard to public safety. (*Eff. date. 2/1/02*)

- (c) One (1) non-illuminated freestanding sign listing persons or firms connected with construction work being performed at residential development sites. This shall not include signs placed at individual single family or duplex residential sites, but may include signs positioned near the entry of subdivisions, condominiums or apartment complexes. Such signs shall not exceed thirty-two (32) square feet per side in area and a height of ten (10) feet. Such signs shall be removed when final certificate of occupancy has been issued for the project or when final certificate of occupancy has been issued for ninety-five percent (95) of buildings in the case of subdivision, or projects involving more than one (1) main building. All permanent lease or real estate signs installed on apartment buildings or commercial buildings shall be subject to applicable sign regulations for the site's zoning classification.
 - (d) For improvements to the premise that do not require a certificate of occupancy, one (1) non-illuminated sign used for advertising persons or firms connected with the construction or improvement may be allowed. The sign shall not exceed four (4) feet in height or six (6) square feet in area, and shall be removed within thirty (30) days from the initial work or three (3) calendar days after construction is completed, or whichever occurs first.
 - (e) Business identification signs for temporary use while a business is applying for approval of and/or is constructing or repairing permanent signs; provided that all such temporary signs shall meet the requirements of this Ordinance, except that the issuance of a permit therefore shall not require Historic District nor Planning Commission approval. The Building Official shall issue said permit with an expiration of thirty (30) days from the date of approval by the applicable commission, or thirty (30) days from the date of issuance if commission approval is not required.
- 2) Permitted Sidewalk Signs - Portable sidewalk signs may be placed within the Central Business Zoning District (CBD) at the public entrances to businesses, on either private property or the public sidewalk, subject to the following requirements:
- (a) Measurement of Total Permitted Sign Area - Total permitted sign area shall be calculated by multiplying the total building frontage by one (1) lineal foot. The total permitted sign area applies to all freestanding, projecting, wall signs, or sidewalk signs. The total

shall apply to any individual sign or a combination of the above listed sign types. However, not more than two (2) types of signs (free standing, projecting, wall or sidewalk) shall be allowed on any business site in the CBD. In calculating allowable square footage for projecting signs, wall signs, and sidewalk signs, and freestanding signs, the total square footage of both sides of a projecting, freestanding and sidewalk sign shall be used in computing total signage area allowed.

- (b) Notwithstanding the previous section, for business sites located within the CBD having less than twenty (20) lineal feet of frontage, a first floor business may have not more than two (2) types of signs (freestanding projecting, wall or sidewalk). However, total cumulative square footage shall not exceed twenty-eight (28) square feet.
- (c) There shall be only one sign at each customer entrance, regardless of the number of tenants on the premises.
- (d) Each sign shall be placed outside only during the hours when the business is open to the general public, and shall be stored indoors at all other times.
- (e) Each sign shall be placed next to the building wall or adjacent to the curb in a manner which is safe for and does not interfere with normal pedestrian or auto traffic.
- (f) Each sign shall not exceed an overall height of forty-two (42) inches and an overall width of twenty-four (24) inches.
- (g) Sidewalk signs shall not have more than two (2) sign faces.
- (h) All sign frames shall be constructed of a weather proof material and shall be kept in good repair.
- (i) Each sign owner shall consult and comply with the specifications for sidewalk signs adopted by the City of Northville Downtown Development Authority and the City of Northville Historic District Commission. The City Manager may refer sign permit applications to the Executive Director of DDA or other City staff, or consultants for review and recommendation prior to being reviewed by the Historic District Commission.
- (j) Effective January 1, 2001, all non-conforming portable, temporary, sidewalk signs shall be prohibited within the Central Business District. This shall not include temporary, sidewalk signs used to direct parking, voting, public service or special events as permitted by the City Manager or his or her designated representative.

- 3) Permitted Garage Sale Signs - Signs advertising the sale of used toys, household furniture, furnishings and appliances, by the owners thereof at the residence of the owner or tenant shall be considered a garage sale sign under Title 6, Chapter 8 of the City Code.
 - (a) Garage sale signs shall not exceed six (6) square feet in size.
 - (b) Garage sale signs shall not be placed in any manner on public property. They may only be placed on private property with the consent of the property owner, and cannot be placed on any property located more than five hundred (500) feet from the place of the sale.
 - (c) No garage sale signs may be put up more than two (2) days prior to the date of the sale and must be taken down within one (1) day following the sale.
 - (d) A garage sale sign may be permitted for a maximum of three (3) consecutive days, for not more than three (3) times per year.
 - (e) A permit for the placement of signs advertising a garage sale shall be obtained from the City Clerk.
 - 4) Political signs advocating or opposing candidate for public office or issue to be determined by election may be erected forty-five (45) days prior to an election. Such signs shall be erected on private property only and no less than one hundred (100) feet from any entrance to a building in which a polling place is located. All such signs shall be removed five (5) days following Election Day.
 - 5) Street Banners: advertising a public entertainment or event, provided that they receive permission from the City Council, are only used in a location designated by the City Council, and are erected no more than fourteen (14) days before the event they advertise and are removed within one (1) business day following the event. The design shall meet all City requirements, rules and regulations.
- j. Non-Conforming Signs.
- 1) Signs lawfully erected prior to the effective date of this ordinance, which do not meet the standards of this Chapter may be maintained except as provided hereafter.
 - 2) A nonconforming sign shall not be:
 - (a) Changed to another nonconforming sign;
 - (b) Modified so as to change the shape, size, or design of the sign;

- (c) Re-established after the activity, business, or usage to which it relates has been discontinued for more than ninety (90) days; and
 - (d) Repaired or re-erected after sustaining damage valued at more than fifty (50) percent of the costs of an identical new sign.
 - 3) If the owner of a sign or the property on which a sign is located changes the location of a building, property line, or sign or changes the use of a building so that any sign on the property is made nonconforming, such sign must be removed or made to conform to this Chapter.
- k. Enforcement.
 - 1) Violations - Any person, firm or corporation violating any of the provisions of this Section shall be responsible for a civil infraction punishable by a civil fine of not more than five hundred (\$500.00) dollars and the costs of prosecution.
 - 2) Public Nuisance Per Se - Any sign which is erected, altered or converted, in violation of any of the provisions of this Section is hereby declared to be a public nuisance per se, and may be abated by order of any court of competent jurisdiction.
 - 3) Violations - If the Building Inspector shall find that any sign is maintained in violation of the provisions of this Section, he shall give written notice to the person owning or having the beneficial use of the sign or the person owning or occupying the property where the sign is located by requiring such person to abate such nuisance within the time specified in the notice. Service of the notice shall be made:
 - (a) By delivering the notice to the person owning or having the beneficial use of the sign or the person owning or occupying the property where the sign is located personally or by leaving the same at his residence, office or place of business with some person of suitable age and discretion; or
 - (b) By mailing said notice by first class mail to the person owning or having the beneficial use of the sign or the person owning or occupying the property where the sign is located at his last known address; or
 - (c) If the owner or person is unknown, by posting said notice in some conspicuous place on the premises for five (5) days.
 - 4) In the event such person fails to abate said nuisance in accordance with the notice, the City shall do so and the cost thereof shall be charged against the owner or occupant of the premises and payment thereof shall be enforced

as a special assessment as provided in the charter and the ordinances adopted pursuant thereto.

- 5) In the event that the Building Inspector or any officer of the City shall find that a violation of this Section exists and the violation constitutes a hazard to persons or property, or consists of a sign being within the public right of way, the Building Inspector or officer need not comply with the notice provisions of paragraph 3 of this Section by may abate the nuisance by immediate removal of the sign.
- 6) Fines, Imprisonment - The owner of any building, structure or premises or part thereof, where any condition in violation of this Section shall exist or shall be created, who has assisted responsible for a civil infraction punishable by a civil fine of not more than five hundred (\$500.00) dollars and the costs of prosecution.
- 7) Each Day a Separate Offense - A separate offense shall be deemed committed upon each day during or when a violation occurs or continued.
- 8) Rights and Remedies are Cumulative - The rights and remedies provided herein are cumulative and in addition to any other remedies provided by law.

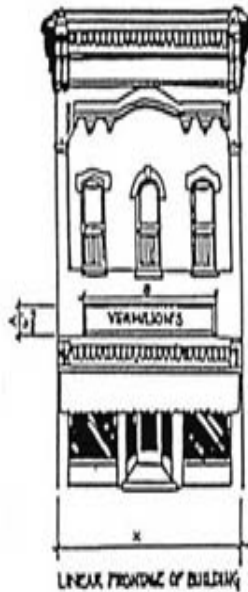
1. Appeals.

Appeals shall be heard before the Zoning Board of Appeals in accordance with provisions set forth in the Code of Ordinances, Chapter 58-1.

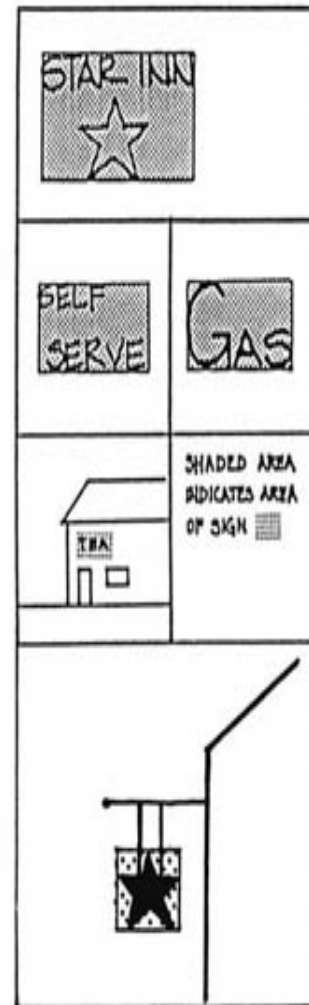
CALCULATING THE TOTAL AREA OF THE SIGN

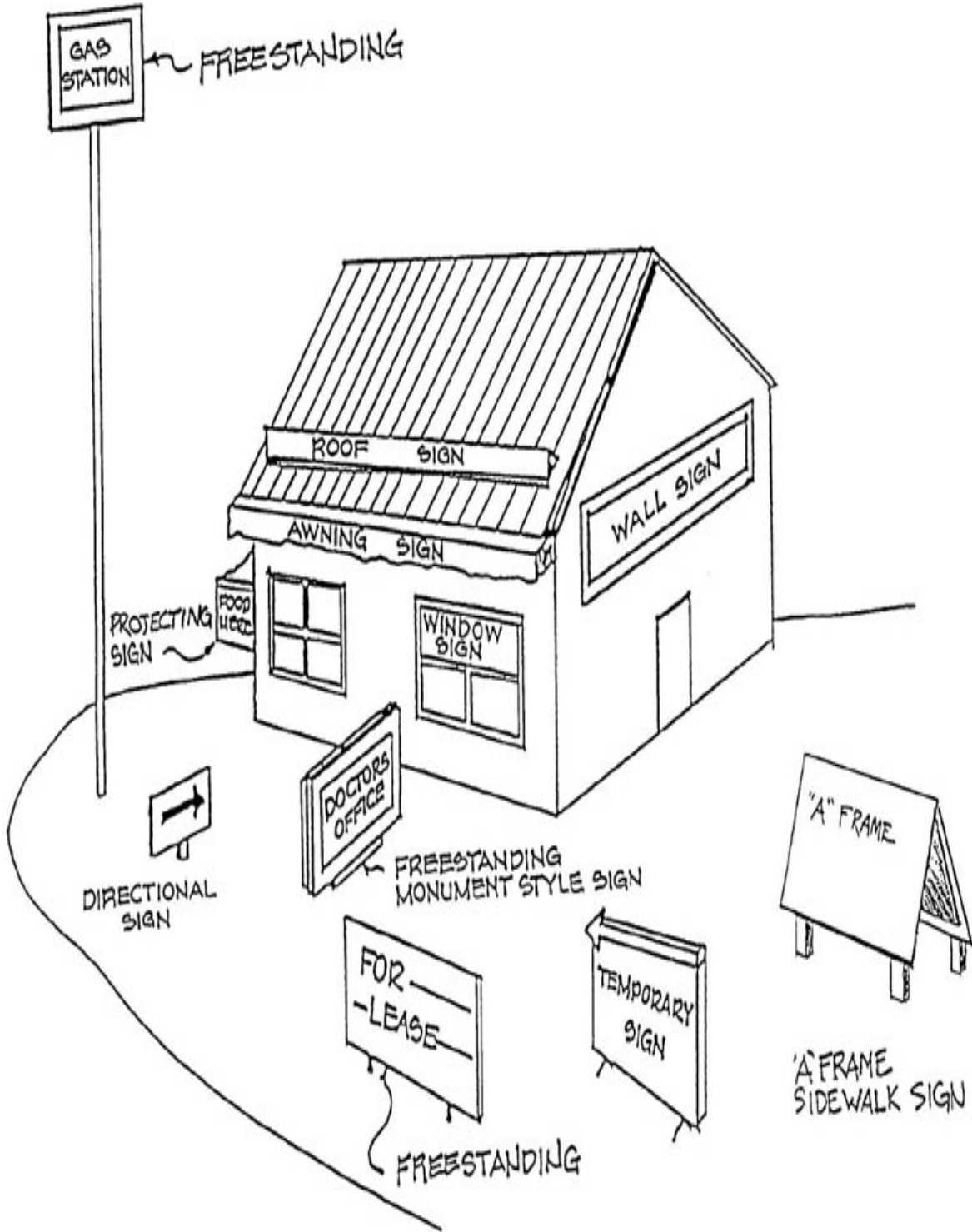
FOR A SIGN ON A DEFINED BACKGROUND, such as a board or painted area with a defined edge, the size of the sign shall be measured as the area of the defined background if it is a rectangle, oval or circle. For all other shapes of defined background area, the size of the sign shall be measured as the area of the smallest rectangle, oval or circle which encloses the defined background.

FOR A SIGN WHICH IS BROKEN INTO TWO OR MORE AREAS BY AN ARCHITECTURAL FEATURE, such as awnings or an entry canopy, the size of the sign shall be measured as the cumulative total of the smallest rectangle, oval or circle which encloses each of the areas of the sign.

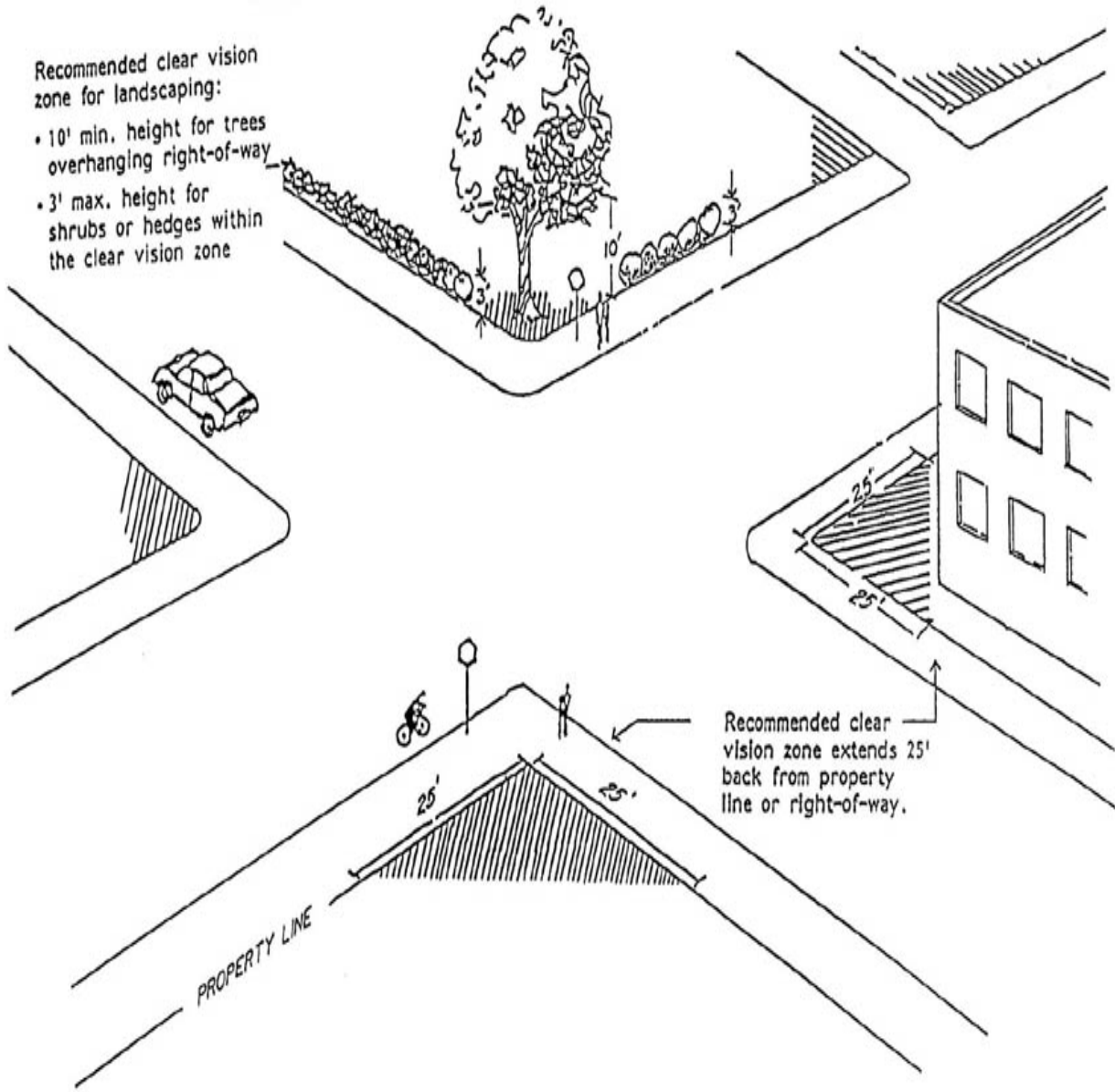


FOR A SIGN WITHOUT A DEFINED BACKGROUND, such as individual letters, decoration or symbols mounted directly on the building wall or incorporated as a projecting sign the size of the sign shall be measured as the area of the smallest rectangle, oval or circle which encloses the letters, decoration or symbols.

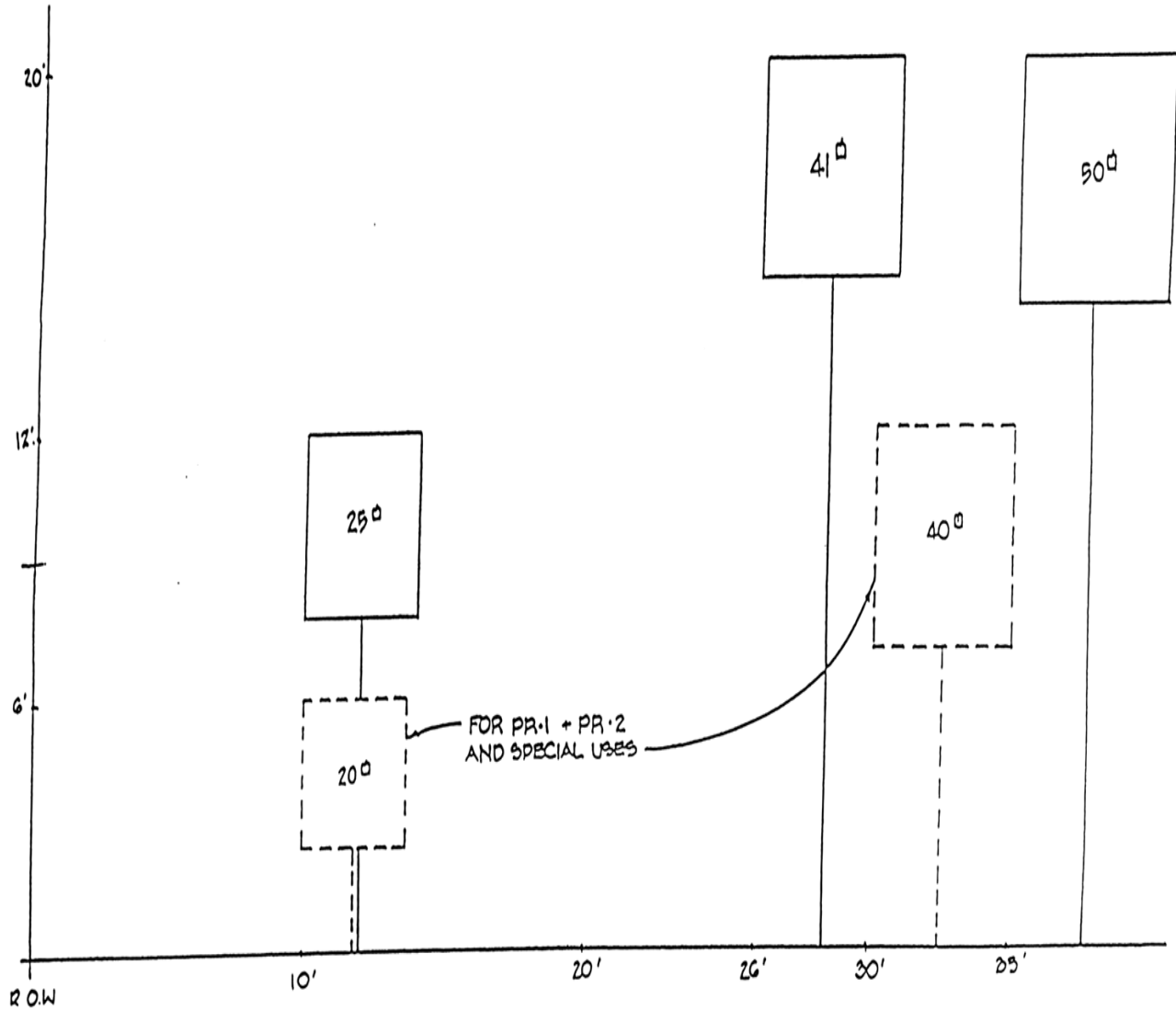




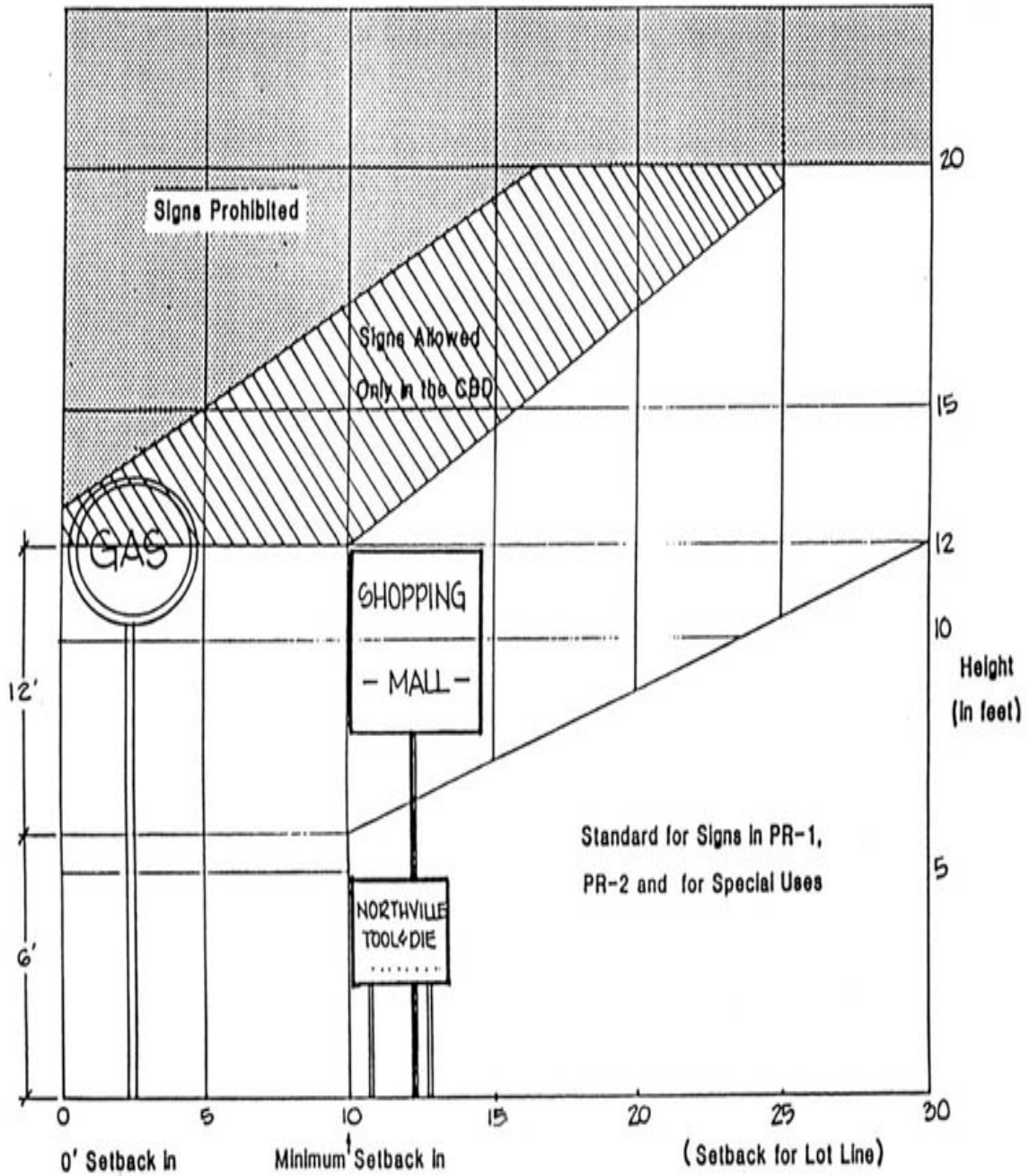
RECOMMENDED CLEAR VISIBILITY STANDARD AT INTERSECTION



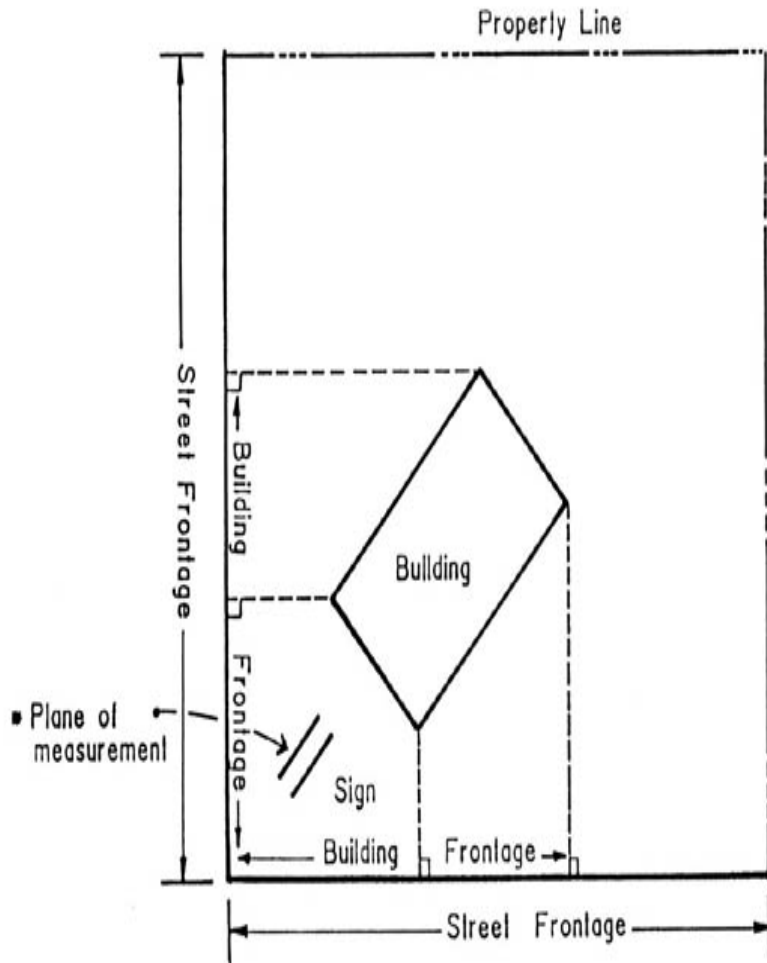
FREESTANDING SIGN HEIGHT TO SETBACK RELATIONSHIP



FREESTANDING SIGN AREA TO SETBACK RELATIONSHIP



MEASUREMENT OF FREESTANDING SIGNS



Building frontage measured at right angles to street R.O.W. line from corners of the building. Sign area calculations may use only two building frontages but they must be contiguous to each other or at right angles to each other.

*All signs will be measured to the plane of the face of the sign regardless of exposure to the street frontage.

ARTICLE 22**NONCONFORMING USES, STRUCTURES AND LOTS****SECTION 22.01 NONCONFORMING LOTS, NONCONFORMING USES OF LAND, NONCONFORMING STRUCTURES, AND NONCONFORMING USES OF STRUCTURES AND PREMISES**

1. **Intent:** It is the intent of this Ordinance to permit legal nonconforming lots, structures, or uses to continue until they are removed but not to encourage their survival. It is recognized that there exists within the districts established by this Ordinance and subsequent amendments, lots, structures, and uses of land and structures which were lawful before this Ordinance was passed or amended, which would be prohibited, regulated, or restricted, under the terms of this Ordinance or future amendments. Such uses are declared by this Ordinance to be incompatible with permitted Uses in the districts involved. It is further the intent of this Ordinance that any expansion, extension or enlargement of a nonconforming use or structure can only be granted by the Board of Zoning Appeals pursuant to the authority granted to said Board as set forth under Article 25, of this Ordinance.

To avoid undue hardship, nothing in this Ordinance shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this Ordinance and upon which actual building construction has been diligently carried on, actual construction is hereby defined to include the piecing of construction materials in permanent position and fastened in a permanent manner; except that where demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such demolition or removal shall be deemed to be actual construction, provided that work shall be diligently carried on until completion of the building involved.

2. **Nonconforming Lots:** In any district permitted or special uses may be erected on any single lot of record at the effective date of adoption or amendment of this Ordinance. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district; provided that yard dimensions and other requirements not involving area or width or both, of the lot shall conform to the regulations for the district in which such lot is located. Yard requirement variances may be obtained through approval of the Board of Appeals. A variance from the Board of Zoning Appeals shall not be required for a non-conforming lot or lot of record if a proposed structure complies with the Schedule of Regulations (Section 15.01) for all requirements other than area, or width or both (Please refer to diagrams A & B). (*Rev. 11/07*)

City of Northville Non-conforming Lots and Lots of Record

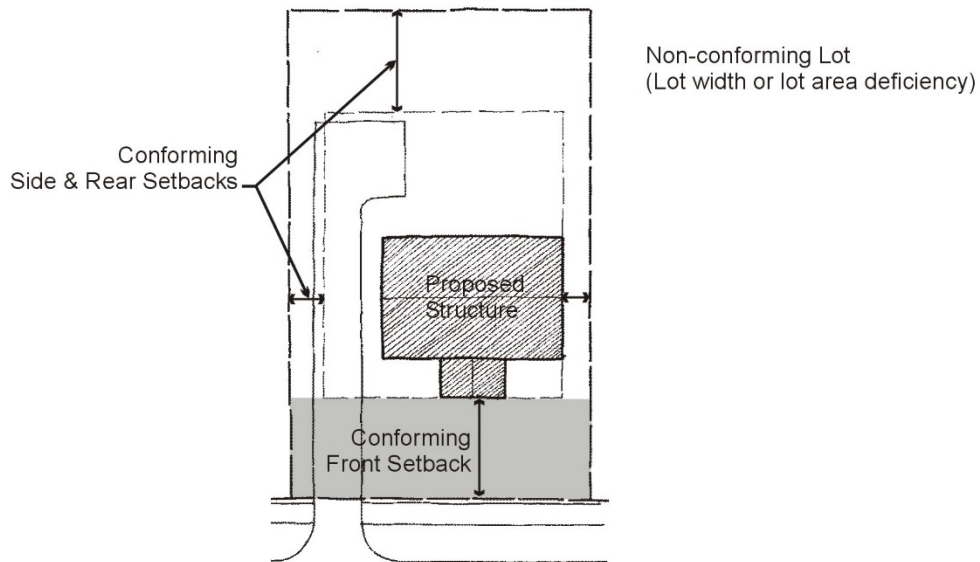


Diagram A. Non-conforming lot or legal lot of record and proposed structure which complies with Schedule of Regulations (Section 15.01)
This development does not require a variance from the Board of Zoning Appeals

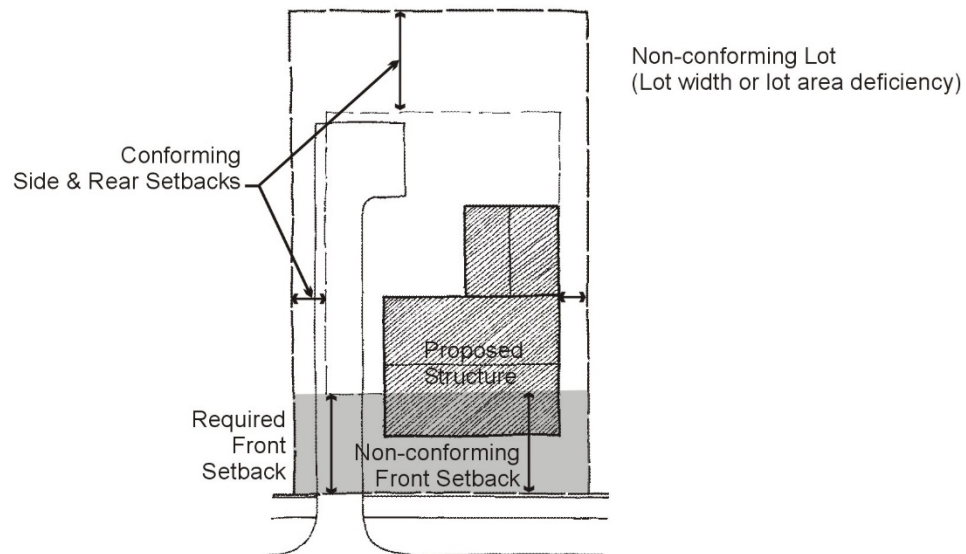


Diagram B. Non-conforming lot or legal lot of record and proposed structure which does not comply with Schedule of Regulations (Section 15.01)
This development will require a variance from the Board of Zoning Appeals

If two or more lots or combinations of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this Ordinance, and in all or part of the lots do not meet the requirements for lot width and area as established by this Ordinance, the lands involved shall be considered to be an undivided parcel for the purposes of this Ordinance, and no portion of said parcel shall be used or occupied which does not meet lot width and area requirements established by this Ordinance, nor shall any division of the parcel be made which leaves remaining any lot with a width or area below the requirements stated in this Ordinance.

3. Nonconforming Sites.

- a. Intent. It is recognized that certain sites do not comply with the current paving, lighting, landscaping and other non-safety related site development requirements. This Section is intended to:
 - 1) Allow for reasonable re-use, maintenance and improvements to these sites that will gradually improve compliance with these requirements.
 - 2) Permit a proportionate amount of improvements to nonconforming sites relative to the amount of expansion or improvement proposed to the use or building.
 - 3) Allow the needed flexibility in the regulations to encourage gradual site improvements and increased compliance with the intent of the Zoning Ordinance requirements.
- b. Required Reviews. This Section provides for the conditions under which re-occupancy, improvement and modification to nonconforming sites may occur. It does not replace other reviews and requirements contained elsewhere in this Ordinance. Therefore, where improvements and modifications are proposed to nonconforming sites, they shall be subject to Site Plan Review according to Article 19.
- c. Standards for Review. Applications to improve or modify nonconforming sites shall be reviewed in accordance with Article 19 for new development, redevelopment, or change of use as listed in Section 19.12. Such activity may only be permitted if the following standards are met:
 - 1) General Standards.
 - (a) Expansions to nonconforming structures or buildings comply with Article 22, Nonconforming Structures.
 - (b) Changes to nonconforming uses comply with Article 22.

- (c) The applicant is proposing reasonable site improvements to the overall site in relation to the scale and construction cost of any proposed building improvements or expansion.
 - (d) The applicant has addressed safety related site issues on the overall site.
 - (e) The improvements or minor expansion will not increase noncompliance with other site requirements.
- 2) Driveways. Driveways that do not conform to the City of Northville Manual of Uniform Criteria and Design Standards for Construction shall be removed or redesigned to the greatest extent possible. Where required to maintain reasonable access to sites, waivers of those standards may be permitted by the City Department of Public Works Director.
- 3) Sidewalks. Whenever modifications are proposed, or any expansion to the building, parking lot or site, the sidewalks shall be installed along the site frontage, as required by the City of Northville Manual of Uniform Criteria and Design Standards for Construction.
- 4) Parking. Existing parking areas must be in good condition, as determined by the Public Works Director, and any improvements necessary to provide a safe durable surface have been proposed. For projects involving new development, redevelopment, or change of use, parking areas that are nonconforming in terms of required number of spaces, landscaping, setbacks, lighting or other requirement of this Ordinance, shall be brought into full compliance with this Ordinance if any of the following occur:
- (a) The nonconforming parking area is expanded or altered by an area that is fifty percent (50%) or more of the original area.
 - (b) Twenty-five percent (25%) or more of the surface area of the parking area is reconstructed (existing pavement removed and replaced).
 - (c) Where full compliance is not possible due to existing site conditions, a variance may be requested.
 - (d) Whenever re-occupancy is proposed, or the parking area is not proposed to be expanded or reconstructed beyond the percentages noted in (a) and (b) above, then any necessary repairs shall be made to the existing parking lot pavement, as determined by the Public Works Director.

- 5) Screening. Whenever modifications are proposed, or any expansion to the building or site proposed, then required screening walls for waste receptacles, fencing of outdoor storage or screening from adjacent residential uses shall be provided.
- (a) Where existing screening walls are in disrepair, they shall be improved to a sturdy and attractive condition.
 - (b) All outdoor storage areas shall be screened from adjacent residential uses as required in Section 18.08 and all waste receptacles shall be screened.
- 6) Landscaping. For projects involving new development, redevelopment, or a change of use on sites that are nonconforming by reason of landscaping required by this Ordinance, either by required area, materials, or other requirement of this Ordinance, the site shall be brought into compliance with this Ordinance under the following conditions:
- (a) Whenever the size of the nonconforming site (building, parking and outdoor storage) is redeveloped or expanded by an area that is fifty percent (50%) or more of the original nonconforming area, all landscaping on the site shall be brought into compliance with this Ordinance; or
 - (b) Whenever twenty-five percent (25%) or more of the surface area of the landscaped area is redeveloped or reconstructed (existing materials and ground cover removed and replaced) the reconstructed portion of the landscape area shall be brought into compliance with this Ordinance.
 - (c) Landscape buffer strips shall be installed between the right-of-way and parking lot for areas which adjoin major streets as identified below:
 - North Center Street
 - Cady Street
 - South Center Street
 - Seven Mile Road / South Main
 - Griswold
 - Novi Road
 - Eight Mile Road

- 7) **Lighting.** To the greatest extent reasonable, lighting should be brought into compliance with Section 18.05. At a minimum, existing lighting must be shielded to prevent off-site glare.
4. **Nonconforming Uses of Land:** Where at the effective date of adoption of this Ordinance, a lawful use of land exists that is made no longer permissible under the terms or the Ordinance as enacted or amended, such use may be continued, so long as it remains otherwise lawful, subject to the following provisions:
 - a. No such nonconforming use shall be enlarged, increased, extended or moved except as permitted by the Board of Zoning Appeals pursuant to authority granted to said Board as set forth in Article 25, Section 25.04 of this Ordinance.
 - b. If such nonconforming use of land ceases for any reason for a period of more than six (6) months subsequent use of such land shall conform to the regulations specified by this Ordinance for the district in which such land is located.
 - c. Nonconforming uses of land which contain a building or buildings and which does not have a replacement value in excess of five thousand (5,000.00) dollars shall be terminated within ninety (90) days, of the enactment of this Ordinance.
 5. **Nonconforming Structures:** Where a lawful structure exists at the effective date of adoption or amendment of this Ordinance that could not be built under the terms of this Ordinance by reason of restrictions on area, lot coverage, height, yards, or other characteristics of the structure, or its location on the lot, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:
 - a. No such nonconforming structure shall be enlarged, increased, extended or moved except in conformance with the regulations of this Ordinance or as permitted by the Board of Zoning Appeals pursuant to authority granted to said Board as set forth in Article 25, Section 25.04 of this Ordinance. *(Rev. 11/07)*
 - b. Exterior alterations, expansions or structural modification involving exterior load-bearing walls shall be subject to review by the Board of Zoning Appeals, in accordance with Article 25, Section 25.04. This shall not include normal repair or routine maintenance of exterior surfaces.
 - c. Should such structure be destroyed by any means to an extent exceeding one hundred twenty-five percent (125%) of its S.E.V. it shall not be reconstructed except in conformity with the provisions of this Ordinance. In determining replacement value, the Building Official shall refer to the Bureau of Construction Codes – Square Foot Construction Cost Table. *(Rev. 11/07)*
 - d. In the event that a structure is destroyed, a destroyed non-conforming structure or the non-conforming portion of a destroyed structure may be re-constructed upon the original footprint or foundations without a variance from the Board of Zoning Appeals. The nonconforming structure which has been destroyed or damaged by

fire, explosion or act of God, shall not be reconstructed in a manner which increases the nonconformity. A building permit application shall be filed for reconstruction within one (1) year from the time of destruction. *(Rev. 11/07)*

- e. Should a non-conforming structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.
- f. Examples of expansions to nonconforming structures which do not require variances from the Board of Zoning Appeals, are depicted in diagrams C and D. Examples of expansions to nonconforming structures which require variances from the Board of Zoning Appeals are depicted in diagrams E and F. *(Rev. 11/07)*

City of Northville Expansion of Non-Conforming Structures

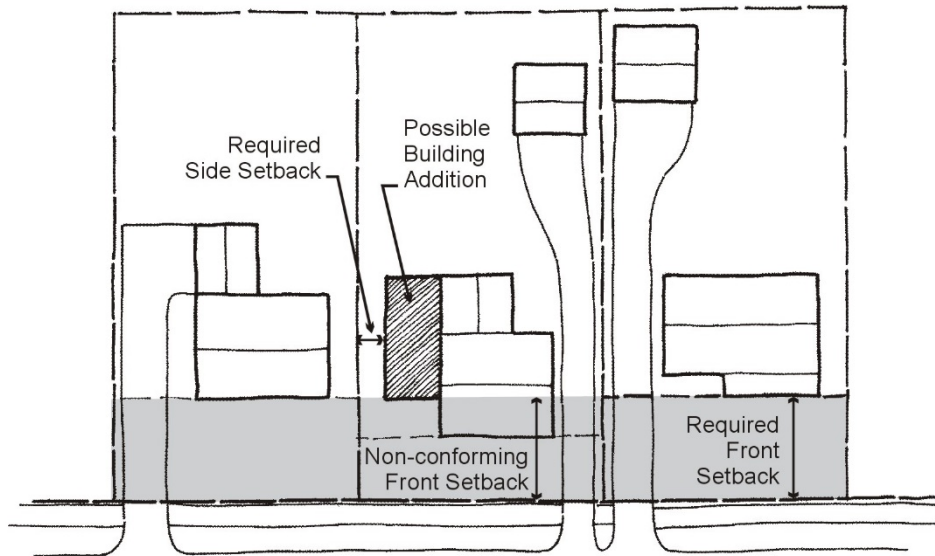


Diagram C. Expansion of a non-conforming structure which complies with Schedule of Regulations (Section 15.01)
This expansion to a non-conforming structure does not require a variance from the Board of Zoning Appeals

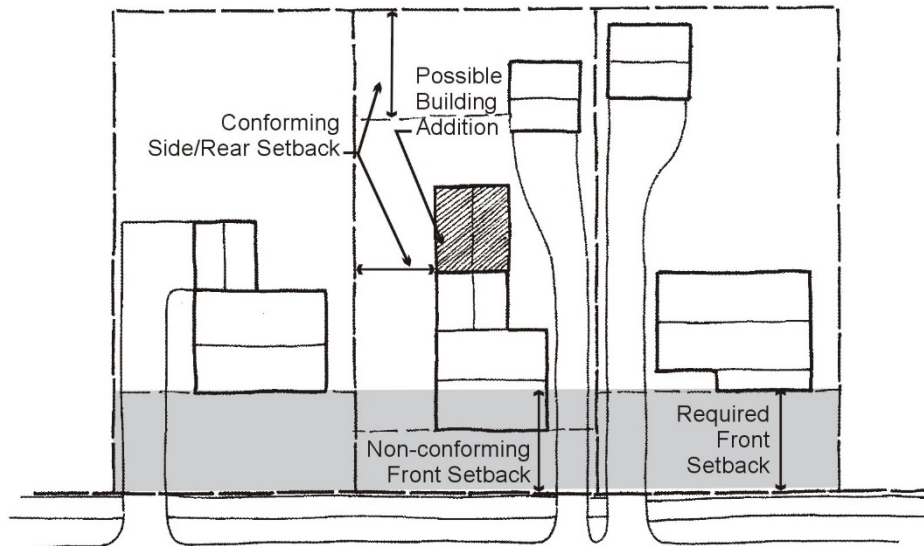


Diagram D. Expansion of a non-conforming structure which complies with Schedule of Regulations (Section 15.01)
This expansion to a non-conforming structure does not require a variance from the Board of Zoning Appeals

**City of Northville
Expansion of Non-Conforming Structures**

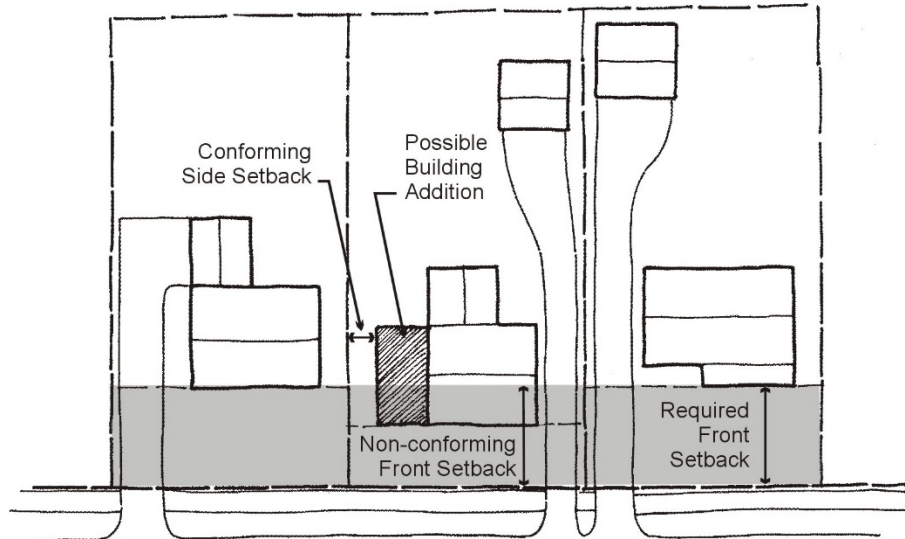


Diagram E. Expansion of a non-conforming structure which maintains non-conforming front setback
This expansion to a non-conforming structure will require a variance from the Board of Zoning Appeals

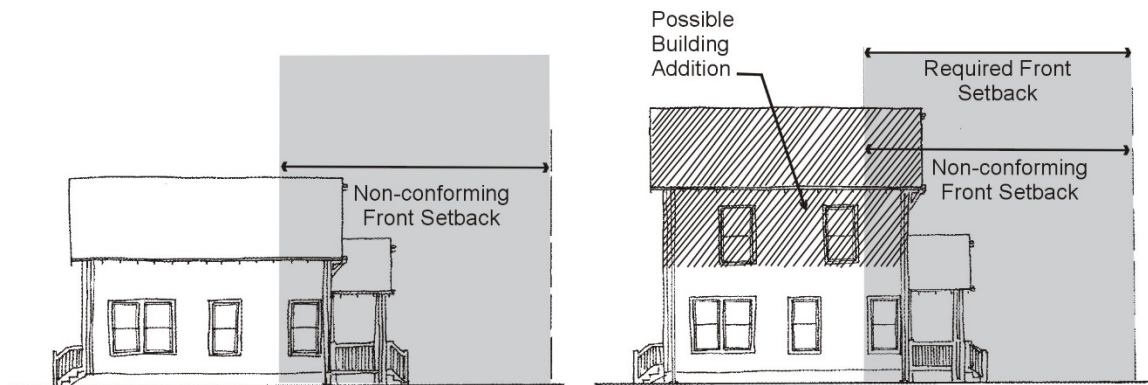


Diagram F. Addition of a second story to a non-conforming structure
This expansion to a non-conforming structure will require a variance from the Board of Zoning Appeals

6. Nonconforming Uses of Structures and Land: If a lawful use of a structure, or of structure and land in combination, exists at the effective date or adoption or amendment of this Ordinance, that would not be allowed in the district under the terms of this Ordinance, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

- a. An existing structure devoted to a use not permitted by this Ordinance in the district in which it is located, shall not be enlarged, extended, constructed, reconstructed, moved or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located, except to the extent that such enlargement or extension has been approved by the Board of Zoning Appeals pursuant to the authority granted to said Board as set forth under Article 25, Section 25.04 of this Ordinance.
 - b. Any nonconforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use, and which existed at the time of adoption or amendment of this Ordinance, but no such use unless approval of such extension has been granted by the Board of Zoning Appeals, pursuant to the authority granted to said Board as set forth under Article 25, Section 25.04 of this Ordinance.
 - c. In any nonresidential district if no structural alterations are made, any nonconforming use of a structure, or structure and premises, may be changed to another nonconforming use of the same or a more restricted classification provided that the Board of Appeals, either by general rule or by making findings in the specific case, shall find that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use. In permitting such change, the Board of Appeals may require appropriate conditions and safeguards in accord with the purpose and intent of this Ordinance. Where a nonconforming use of a structure, land, or structure and land in combination is hereafter changed to a more restrictive classification it shall not thereafter be changed to a less restrictive classification.
 - d. Any structure, or structure and land in combination, in or on which a conforming use is superseded by a permitted use, shall thereafter conform to the regulation for the district in which such structure is located, and the nonconforming use may not thereafter be resumed.
 - e. When a nonconforming use of a structure, or structure and premises in combination, is discontinued or ceases to exist for twelve (12) months, the structure, or structure and premises in combination, shall not thereafter be used except in conformance with the regulations of the district in which it is located. Structures occupied by seasonal uses shall be excepted from the provision.
 - f. Where nonconforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the nonconforming status of the land.
7. Repairs and Maintenance: On any building devoted in whole or in part to any nonconforming use, work may be done in any period of twelve (12) consecutive months on ordinary repairs, or on repair or replacement of non-bearing walls, fixtures, wiring or plumbing to an extent not exceeding fifty percent (50%) of its S.E.V. the assessed value of

the building, provided that the cubic content of the building as it existed at the time of passage or amendment of this Ordinance shall not be increased.

8. Uses Under Exception Provisions Not Nonconforming Uses: Any use for which special exception is permitted as provided in this Ordinance shall not be deemed a nonconforming use, but shall without further action be deemed a conforming use in such district.
 - a. Change of Tenancy or Ownership: There may be a change of tenancy, ownership; or management or any existing nonconforming uses of land, structures, and premises provided there is no change in the nature or character of such nonconforming uses.

ARTICLE 23
FLOOD HAZARD ZONES

SECTION 23.01 STATEMENT OF PURPOSE

It is the purpose of this Article to significantly reduce hazards to persons and damage to property as a result of flood conditions in the (City of Northville), and to comply with the provisions and requirements of the National Flood Insurance Program, as constituted in accord with the National Flood Insurance Act of 1968, and subsequent enactments and rules and regulations promulgated in furtherance of this program by the Federal Emergency Management Agency, as published in the Federal Register), Vol. 41, No. 207, Tuesday, October 26, 1976, and redesignated at 44 FR 31177, May 31, 1979.

Further, the objectives of this Article include:

1. The protection of human life, health and property from the dangerous and damaging effects of flood conditions;
2. The minimization of public expenditures for flood control projects, rescue and relief efforts in the aftermath of flooding, repair of flood damaged public facilities and utilities, and the redevelopment of flood damaged homes, neighborhoods, commercial and industrial areas;
3. The prevention or private and public economic loss and social disruption as a result of flood conditions;
4. The maintenance of stable development patterns not subject to the blighting influence of flood damage;
5. To insure that the public has access to information indicting the location of land areas subject to periodic flooding; and
6. To preserve the ability of floodplains to carry and discharge a base flood.

SECTION 23.02 DELINEATION OF THE FLOOD HAZARD OVERLAY ZONE

1. The flood hazard area zone shall overlay existing zoning districts delineated on the official City of Northville Zoning Map. The boundaries of the flood hazard area zone shall coincide with the boundaries of the areas indicated as within the limits of the 100-year flood in the report entitled “The Flood Insurance Study” with accompanying Flood Insurance Rate Maps and Flood Boundary and Floodway Maps. For areas in the City of Northville located in Oakland or Wayne Counties, see Section 23.10 of this Article. Within

the flood hazard area zone a regulatory floodway shall be designated. The boundaries of the regulatory floodway shall coincide with the floodway boundaries indicated on the Flood Boundary and Floodway Map. The Study and accompanying maps are adopted by reference, appended, and declared to be a part of this ordinance. The term flood hazard area as used in this Ordinance shall mean the flood hazard area zone and the term floodway shall mean the designated regulatory floodway. *(Rev. 1/12)*

2. Where there are disputes as to the location of a flood hazard area zone boundary, the Federal Emergency Management Agency (FEMA) shall resolve the dispute.
3. In addition to other requirements of this Ordinance applicable to development in the underlying zoning district, compliance with the requirements of this Article shall be necessary for all development occurring within the flood hazard area zone.

Conflicts between the requirements of this Article and other requirements of this Ordinance or any other ordinance shall be resolved in favor of this Article, except where the conflicting requirement is more stringent and would further the objectives of this Article. In such cases the more stringent requirement shall be applied. Specific terms used in this Article are further defined in Article 26 of this Ordinance.

SECTION 23.03 DEVELOPMENT PERMIT

1. Development, including the erection of structures and placement of mobile homes within a flood hazard area shall not occur, except upon issuance of a building permit in accordance with the following standards:
 - a. The requirements of Article 9 shall be met.
 - b. The requirements of this Article shall be met.
 - c. The requirements of the underlying zoning district and applicable general provisions of this Ordinance shall be met.
 - d. All necessary development permits shall have been issued by appropriate local, state and federal authorities, including a flood plain permit approval, or letter of no authority from the Michigan Department of Environmental Quality under authority of Park 31 Water Resources Protection of the Natural Resources and Environmental Protection Act of 1994 PA 451, as amended. Where a development permit cannot be issued prior to the issuance of a building permit a letter from the issuing agency indicating intent to issue contingent only upon proof of zoning compliance shall be acceptable.

SECTION 23.04 GENERAL STANDARDS FOR FLOOD HAZARD REDUCTION

1. All new construction and substantial improvements within a flood hazard area, including the placement of prefabricated buildings and mobile homes, shall:
 - a. be designed and anchored to prevent flotation, collapse, or lateral movement of the structure;
 - b. be constructed with materials and utility equipment resistant to flood damage; and
 - c. be constructed by methods and practices that minimize flood damage.
 - d. be designed and/or located to prevent water entry or accumulation to electrical, heating, ventilation, plumbing, air conditioning equipment, and other service facilities.
2. All new subdivision proposals and other proposed new development shall be designed to minimize flood damage within the flood-prone areas.
3. All new and replacement water supply systems shall minimize or eliminate infiltration of flood waters into the systems.
4. All new and replacement sanitary sewer systems shall minimize or eliminate infiltration of flood waters into the systems and discharges from systems into flood waters. On-site waste disposal systems shall be located to avoid impairment to the system or contamination from the system during flooding.
5. All public utilities and facilities shall be designed, constructed and located to minimize or eliminate flood damage.
6. Adequate drainage shall be provided to reduce exposure to flood hazards.
7. The City Manager or his representative shall review development proposals to determine compliance with the standards in this section, and shall transmit his determination to the Chief Enforcement officer.
8. Land shall not be divided in a manner creating parcels or lots which cannot be used in conformance with the requirements of this Article.
9. The flood carrying capacity of any altered or relocated water-course not subject to state or federal regulations designed to insure flood carrying capacity shall be maintained.
10. Available flood hazard data from federal, state or other sources shall be reasonably utilized in meeting the standards of this section. The data of December 6, 1999, September 29, 2006, and February 2, 2012, as furnished by the Federal Emergency Management Agency, shall take precedence over other data from other sources. *(Rev. 1/12)*

SECTION 23.05 SPECIFIC BASE FLOOD ELEVATION STANDARDS

1. On the basis of the most recent available base flood elevation data, the following standards shall apply in the flood hazard area zone:
 - a. All new construction and substantial improvements of residential structures shall have the lowest floor, including basement, elevated one foot above the base flood level.

(Note: It is often recommended that elevation and floodproofing be required to one (1) foot above base flood level to allow for flooding variations caused by such unpredictable occurrences as ice jams or the cumulative effect of future minor floodplain encroachments.)

2. All new construction and substantial improvements of non-residential structures shall have either:
 - a. The lowest floor, including basement, elevated one (1) foot above the base flood level; or
 - b. Be constructed such that below base flood level, together with attendant utility and sanitary facilities, the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall certify that the standards of this subparagraph are satisfied, and that the flood proofing methods employed are adequate to withstand the flood depths, pressures, velocities, impact and uplift forces and other factors associated with a base flood in the location of the structure. Such certification shall be submitted as provided in Section 24.05 and shall indicate the elevation to which the structure is floodproofed.
3. The most recent base flood elevation data received from the Federal Emergency Management Agency shall take precedence over data from other sources.
4. For all new construction and substantial improvements, fully enclosed areas lying below the lowest floor, that are usable solely for parking of vehicles, building access, or storage in an area other than a basement, and which are subject to flooding; those areas shall be designed to automatically equalize hydrostatic flood forces by allowing for the entry and exit of floodwaters.

Designs shall either be certified by a registered professional engineer, or shall meet or exceed the following minimum criteria:

A minimum of two (2) openings having a total net area of not less than one (1) square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one (1) foot above grade. Openings may be equipped

with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

SECTION 23.06 MANUFACTURED HOME AND RECREATION VEHICLE STANDARDS

1. All manufactured homes which are placed or substantially improved within A1-30, AH, and AE Zones, which meet one of the following location criteria, shall be elevated such that the lowest floor is at least one (1) foot above the BFE and shall be securely anchored:
 - a. Outside a manufactured home park or subdivision;
 - b. In a new manufactured home park or subdivision;
 - c. In an expansion to an existing manufactured home park or subdivision;
 - d. On a site in an existing park which a manufactured home has incurred substantial damage as a result of a flood.
2. In A1-30, AH, and AE Zones, all manufactured homes to be placed or substantially improved in an existing manufactured home park shall be elevated so that:
 - a. The lowest floor is at least 1 foot above the BFE, or
 - b. The chassis is supported by reinforced piers no less than thirty-six (36) inches above grade and securely anchored.
3. All manufactured homes shall be anchored in accordance with current State of Michigan Mobile Home Commission tie-down anchoring requirements, or in accordance with current NFIP requirements, whichever is more restrictive. The term "Mobile Home" shall be construed to mean "Manufactured Home" under Michigan requirements.
4. An evacuation plan indicating alternative vehicular access and escape routes shall be filed with the Northville Chief of Police for manufactured home parks and manufactured home subdivisions.
5. Manufactured homes within zones A1-30 on the Flood Insurance Rate Map shall be located in accord with the following standards:
 - a. All manufactured homes shall be placed on stands or lots which are elevated on compacted fill or on pilings so that the lowest floor of the mobile home will be at or above the base flood base flood level.
 - b. Adequate surface drainage away from all structures and access for a mobile home hauler shall be provided.

- c. In the instance of elevation on pilings, lots shall be large enough to permit steps, piling foundations shall be placed in stable soil no more than ten (10) feet apart; and reinforcement shall be provided for piers more than six (6) feet above ground level.
 - d. In mobile home parks and mobile home subdivisions which exist at the time this subsection is adopted, where repair, reconstruction or improvement of streets, utilities land pads equals or exceed fifty (50) percent, of the value of the streets, utilities and pads before the repair, the standards in subparagraphs, a, b, c, d, and e of this subsection shall be complied with.
6. In A1-30-AH, and AE Zones, all recreational vehicles to be placed on a site must be elevated and anchored or be on the site for less than one hundred eighty (180) consecutive days or be fully licensed and highway ready. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached addition.

SECTION 23.07 FLOODWAY, PROTECTION STANDARDS

1. New construction, substantial improvements and all other development, including fill, shall be prohibited within zones numbered A1-30 on the FIRM, except where it is demonstrated to the Chief Enforcement Officer that the cumulative effect of the proposed development will not harmfully increase the water surface elevation of a base flood. In determining whether a harmful increase will occur, compliance with Public Act 451 of 1994 shall be required. The provisions of this section shall not apply within the regulatory floodway. The provisions of subsection 23.07.2. shall be applied to land situated within the regulatory floodway. *(Rev. 1/12)*
2. All development occurring within the regulatory floodway shall comply with the following standards:
 - a. Encroachments, including fill, new construction, substantial improvements and other development shall be prohibited. Exception to this prohibition shall only be made upon certification by a registered professional engineer or the Department of Environmental Quality that the development proposed will not result in any increases in flood levels during a base flood discharge, and compliance with Act 451, Public Acts of 1994. *(Rev. 2/07)*
 - b. The placement of manufactured homes shall be prohibited except in mobile home parks and subdivisions which exist at the time this Article is adopted.
 - c. Development which is permitted in the regulatory floodway shall meet the requirements of Section 23.04 to 23.05.

3. The uses of land permitted in an underlying zoning district shall not be construed as being permitted within the regulatory floodway, except upon compliance with the provisions on this section.

SECTION 23.08 DISCLAIMER OF LIABILITY

The degree of flood protection required by this ordinance is considered reasonable for regulatory purposes and is based upon engineering and scientific methods of study. Larger floods may occur on rare occasions. Flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. Approval of the use of land under this article shall not be considered a guarantee or warranty of safety from flood damage. This Ordinance does not imply that areas outside the flood hazard area will be free from flood damage.

This Ordinance does not create liability on the part of the City of Northville or any officer or employees thereof for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

SECTION 23.09 FLOODPLAIN MANAGEMENT ADMINISTRATIVE DUTIES

1. With regard to the National Flood Insurance Program, and the regulation of development within the flood hazard area zone as prescribed in Article 23 the duties of the Chief Enforcement Officer shall include, but are not limited to:
 - a. Notification to adjacent communities, and the Department of Environmental Quality of the proposed alteration or relocation of any watercourse, and the submission of such notifications to the Federal Emergency Management Agency.
 - b. Verification and recording of the actual elevation in relation to meet sea level of the lowest floor, including basement, of all new or substantially improved structures constructed within the flood hazard area, and in the case of floodproofed structures, the elevation to which the structure was flood proofed.
 - c. Recording of all certificates of flood proofing and written notification to all applicants to whom variances are granted in a flood hazard area zone indicating the terms of the variance, the increased denser to life and property, ad that the cost of flood insurance will increase commensurate with the increased flood risk, and may reach amounts in excess of twenty-five (\$25.00) dollars for one hundred (\$100.00) dollars of insurance coverage per year. A record of all variance notifications and variance actions shall be maintained together with the justifications for each variance.
 - d. Assuring that maintenance is provided within the altered or relocated portion of such water course so that the flood-carrying capacity is not diminished over time, due to development, silting, or other factors.

2. All records and maps pertaining to the National Flood Insurance Program shall be maintained in the office of the Chief Enforcement Officer and shall be open for public inspection.
3. It shall be the responsibility of the Chief Enforcement Officer to obtain and utilize the best available flood hazard data for purposes of administering this Ordinance in the absence of data from the Flood Insurance Administration.

SECTION 23.10 FLOODPLAIN MANAGEMENT PROVISIONS OF THE STATE CONSTRUCTION CODE

1. The City of Northville is covered under the provisions of the State Construction Code Act, Act No. 230 of the Public Acts of 1972, as amended.
 - a. Agency Designated. Pursuant to the provisions of the state construction code, in accordance with Section 8b(6) of Act 230 of the Public Acts of 1972, as amended, the Building Official of the City of Northville is hereby designated as the enforcing agency to discharge the responsibility of the City of Northville under Act 230, of the Public Acts of 1972, as amended, State of Michigan. The City of Northville assumes responsibility for the administration and enforcement of said act through out the corporate limits of the community adopting this ordinance.
 - b. Code Appendix Enforced. Pursuant to the provisions of the state construction code, in accordance with Section 8b(6) of Act 230, of the Public Acts of 1972, as amended, Appendix G of the Michigan Building Code shall be enforced by the enforcing agency within the City of Northville.
 - c. Designation of Regulated Flood Prone Hazard Areas in Oakland County. The Federal Emergency Management Agency (FEMA) Flood Insurance Study (FIS) entitled “Oakland County, Michigan (All Jurisdictions)” and dated September 29, 2006 and the Flood Insurance Rate Maps (FIRMS) panel numbers of 2602350001B dated December 6, 1999 and 26125C; 0514F, 0519F, 0538F, 0609F, 0620F, 0628F, and 0636F dated September 29, 2006 are adopted by reference for the purposes of administration of the Michigan Construction Code, and declared to be a part of Section 1612.3 of the Michigan Building Code, and to provide the content of the “Flood Hazards” section of Table R301.2(1) of the Michigan Residential Code. *(Rev. 1/12)*
 - d. Designation of Regulated Flood Prone Hazard Areas in Wayne County. The Federal Emergency Management Agency (FEMA) Flood Insurance Study (FIS) entitled “Wayne County, Michigan (All Jurisdictions)” and dated February 2, 2012 and the Flood Insurance Rate Maps (FIRMS) panel numbers 26163C; 0009E, 0020E, 0028E, and 0036E and dated February 2, 2012 are adopted by reference for the purposes of administration of the Michigan Construction Code, and declared to

be part of section 1612.3 of the Michigan Building Code, and to provide the content of the "Flood Hazards" section of Table R301.2(1) of the Michigan Residential Code. (Rev. 1/12)

SECTION 23.11 FLOOD HAZARD AREA APPLICATION INFORMATION

1. In addition to the information required with an application for a building permit, special use permit or any other type of development permission required under this Ordinance the following information shall be submitted as a part or an application for permission to commence any type of development within a flood hazard area zone:
 - a. The elevation in relation to mean sea level of the floor, including basement, of all proposed structures;
 - b. Where flood proofing will be employed, the elevation in relation to mean sea level to which a structure will be flood proofed;
 - c. Where flood proofing will be employed, a certificate from a registered professional engineer or architect that the flood proofing criteria of this Ordinance will be met;
 - d. Where it can be determined that development is proposed within zones A1-30 on the FIRM or the regulatory floodway, a certification as required by this Ordinance;
 - e. A description of the extent to which any watercourse will be altered or relocated as a result of proposed development;
 - f. Proof of development permission from appropriate local, state and federal agencies as required by Section 23.03.a.4, including a floodplain permit approval, or letter of no authority from the Michigan Department of Environmental Quality under authority of Part 31 Water Resources Protection of the Natural Resources and Environmental Protection Act of 1994 PA 451, as amended.
 - g. Base flood elevation date where the proposed development is subject to Public Act 288 or 1967 or greater than five acres in size, whichever is lesser, and the base flood elevation data for all other developments (including proposals for manufactured home parks and subdivisions) greater than 50 lots or 5 acres, whichever is lesser.
 - h. Additional information which may be reasonably necessary to determine compliance with the provisions of this Ordinance.

ARTICLE 24**ADMINISTRATION AND ENFORCEMENT****SECTION 24.01 ENFORCEMENT PROVISION**

Except where herein otherwise provided, the Chief Enforcement Officer the City Manager or designee, shall enforce the provisions of this Ordinance.

SECTION 24.02 DUTIES OF CHIEF ENFORCEMENT OFFICER

The Chief Enforcement Officer shall have the power to determine zoning compliance as herein provided and grant occupancy permits, to make inspections of buildings or premises prerequisite to carrying out his/her duties in the enforcement of this Ordinance. It shall be unlawful for the Chief Enforcement Officer to approve any plans or issue any permits or certificates of occupancy for any excavation or construction until he/she has inspected such plans in detail and found them to conform with this Ordinance.

The Chief Enforcement Officer shall record all nonconforming uses existing at the effective date of this Ordinance for the purpose of carrying out the provisions of Article 22.

Under no circumstances is the Chief Enforcement Officer permitted to make changes to this Ordinance nor to vary the terms of this Ordinance in carrying out his/her duties as Chief Enforcement Officer.

The Chief Enforcement Officer shall not refuse to issue a permit when conditions imposed by this Ordinance are complied with by the applicant despite violations of contracts, such as covenants or private agreements which may occur upon the granting of said permit.

SECTION 24.03 REQUIRED PLANS AND SPECIFICATIONS

The Chief Enforcement Officer shall require that all applications for building permits shall be accompanied by plans and specifications as required by the City's Basic Building Code.

For those applications requiring approval of a Site Plan pursuant to Article 19, a building permit will not be issued until the requirements of Article 19 have been complied with.

SECTION 24.04 PERMIT ISSUANCE CONDITIONS

The following shall apply as a condition to the issuance of any permit:

1. Permits Not To Be Issued: No building permit shall be issued for the erection, alteration or use of any building or structure or part thereof, or for the use of any land, which is not in accordance with all provisions of this Ordinance.
2. Permits For New Use of Land: No land heretofore vacant shall hereafter be used or an existing use of land be hereafter changed to a use or a different class or type unless a certificate of occupancy is first obtained for the new or different use and unless site plan review procedures as provided in Article 19 have been complied with in the event the same are applicable.
3. Permits For Use of Buildings: No building or structure, or part thereof, shall be changed to or occupied by a use of a different class or type unless a certificate of occupancy is first obtained for the new or different use and unless site plan review procedures as provided in Article 19 have been complied with in the event same are applicable.
4. Permits Required: No building or structure, or part thereof, shall be hereafter erected, altered, moved, or repaired unless a building permit shall have been first issued for such work. The terms “altered” and “repaired” shall include any change in structural parts, stairways, types of construction, type, class or kind of occupancy, light or ventilation, means of egress and ingress, or other changes affecting or regulated by the City of Northville Code of Ordinances, including but not limited to the Building Code, Housing Law, Historical District Ordinance, Landscaping Ordinance, or this Ordinance, except for minor repairs or changes not involving any of the aforesaid features.
5. The Chief Enforcement Officer is hereby authorized to permit a temporary building to be used as a field office in conjunction with a construction project, for a period not to exceed one (1) year or as otherwise provided by the Board of Zoning Appeals.

SECTION 24.05 CERTIFICATES OF OCCUPANCY

No land, building, or part thereof, shall be occupied by or for any use unless and until a Certificate of Occupancy shall have been issued for such use. The following shall apply in the issuance of any certificate.

1. Certificate Not to be Issued: No certificate of occupancy shall be issued for any building, structure or part thereof, or for the use of any land, which is not in accordance with all the provisions of this Ordinance, including provisions for screening, planting, fences, and parking.
2. Certificates Required: No building or structure, or parts thereof which is hereafter erected or altered, shall be occupied or used or the same caused to be done, unless and until a certificate of occupancy shall have been issued for such building or structure.
3. Certificates Include Requirements for Zoning Compliance: Certificates of occupancy shall not be issued unless all requirements of this Ordinance have been complied with.

4. Certificates for Existing Buildings: Certificates of occupancy shall be issued rot existing buildings, structures, or parts thereof or existing uses of land, if, after inspection, it is found that such buildings, structures, or parts thereof, or such use of land, are in conformity with the provisions of this Ordinance.
5. Records of Certificates: A record of all certificates issued shall be kept on file in the office of the Building Department, and copies shall be furnished upon request to any person having a proprietary or tenancy interest in the property involved.
6. Certificates for Accessory Buildings to Dwellings: Buildings or structures accessory to dwellings certificates of occupancy but shall not require separate may be included in the certificate or occupancy for the dwelling when shown on the plot plan and when completed at the same time as such dwellings.
7. Application for Certificates: Application for certificates of occupancy shall be made in writing to the Chief Enforcement Officer on forms furnished by that Department, and such certificates shall be issued within five (5) days after receipt of such application if it is found that the building or structure, or part thereof, or the use of land is in accordance with the provisions or this Ordinance and the City's Basic Building Code.

If such certificate is refused for cause, the applicant therefore, shall be notified of such refusal and cause thereof, within the aforesaid five (5) day period.

8. Temporary Certificates of Occupancy: The Chief Enforcement Officer may issue a Certificate of Occupancy for the principal building on a project before full completion or screening, landscaping, fencing and parking, if in his/her judgment, such items could not have been completed at the same time as the building. (For example, completion of a building in November through March might make installation of landscaping or parking areas impractical). In all such instances the Certificate of Occupancy shall be marked (Temporary for one (1) Year Only) and shall not be renewable. As soon as the screening, landscaping, fencing and parking is fully completed and inspected and approved by the Chief Enforcement Officer the "Temporary" certificate shall be canceled and a permanent Certificate issued. If any portions of the required screening, fencing, landscaping or parking is not fully completed within one year following the date of the Temporary Certificate the Certificate shall automatically become null and void and the Chief Enforcement Officer shall cause the use of any portion of the premises to be stopped until a permanent Certificate can be issued.

SECTION 24.06 FINAL INSPECTION

The holder of every building permit for the construction, erection, alteration, repair, or moving of any building, structure or part thereof, shall notify the Chief Enforcement Officer immediately upon the completion of the work authorized by such permit, for a final inspection.

SECTION 24.07 FEES

Fees may be imposed for inspection of properties and to determine compliance with any part of this Ordinance including those that may be levied pursuant to Article 19. Said fees may be collected by the Chief Enforcement officer in advance or issuance of any of the herein required permits. The amount of such fees shall be established by resolution of the City Council and may be amended from time to time to ensure that said fees cover the current costs of administering this Ordinance and its enforcement provisions.

SECTION 24.08 PERFORMANCE GUARANTEE (Rev. 5/21)

1. The city may require that a cash deposit, certified check, irrevocable bank letter of credit, or surety bond acceptable to the city be deposited with the city covering the estimated cost of improvements associated with a project for which zoning approval is sought to insure faithful completion of the improvements required hereunder. Such performance guarantee shall be deposited at the time of issuance of the building permit, grading/soil erosion sedimentation control permit, or other permit authorizing the activity or construction project. The guarantee shall cover site improvements as shown on the approved final site plan. Site improvements shall mean, but not be limited to, streets and drives, parking lots, sidewalks, grading, required landscaping, required screening, storm drainage, exterior lighting, utilities, and similar site items.
2. The applicant shall provide a detailed cost estimate of the improvements to be covered by the guarantee and such estimate shall be verified as to amount by the city. The fee shall also include a contingency fee to cover administrative and unexpected expenses. The form of the guarantee shall be approved by the city.
3. If the applicant fails to provide any site improvements according to the approved plans within the time period specified in the guarantee, the city shall be entitled to enter upon the site and complete the improvements. The city may defray the cost thereof from the deposited security or may require performance by the bonding company.
4. If a cash deposit or irrevocable bank letter of credit is used, the applicant may request that a rebate be made when a reasonable proportion of the work is completed, as determined by the city. Any unused portion of the guarantee remaining after final inspection of the site and its approval by the Chief Enforcement Officer in relation to the approved final site plan shall be refunded to the applicant by the city.
5. The Chief Enforcement Officer shall not issue a final certificate of occupancy until compliance with the approved final site plan is achieved, or until adequate security is deposited as provided herein.
6. In instances where all improvements, as required in this section, are not completed, and a temporary certificate of occupancy is requested, the estimated cost of such improvement shall be verified by the Chief Enforcement Officer, particularly with respect to any delay to another construction season. The Chief Enforcement Officer, in evaluating the adequacy of

the financial guarantee, may request any necessary input from the city engineer, planner, and landscape architect. If the estimated cost has changed, then a revised guarantee, acceptable to the city, shall be filed with the treasurer covering such remaining improvements.

ARTICLE 25**BOARD OF ZONING APPEALS****SECTION 25.01 CREATION AND MEMBERSHIP**

There is hereby established a Board of Zoning Appeals, which shall perform its duties and exercise its powers as provided in Act 110, Public Acts of 2006, as amended, and in such a way that the objectives of this Ordinance shall be observed, public safety secured, and substantial justice done. Pursuant to said Act the Board shall consist of seven (7) members appointed by the City Council. One (1) member shall be a member of the City Planning Commission with appointment coinciding with Planning Commission term. One (1) member may be a member of the City Council. Appointments shall be for a period of one (1), two (2) and three (3) years, respectively, so as nearly as may be to provide for appointment for an equal number each year, thereafter each member to hold office for the full three (3) year term. The Board of Zoning Appeals shall annually elect its own Chairman, Vice Chairman, and Secretary. The compensation of the appointed members of the Board of Zoning Appeals may be fixed by the City Council. *(Rev. 3/13)*

Section 25.01.1 Alternate Members

The Council for the City of Northville may appoint to the Board of Zoning Appeals two (2) alternate members who shall have the same voting rights as a regular member of the Board of Appeals. One (1) of these alternate members shall be appointed to a two-year term and the other shall be appointed to a three-year term; thereafter each alternate member shall be appointed to a full three-year term. These alternate members may be called to sit as regular members of the Board of Zoning Appeals by the Chairman of the Board of Zoning Appeals or his designated representative in the following instances:

- a. If a regular member is absent or unable to attend two (2) or more consecutive, meetings.
- b. If a regular member notified the Secretary of the Board that he/she will be absent or unable to attend a meeting for more than thirty (30) consecutive days.
- c. If a regular member has abstained from voting or has notified the Secretary of the Board that he/she intends to abstain from voting by reason of a conflict of interest. In such case the alternate member shall serve until a final decision has been made.

SECTION 25.02 MEETINGS

All meetings of the Board of Zoning Appeals shall be held at the call of the Chairman and at such times as such Board may determine. All hearings conducted by the said Board shall be open to the Public. The Secretary, or his/her representatives, shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact;

and shall also keep records of its hearings and other official action. Four (4) members of the Board shall constitute a quorum for the conduct of its business. *(Rev. 3/13)*

SECTION 25.03 APPEAL PROCEDURE

1. An appeal may be taken to the Board of Zoning Appeals by any person, firm or corporation, or by an officer, Department, Board or Bureau affected by a decision or the Building Official or Planning Commission when exercising its administrative role. Such appeal shall be taken within such time as shall be prescribed by the Board of Zoning Appeals by general rule, by filing with the Building Official and with the Board of Zoning Appeals a notice of Appeal, specifying the grounds thereof. The Building Official shall transmit to the Board all of the papers constituting the record upon which the action appealed from was taken. A fee to be established by resolution of City Council shall be paid to the Building Department at the time the notice of appeal is filed. The notice of appeal shall specify the particular grounds upon which the appeal is based, and shall be signed. It shall also specify the requirements from which a variance is sought and the nature and extent of such variance. *(Rev. 12/06)*
2. The Building Department or Clerk's Office shall publish notice of the request for appeal in a newspaper of general circulation in the City.

Notice shall also be sent by mail or personal delivery to the owners of property for which the appeal is being considered. Notice shall also be sent to all persons to whom real property is assessed within 300 feet of the property and to the occupants of all structures within 300 feet of the property regardless of whether the property or occupant is located in the zoning jurisdiction. *(Rev. 12/06)*
3. The notice shall be given not less than fifteen (15) days before the date the application for appeal will be considered for approval. If the name of the occupant is not known, the term "occupant" may be used in making notification under this subsection. The notice shall do all of the following:
 - a. Describe the nature of the appeal.
 - b. Indicate the property that is the subject of the appeal. The notice shall include a listing of all existing street addresses within the property. Street addresses do not need to be created and listed if no such addresses currently exist within the property. If there are no street addresses, other means of identification may be used.
 - c. State when and where the appeal will be considered.
 - d. Indicate when and where written comments will be received concerning the appeal. *(Rev. 12/06)*
4. Any person shall be accorded the right to appear in person or be represented by a duly authorized agent.

5. The Board of Zoning Appeals shall prepare an official record of each appeal and shall base its decision on this record. The official record shall include:
 - a. The relevant administrative records and the administrative orders issued thereon relating to the appeal.
 - b. The notice of appeal.
 - c. Such documents, exhibits, photographs, or written reports as may be submitted to the Board for its consideration.
6. The written findings of fact, the conditions attached, and the decisions and orders of the Board of Zoning Appeals in disposing of the appeal shall be entered into the official minutes. The official minutes of all business of the BZA shall be filed in the office of the Clerk. *(Rev. 12/06)*
7. A copy of the official minutes of an appeal shall be made available for the parties to the appeal upon request and after the payment of such fee therefore as may be provided by the rules and regulations of the Board of Zoning Appeals. *(Rev. 12/06)*

SECTION 25.04 POWERS AND DUTIES

The Board of Zoning Appeals shall not have the power to alter or change the zoning district classification on any property, nor to make any change in the terms of this Ordinance, but does have power to act on those matters where this Ordinance provides for an administrative review, interpretation, or exception and to authorize a variance as defined in this Section and laws of the State of Michigan; said powers include:

- a. Appeal of Administrative Decisions: To hear and decide appeals where it is alleged by the applicant that there is an error in any order requirement, permit, decision or refusal made by the Chief Enforcement Officer or any other administrative official or the Board itself carrying out or enforcing any provision of this Ordinance. The Board of Zoning Appeals shall not however have authority to review a denial of a special use permit considered in accordance with Section 16.01 or a condition of special use imposed by the Planning Commission. Appeal of special use and planned unit development decisions shall be via Circuit Court. *(Rev. 12/06)*
- b. Nonuse (Dimensional) Variances: To authorize, upon an appeal, a variance from any dimensional standard or requirement of this chapter, such as, but not limited to, density, height, bulk, setback, or parking and landscaping requirements whereby reason of unique physical characteristics a specific piece of property at the time of enactment of this Ordinance or other extraordinary or exceptional conditions of such property, the strict application of such regulations if enacted would result in practical difficulties upon the owner of such property, provided such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this Ordinance.

In granting a nonuse variance, the Board may attach conditions regarding the location, character, and other features of the proposed uses, as it may deem reasonable, in furtherance of the purpose of this Ordinance. In granting a nonuse variance, the Board shall state the grounds upon which it justified the granting of a variance. The board shall not grant a nonuse variance unless it shall have made a finding of fact based upon the evidence, as presented to it in each specific case. Nonuse variances shall be granted if the facts meet all the criteria specified below: (Rev. 8/15)

1. *Practical difficulties.* There are exceptional or extraordinary circumstances or conditions applying to the property that do not apply generally to other properties in the same Zoning District or in the general vicinity. Because of these circumstances or conditions, compliance with the strict letter of the restrictions would create practical difficulties, unreasonably preventing the use of the property for a permitted purpose or rendering conformity with such restrictions unnecessarily burdensome. The showing of mere inconvenience is insufficient to justify a variance. Practical difficulties include one or more of the following: (Rev. 8/15)
 - i. The exceptional narrowness, shallowness or shape of a specific property;
 - ii. The exceptional topographic or environmental conditions or manmade constraints or other extraordinary situation on the land, building or structure; and
 - iii. The use or development of the property immediately adjoining the property in question; whereby the literal enforcement of the requirements of this chapter would involve practical difficulties.
2. *Substantial justice.* Granting of a requested variance or appeal would do substantial justice to the applicant as well as to other property owners in the district; or, as an alternative, granting of lesser variance than requested would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners.
3. *Not self-created.* The problem and resulting need for the variance did not result from the actions of the applicant and/or the applicant's predecessor. This criterion may or may not be considered depending upon whether the practical difficulty would have existed regardless of the action. Examples of actions that are "self-created" (and therefore do not meet this criterion) include, but are not limited to the following: (Rev. 8/15)
 - i. Claiming practical difficulty for a substandard lot when the owner has sold off portions that would have prevented the practical difficulty

- ii. Building during the pendency of an appeal
 - iii. Ignorance of the ordinance
4. *Minimum variance necessary.* The variance requested is the minimum necessary to permit reasonable use of the land. (Rev. 12/06)
 5. The Board of Zoning Appeals may evaluate whether or not the request would have an impact on public safety or create a public nuisance. (Rev. 8/15)
- c. Use Variances. The Board of Zoning Appeals may grant a use variance only upon a finding that an unnecessary hardship exists. A use variance is a variance that permits a use that is otherwise not provided for in a zoning district. Approval of a use variance shall require an affirmative vote of two-thirds (2/3) or five (5) members of the Board of Zoning Appeals. A finding of an unnecessary hardship shall require demonstration by the applicant of all of the following:
1. *Unreasonable current zoning designation.* The applicant has demonstrated that the site cannot reasonably be used for any of the uses allowed within the current zoning district designation. The Board may require submission of documentation from real estate or market experts, or a certified appraiser, to substantiate this finding.
 2. *Unique circumstances.* The need for the variance is due to unique circumstances peculiar to the property and not generally applicable in the area or to other properties in the same zoning district. The applicant must prove that there are certain features or conditions of the land that are not generally applicable throughout the zone and that these features make it impossible to earn a reasonable return without some adjustment. In those situations where the difficulty is shared by others, the Board may find that relief should be accomplished by an amendment to the zoning ordinance, not a variance.
 3. *Not self-created.* The problem and resulting need for the variance has not been self-created by the applicant and/or the applicant's immediate predecessor.
 4. *Capacity of roads, infrastructure, and public services.* The capacity and operations of public streets, utilities, other facilities and services will not be significantly compromised.
 5. *Character of neighborhood.* The use variance will not alter the essential character of the neighborhood nor be of detriment to adjacent properties.
 6. *Minimum variance necessary.* The variance requested is the minimum necessary to permit reasonable use of the land. (Rev. 12/06)

- d. Ordinance and Map Interpretations. The Board of Zoning Appeals may hear and decide in accordance with the provisions of this Ordinance, requests for interpretations of the Zoning Ordinance and Map, as the Board may require to preserve and promote the character of the zoning provision or district in question and otherwise promote the purposes of this Ordinance and those of the City's Master Plan. *(Rev. 12/06)*
- e. Temporary Buildings and Uses. The Board of Zoning Appeals shall have authority to:
1. Permit temporary residences, as defined, for a specified or time limited period. An emergency temporary residence may be approved by the Building Official, as described in Section 18.22. *(Rev. 8/18)*
 2. Permit temporary uses and structures used during construction, such as temporary asphalt or concrete plants. This provision does not apply to a temporary construction building, trailer, office, or sales office, as described in Section 18.22, which may be approved by the Building Official. *(Rev. 8/18)*
 3. Permit temporary outdoor sales, outdoor display, seasonal sales (such as Christmas trees) on private property owned or leased by the entity conducting the sale located in the Local Commercial District (LCD), Central Business District (CBD) or the General Commercial District (GCD). This shall exclude outdoor sales permitted by the Planning Commission as a special use in accordance with Section 11.03 (GCD) and seasonal sales conducted by non-profit entities in accordance with Section 18.22. *(Rev. 8/18)*
 4. Permit other uses or buildings not mentioned above or listed in Section 18.22 for a period not to exceed twelve (12) months with the granting of an additional twelve (12) months for uses which do not require the erection of any capital improvement of a structured nature. *(Rev. 8/18)*
 - (a) The granting of the temporary use or building shall in no way constitute a change in the basic uses permitted in the district nor on the property wherein the temporary use is permitted. *(Rev. 4/10)*
 - (b) The granting of the temporary use shall be granted in writing, stipulating all conditions as to time, nature of development permitted and arrangements for removing the use at the termination of said temporary permit.
 - (c) All setbacks, land coverage, off-street parking, lighting and other requirements to be considered in protecting the public health, safety, peace, morals, comfort, convenience and general welfare of the inhabitants of the City of Northville shall be made at the discretion of the Board of Zoning Appeals and as herein provided.

- (d) In classifying uses as not requiring capital improvement, the Board of Zoning Appeals shall determine that they are either demountable structures related to the permitted use of the land; recreational developments such as, but not limited to, golf-driving ranges and outdoor archery courts; or structures which do not require foundations, systems or sanitary heating connections.
 - (e) The use shall be in harmony with the general character of the district and shall not alter the natural character of the environment by destroying its ecological systems.
 - (f) No temporary use permit shall be granted without first giving notice to owners of adjacent property of the time and place of a public hearing to be held as further provided for in this Ordinance.
- f. Nonconforming Uses and Structures. The Board of Zoning Appeals shall have authority to permit, upon proper application and adequate showing by applicant, an expansion, extension or enlargement of a nonconforming use or structure, subject to the following conditions and limitations. *(Rev. 12/06)*
- 1. No such nonconforming use shall be enlarged, increased, extended, or moved except as permitted by the Board of Zoning Appeals pursuant to authority granted to said Board as set forth in Article 25, Section 25.04 of this Ordinance.
 - 2. Exterior alterations, expansions or structural modification involving exterior load-bearing walls shall be subject to review by the Board of Zoning Appeals, in accordance with Article 25, Section 25.04. This shall not include normal repair or routine maintenance of exterior surfaces.
- g. Other Appeals. The Board of Zoning Appeals shall also hear and decide on all other matters referred to it or upon which is required to pass under this Ordinance. *(Rev. 12/06)*

In consideration of all appeals and all proposed variations to the Ordinance, the Board shall, before making any variations from the Ordinance in a specific case, first determine that the proposed variation will not impair an adequate supply of light and air to adjacent property, or unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, or unreasonably diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the City of Northville. The Board may send the proposal to Planning Commission for site plan review to determine the appropriateness of the proposed variances in regards to the use or development of the property.

In granting or denying a variance, the Board of Zoning Appeals may prescribe appropriate conditions and safeguards to carry out the requirements of the article, including conditions regarding the location, character, site design, height, parking and loading facilities, additional

landscaping, operations and other features of the proposed structure or uses, as it deems reasonable in furtherance of the purpose of this chapter. *(Rev. 12/06)*

The concurring vote of four (4) members of the Board shall be necessary to reverse any other requirements, decision, or determination of the Chief Enforcement Officer or to decide in favor of the applicant in any matter upon which it is authorized by this Ordinance to render a decision provided however, that the concurring vote of five (5) members of the board shall be necessary to grant a variance from uses of land permitted in this ordinance. Nothing herein contained shall be construed to give or grant to the Board the power or authority to alter or change this Ordinance or the Zoning Map, such power and authority being reserved to the Mayor and the City Council of the City of Northville in the manner provided by law. *(Rev. 3/13)*

SECTION 25.05 EXERCISING POWERS

In exercising the above powers, the Board of Zoning Appeals may reverse or affirm wholly or partially, or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as ought to be made, and to that end shall have all the powers of the Building Official from whom the appeal is taken. *(Rev. 12/06)*

SECTION 25.06 MISCELLANEOUS

No order of the Board of Zoning Appeals permitting the erection or alteration of a building shall be valid for a period longer than one (1) year, unless a building permit for such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.

No order of the Board of Zoning Appeals permitting a use of a building or premises shall be valid for a period longer than one (1) year unless such use is established within such periods; provided, however, that where such use permitted is dependent upon the erection or alteration of a building, such order shall continue in force and effect if a building permit for said erection or alteration is obtained within such period and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.

SECTION 25.07 CIRCUIT COURT REVIEW

The decision of the Board of Zoning Appeals shall be final. A party aggrieved by the decision may appeal to the Circuit Court for the County in which the property is located. An appeal to the Circuit Court shall be filed within 30 days after the Board of Zoning Appeals certifies its decision in writing or approves the minutes of its decision. *(Rev. 12/06)*

ARTICLE 26**CONSTRUCTION OF LANGUAGE AND DEFINITIONS****SECTION 26.01 CONSTRUCTION OF LANGUAGE**

The following rules of construction apply to the text of this Ordinance:

1. The particular shall control the general.
2. In the case of any difference of meaning or implication between the text of this Ordinance and any caption or illustration, the text shall control.
3. The word “shall” is always mandatory and not discretionary. The word “may” is permissive.
4. Words used in the present tense shall include the future; and words used in the singular number shall include the plural, and the plural the singular, unless the context clearly indicates the contrary.
5. A “building” or structure includes any part thereof.
6. The phrase “used for” includes “arranged for”, “designed for”, “intended for”, “maintained for”, or “occupied for”.
7. The word “person” includes an individual, a corporation, a partnership, an incorporated association, or any other similar entity.
8. Unless the context clearly indicates the contrary, where a regulation involves two or more items, conditions, provisions, or events connected by the conjunction, “and”, “or”, “either...or”, the conjunction shall be interpreted as follows:
 - a. “And” indicates that all the connected items, conditions, provisions, or events shall apply.
 - b. “Or” indicates that the connected items, conditions, or provisions, or events may apply singly or in any combination.
 - c. “Either...or” indicates that the connected items, conditions, provisions or event shall apply singly but not in combination.
9. Terms not herein defined shall have the meaning customarily assigned to them.

SECTION 26.02 DEFINITIONS

1. Accessible, Readily: Signifies access without the necessity for removing a panel or similar obstruction. (Rev. 12/05)
2. "Accessory Use, Accessory Building, or Accessory": An "Accessory Use" is a use which is clearly incidental to, customarily found in connection with, subordinate to, and (except in the case of accessory off-street parking spaces or loading) located on the same zoning lot as the principal use to which it is related, and devoted exclusively to the main use of the premises.

Accessory Building is a subordinate building or structure on the same lot, or part of the main building, occupied or devoted exclusively to an accessory use.

3. Adult Arcade: A place to which the public is permitted or invited to view motion pictures, video or laser disc pictures or other products of image-producing devices where the images displayed are distinguished or characterized by the depicting or describing of "specified sexual activities" or "specified anatomical areas". (Rev. 12/05)
4. Adult Book Store: Adult novelty store or adult video store, defined as a commercial establishment which, as one of its principal purposes, offers for sale or rental for any form of consideration, reading materials, photographs, films, motion pictures, video cassettes or video reproductions, slides or other visual representations characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas"; or instruments, devices or paraphernalia which are designed for use in connection with "specified sexual activities". (Rev. 12/05)
5. Adult Cabaret: A night club, bar, restaurant, or similar commercial establishment which regularly features: persons who appear in a state of nudity or semi-nudity; live performances which are characterized by the exposure of "specified sexual activities" or "specified anatomical areas"; or, films, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas". (Rev. 12/05)
6. Adult Motel: A hotel, motel, or similar commercial establishment that:
 - 1) Offers accommodation to the public for any form of consideration and provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, other photographic reproductions or visual media that are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas" and has a sign visible from the public right-of-way that advertises the availability of any of the above;
 - 2) Offers a sleeping room for rent for a period of time that is less than twelve (12) hours; or

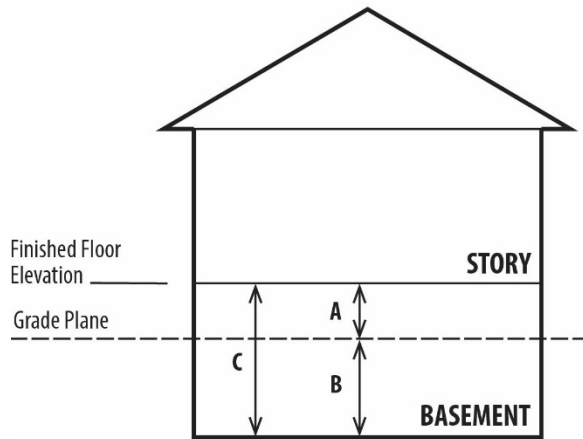
- 3) Allows a tenant or occupant of a sleeping room to sub-rent the room for a period of time that is less than twelve (12) hours. *(Rev. 12/05)*
7. Adult Motion Picture Theater: A commercial establishment where, for any form of consideration, films, motion pictures, video cassettes, slides, or similar photographic reproductions are regularly shown which are characterized by the depiction or description of “specified sexual activities” or “specified anatomical areas”. *(Rev. 12/05)*
8. Adult Theater: A theater, concert hall, auditorium, or similar commercial establishment which regularly features persons who appear in a state of nudity or semi-nudity, or live performances which are characterized by the exposure of “specified sexual activities” or “specified anatomical areas”. *(Rev. 12/05)*
9. Air Conditioning Condenser: The outside fan unit of a central air conditioning system. *(Rev. 12/14)*
10. Alley: Any dedicated public way affording a secondary means of access to abutting property, and not intended for general traffic circulation.
11. Alterations: Is any structural change, additions, or modification or construction of type of occupancy, or any change in the structural members of a building, such as bearing walls, columns, beams or girders, the consummated act of which may be referred to herein as “altered or reconstructed”.
12. Apartment: Is a room or suite of rooms in a multi-family building arranged and intended as a place of residence for a single family or a group of individuals living together as a single housekeeping unit as herein defined.
13. Apartment Hotel: Is a building designed for or containing both dwelling units and individual guest rooms or suites of rooms, which building may include accessory uses such as a cigar store, coffee shop, etc., permitted in a hotel as defined herein, provided such uses are accessible only from the lobby.
14. Arbor: Is an accessory structure used in landscaping consisting of a frame supporting open latticework on the sides and overhead, designed and intended to support vegetation and act as a passageway. *(Rev. 4/16)*

ARBOR

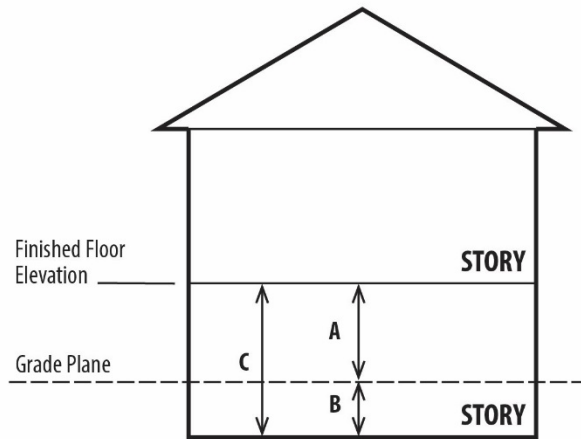
15. Arcade: As defined in Title 3, Chapter 11, Control, License and Regulate the Establishment, Maintenance, and Operation of Arcades and Commercial Amusement Devices.
16. Architectural Features: Architectural features of a building shall include cornices, eaves, gutters, belt courses, sills, lintels, bay windows, chimneys and decorative ornaments.
17. Attic, Finished: means the space between the roof framing and the ceiling of the rooms below which has been made readily accessible through the use of permanent stairs and electricity. (Rev. 12/05)
18. Automobile Repair: General repair, engine rebuilding, rebuilding or reconditioning of motor vehicles; collision service, such as body, frame, or fender straightening and repair, overall painting and vehicle rust-proofing.
19. Auto Service Station: A building or buildings, structures and adjoining space used for the sale and dispensing of motor fuel from fixed equipment into the fuel supply tanks of motor vehicles and for the sale and dispensing into or installation on motor vehicles of lubricants and operating supplies and where automotive tires, batteries, parts and accessories may be sold, installed, serviced and adjusted and where if within a building such services as tire repairing, battery recharging, cleaning and polishing of vehicles, chassis lubrication, minor repairs and adjustments may be rendered. The keeping of automatic vending machines for the sale of personal comfort items such as candy bars, soda pop, potato chips, etc., shall be deemed to be in compliance with this definition.
20. Base Flood: Means the flood having a one percent chance of being equaled or exceeded in any given year.
21. Basement: The term “basement” shall mean that portion of a building which is partly or wholly below grade plane, but so located that the vertical distance from the grade plane to the floor of the basement is greater than the vertical distance from the grade plane to the finished floor elevation directly above. A basement that meets this definition shall not be counted as a story. (See the illustration below.) (Rev. 4/17)

BASEMENT AND STORY

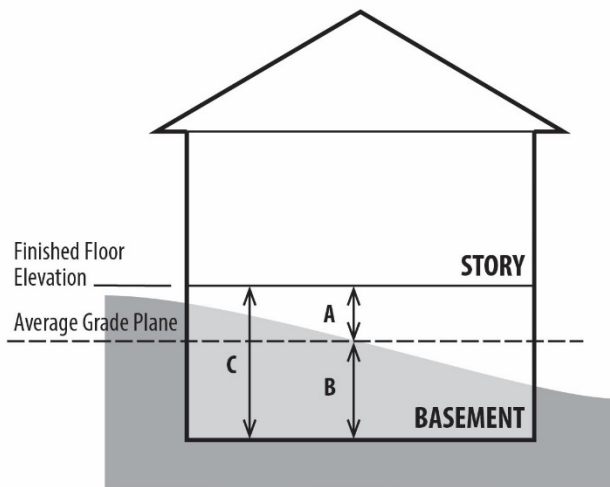
If "A" is less than "B"
"C" is a basement



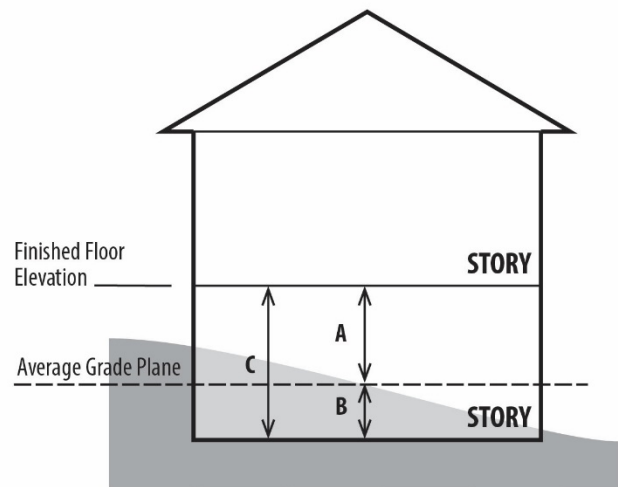
If "A" is greater than "B"
"C" is a story



If "A" is less than "B"
"C" is a basement



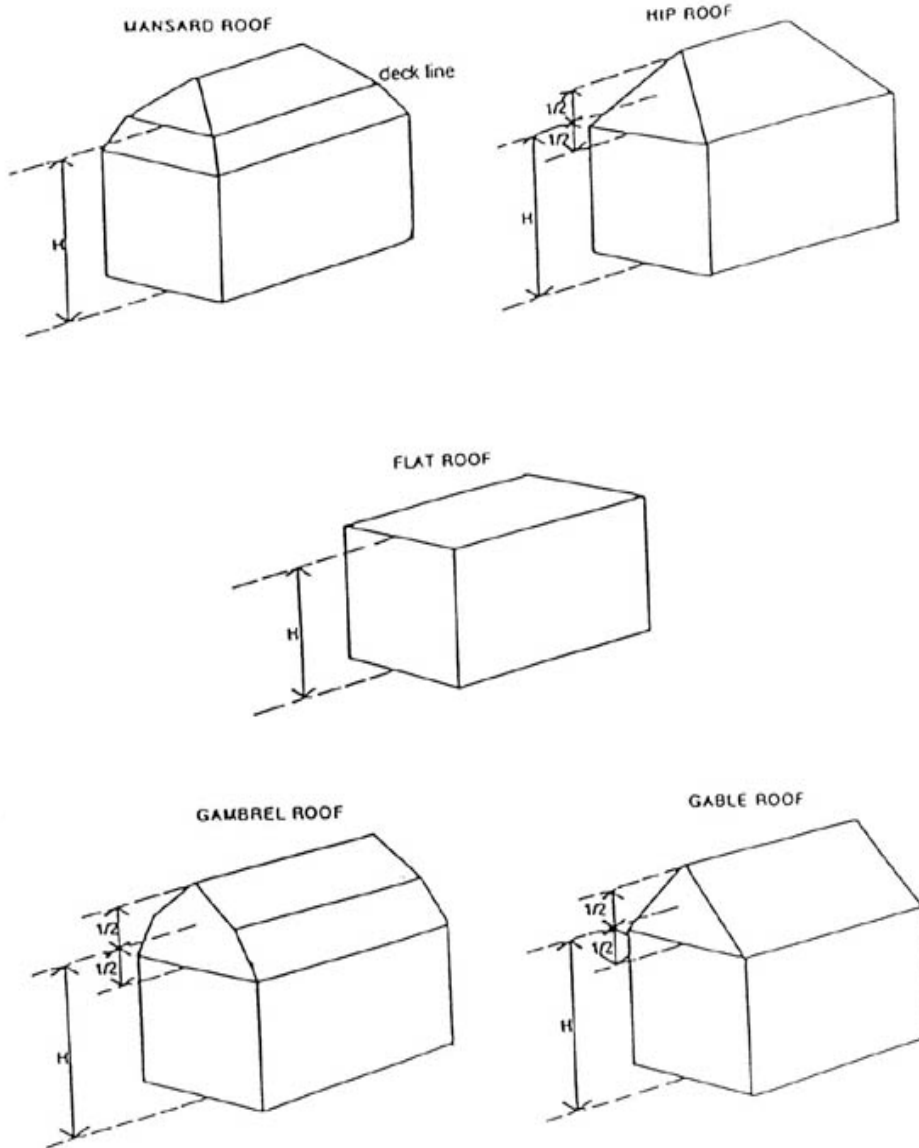
If "A" is greater than "B"
"C" is a story



22. Bed and Breakfast Accommodations: A use in which transient guests are provided a sleeping room and board in return for payment.
23. Block: Is the property abutting one side of a street and lying between the two nearest intersection streets, (crossing or terminating) or between the nearest such street and railroad right-of-way, un-subdivided acreage, river or live stream; or between any of the foregoing and any other barrier to the continuity of development, or corporate boundary lines of the municipality.
24. Boarding House (Rooming House): Is a building other than a hotel, where for compensation and by prearrangement for definite periods, meals, or lodging and meals, are provided for three or more persons, but not exceeding ten sleeping rooms. A rooming house or a furnished room in a house shall be deemed a boarding house for the purposes of this Ordinance.
25. Board of Zoning Appeals: The words “Board of Zoning Appeals” or “Board” shall mean the Board of Zoning Appeals for the City of Northville.
26. Building Area: The buildable area of a lot is the space remaining after the minimum open space requirements of this Ordinance have been complied with.
27. Building: Is any structure, either temporary or permanent, having a roof and used or build for the shelter or enclosure of persons, animals, chattels, or property of any kind. A “building” shall not include such structures as billboards, fences, or radio towers, or structures with interior areas not normally accessible for human use such as gas holders, tanks, smoke stacks, grain elevators, coal bunkers, oil cracking towers, or similar structures.
28. Building Height: The vertical distance from the **grade plane** (based upon existing grades) to the highest point of the flat roof or mansard roof and to the average height between eaves and ridge for a gable, hip and gambrel roof. *(Rev. 4/16)*
29. Building, Main or Principal: A Building in which is conducted the principal use of the lot on which it is situated.
30. Building Official: The Building Official of the City of Northville or his authorized representative. *(Rev. 12/06)*
31. Building Line, Front: A line established, in general, parallel to the front street line which passes through the extreme front of the principal building. No part of a building shall project between the front building line and the front street line, except as otherwise provided by the Ordinance. *(Rev. 8/20)*
32. Building Line, Rear: A line established, in general, parallel to the street that passes through the extreme rear of the principal building. If a principal building is located on a “corner” lot, the rear building line could be one or more sides of the building that are parallel to either street. *(Rev. 8/20)*

33. Building Permits: A building permit is the written authority issued by the Building Official permitting the construction, removal, moving, alteration or use of a building in conformity with the provisions of this Ordinance.

ILLUSTRATIONS OF ZONING TERMS
BUILDING HEIGHT



34. Change of Use: Any alteration of a lot, parcel, or land which is an intensification of use which results in one (1) or more of the following:
- A change of land use which requires additional parking
 - A significant change in traffic flow or interior circulation
 - A change in the hours of operation which could impact surrounding areas
 - A change in stormwater flow or an increase in impervious area
 - A change which has the potential to require additional public service such as police and fire (*Rev. 3/13*)
35. Child Day Care Center: means a facility, other than a private residence, receiving one or more preschool age children for care for periods of less than twenty-four hours (24) hours a day, and where the parents or guardians are not immediately available to the child. Child care center or day care center includes a facility which provides care for not less than two (2) consecutive weeks, regardless of the number of hours of care per day. Child day care centers are permitted use only in districts zoned PBO, LCD and GCD.
36. Clinic (Medical): Shall mean any facility providing physical or mental health service and medical or surgical care to the sick or injured but shall not include in-patient or overnight accommodations. Medical clinic includes health clinic, and doctor's offices.
37. Clubs: Are organizations of persons for special purposes or for the promotion of sports, arts, sciences, literature, politics, social activities, and other similar group activities.
38. Collective Parking Agreement: Shall mean an agreement, lease or contract whereby two or more property owners of a common parking area collectively agree to provide required off-street parking. (*Rev. 10/08*)
39. Commission: The word “Commission” shall mean the City of Northville Planning Commission.
40. Common Driveway: A pavement area which provides vehicular ingress, egress, access or circulation to or from any public or private roadway to two (2) residences with a total length of not more than one hundred (100) feet.
41. Condominium Act: Act 59, Public Acts of 1978, as amended.
42. Condominium Documents: The master deed, recorded pursuant to the Condominium Act, and any other instrument referred to in the master deed or bylaws which affects the rights and obligations of a co-owner in the condominium.
43. Condominium Lot: The condominium unit, and the contiguous limited common element surrounding the condominium unit, shall be the counter-part of “lot” as used in connection with a project developed under the Subdivision Control Act, Act 288 of the Public Acts of 1967, as amended.
44. Condominium Unit: The portion of a condominium project designed and intended for separate ownership and use, as described in the master deed.

45. Convalescent or Nursing Home: Facility which provides inpatient skilled nursing care and related services to patients who require medical, nursing or rehabilitative services but do not require the level of care provided in a hospital. (Rev. 5/18)
46. Deck: A structure associated with a residential structure which provides a surface for tables and chairs, and is intended to be used as a means of access between the residence and the yard, and as an area for outdoor recreation.
47. Development: Is the construction of a new building or other structure on a zoning lot, the relocation of an existing building on another zoning lot, or the use of open land for new use.
48. District: Is a portion of the incorporated area of the City within which certain regulations and requirements or various combinations thereof apply under the provisions of this Ordinance.
49. Drive-in: Is a business establishment so developed that its retail or service character is dependent on providing a drive-way approach or parking spaces for motor vehicles so as to serve patrons while in the motor vehicle, or within a building or structure on the same premises and devoted to the same purposes as the drive-in service.
50. Driveway: A pavement area (generally private) which provides vehicular ingress, egress, access or circulation to or from any public or private roadway to public or private property. The driveway shall not exceed one hundred (100) feet and shall not provide access to more than two (2) residences.
51. Driveway Approach: All that area of the driveway which is located within the existing road right-of-way or the future right-of-way as determined by the agency having jurisdiction over the roadway.
52. Dumpster: A container that has a hooking mechanism that permits it to be raised and dumped into a sanitation truck. (Rev. 4/10)
53. Dumpster Roll-Off Container: A dumpster which is hauled away from a site rather than being emptied on-site. (Rev. 4/10)
54. Dwelling, Converted: Means a dwelling more than ten (10) years old altered to make a greater number of units.
55. Dwelling, Multiple Family: Is a building, or portion thereof, designed exclusively for occupancy by three (3) or more families living independently of each other.
56. Dwelling, One Family: Is a building designed exclusively for and occupied by one (1) family and has a minimum width across any front, side or rear elevation of twenty (20) feet.
57. Dwelling, Two Family: Is a building designed exclusively for occupancy by two (2) families living independently of each other.

58. Dwelling, Row or Terrace: A row of three (3) or more attached one-family dwellings, not more than two (2) stories in height in which each dwelling has its own front entrance and rear entrance.
59. Dwelling Unit: Is a building, or portion thereof, designed for occupancy by one (1) family for residential purposes and having cooking facilities.
60. Efficiency Unit: An efficiency unit is a dwelling unit consisting of one room, exclusive of bathroom, kitchen, hallways, closets, or dining alcove directly off the principal room providing not less than three hundred and fifty (350) square feet of floor area.
61. Emergency Electrical Generator: An electrical power generation unit or whole house generator that is mounted on a permanent or prefabricated foundation and is operated only during interruptions of electrical service from the distribution system or transmission grid due to circumstances beyond the operator's control. The operation may also include limited periods of operating time as supported by the manufacturer for routine maintenance. (Rev. 12/14)
62. Erected: The word "erected" includes built, constructed, reconstructed, moved upon, or any physical operations on the premises required for the building. Excavations, fill, drainage, and the like, shall be considered a part of erection.
63. Escort: A person who, for consideration, agrees or offers to act as a companion, guide, or date for another person, or who agrees or offers to privately model lingerie or to privately perform a strip tease for another person. (Rev. 12/05)
64. Escort Agency: A person or business association who furnishes or offers to furnish, or advertises escorts as one of its primary business purposes for a fee, tip, or other compensation. This shall not include persons or business associations that furnish individuals whose function is to provide assistance to senior citizens, or to persons who are physically or mentally handicapped. (Rev. 12/05)
65. Essential Services: Is the erection, construction, alteration or maintenance by public utilities or municipal departments of underground, surface, or overhead gas, electrical, telephone, telegraph, steam, fuel, or water transmission or distribution systems, collection, communication, supply or disposal systems, including towers, poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm and police call boxes, traffic signals, hydrants and similar accessories in connection therewith, but not including buildings which are necessary for the furnishing of adequate service by such utilities or municipal departments for the general health, safety, or welfare.
66. Excavation: Is any breaking of ground, except common household gardening and ground care.

67. Family: Family shall mean one (1) or more persons related by blood or married occupying a dwelling unit and living as single, nonprofit housekeeping unit.

A collective number of individuals living in one house and under one head, whose relationship is of a permanent and distinct domestic character, and cooking as a single housekeeping unit. This definition shall not include any society, club, fraternity, sorority, association, lodge, combine, federation, group, coterie, or organization, which is not a recognized religious order, nor include a group of individuals whose association is temporary and resort-seasonal in character or nature.

68. Family Day Care Home: Means a private home in which one (1) but less than seven (7) minor children are received for care and supervision for periods of less than twenty-four (24) hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage or adoption. Family day care home includes a home that gives care to an unrelated minor child for more than four (4) weeks during a calendar year. Family day care homes are a permitted use in districts zoned R1-A and R1-B.

69. Family Foster Care Home: Is an establishment which provides supervision, assistance, protection or personal care, in addition to room and board, to six or fewer persons. A family foster care home is other than a home for the aged or nursing home, as defined and licensed under Act 139 of the Public Acts of 1956, as amended, or a mental hospital for mental patients licensed under Sections 51 and 52 of Act 151 of the Public Acts of 1923, as amended. (Rev. 5/18)

70. Fence: A marker, barrier, or enclosure intended to screen a land use, or restrict access to or egress from a lot or parcel of land, whether enclosing all or part of the lot or parcel, constructed of wood, metal or artificial materials. (Rev. 4/21)

71. Filling: Is the deposition or dumping of any matter on to, or into the ground, except common household gardening and ground care.

72. Flood or Flooding: Means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- a. the overflow of inland waters;
- b. the unusual and rapid accumulation of runoff of surface waters from any source.

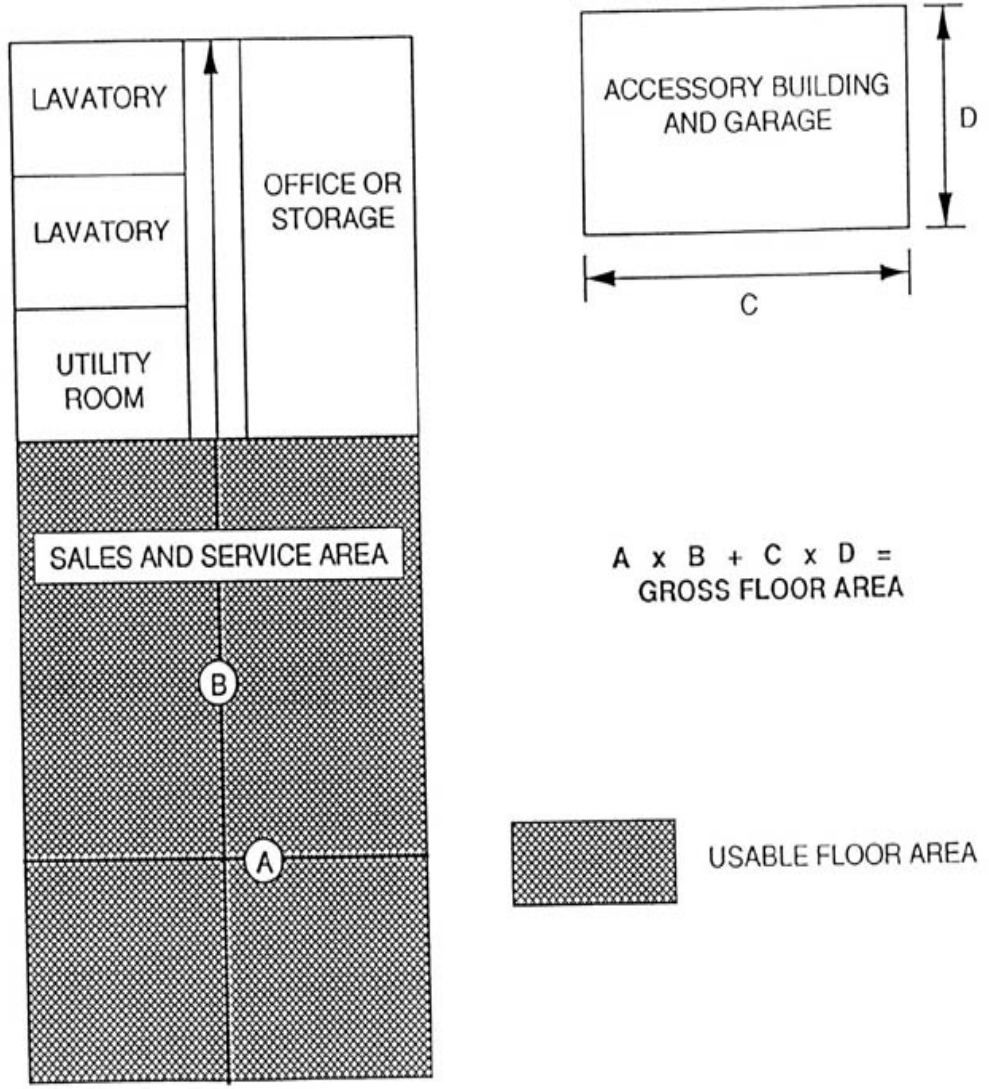
73. Flood Hazard Area: Means land which on the basis of available floodplain information is subject to a one (1) percent or greater chance of flooding in any given area.

74. Flood Hazard Boundary Map (FHBM): Means an official map of a community, issued by the Federal Insurance Administration, where the boundaries of the areas of special flood hazards have been designated as Zone A.

75. Flood Insurance Rate Map (FIRM): Means an official map of a community, on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.
76. Flood Insurance Study: Is the official report provided by the Federal Insurance Administration. The report contains flood profiles, as well as the Flood Hazard Boundary-Floodway Map and the water surface elevation of the base flood.
77. Flood Plain: Means any land area susceptible to being inundated by water from any source (see definition of flood).
78. Floodway: Means the channel of a river or other watercourse and the adjacent land areas designated in the Flood Insurance Study which must be preserved in order to discharge the base flood.
79. Floor Area, Gross: (General Definition) Is the sum of the gross horizontal areas of the several floors of a building or buildings, measured from the exterior walls or from the centerline of walls separating two buildings. In particular floor area includes: basement space; elevator shafts or stairwells; floor space for mechanical equipment, penthouses, balconies, mezzanines, enclosed porches, and accessory buildings; attic floor space (whether or not floor has been laid) providing structural head room is seven feet six inches (7'6"). Floor area shall not include: elevator or stair bulkheads, accessory water tanks, or cooling towers; uncovered steps, attic floor space less than five feet (5'0") high. Covered, but unenclosed portion of porches, terraces or breezeways shall have their floor area computed at fifty percent (50%) of the actual floor area. (Rev. 10/08)
80. Floor Area, Gross: (for purposes of computing parking only) Gross floor area shall be the sum of the horizontal areas of each story of the building, measured from the interior surfaces of the exterior walls. Gross floor area shall include hallways, interior lobbies and similar areas; but shall exclude exterior porches, attached garages, elevators, stairways, mechanical (HVAC) rooms, and attics and basements which cannot accommodate commercial or office operations other than storage. (Rev. 10/08)

Floor Area, Usable: (For the Purposes of Computing Parking) That area used for or intended to be used for the sale of merchandise or services, or for use to serve patrons, clients, or customers. Such floor area which is used or intended to be used principally for the storage or processing of merchandise, hallways or for utilities or sanitary facilities, shall be excluded from this computation of "Usable Floor Area." Measurement of usable floor area shall be the sum of the horizontal areas of the several floors of the building, measured from the interior faces of the exterior walls. (Rev. 10/08)

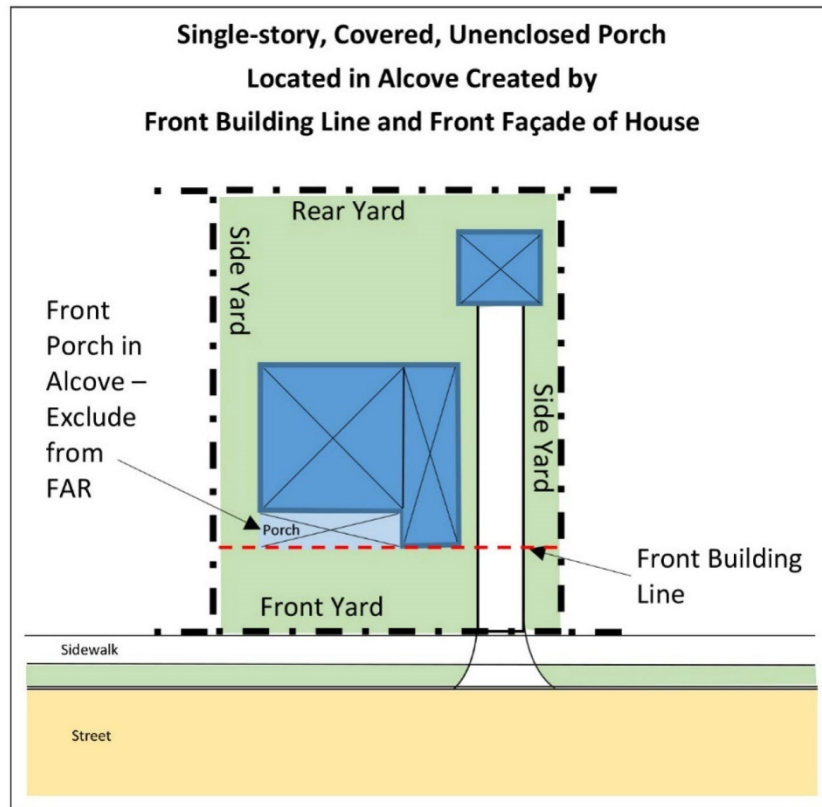
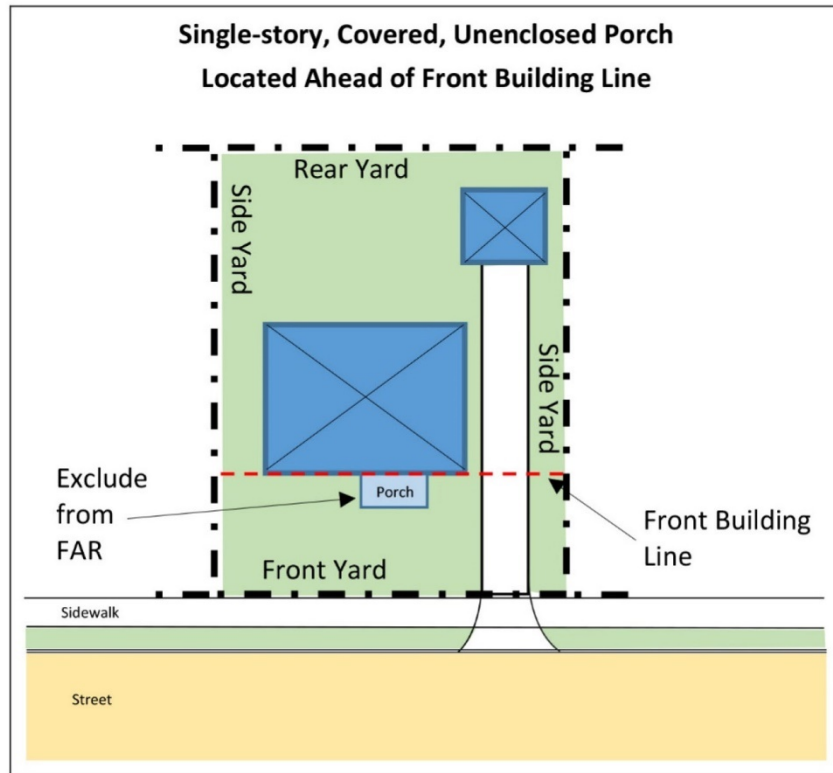
FLOOR AREA TERMINOLOGY

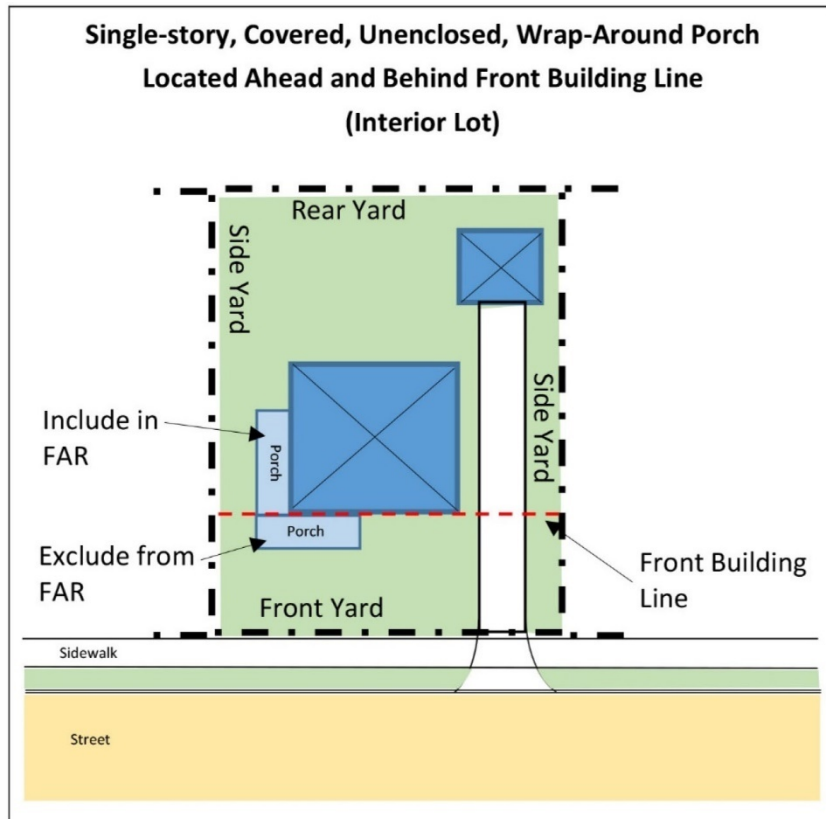
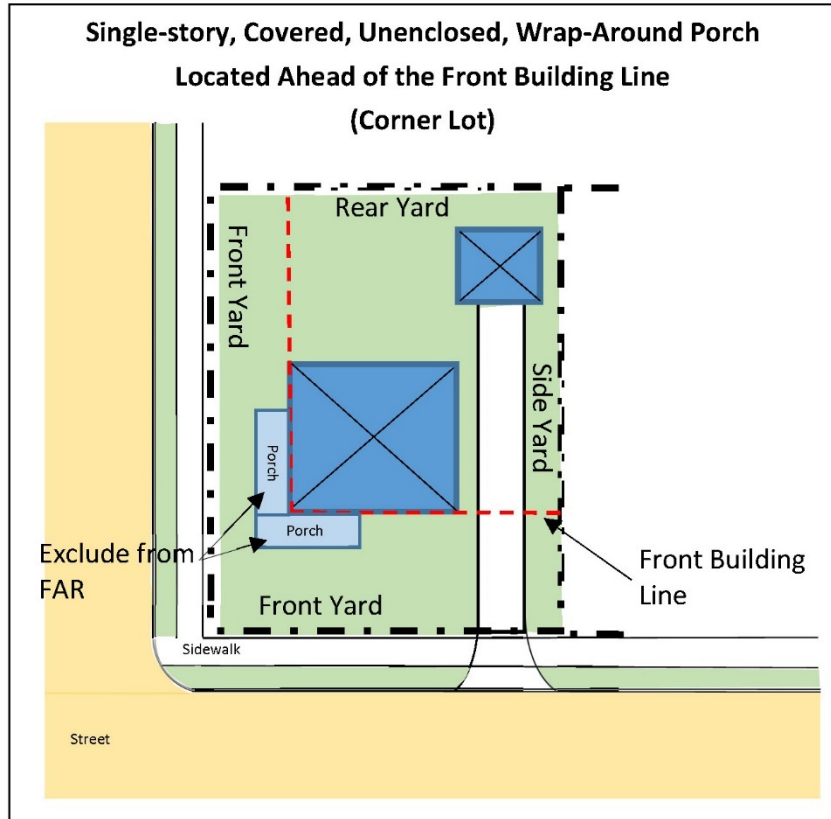


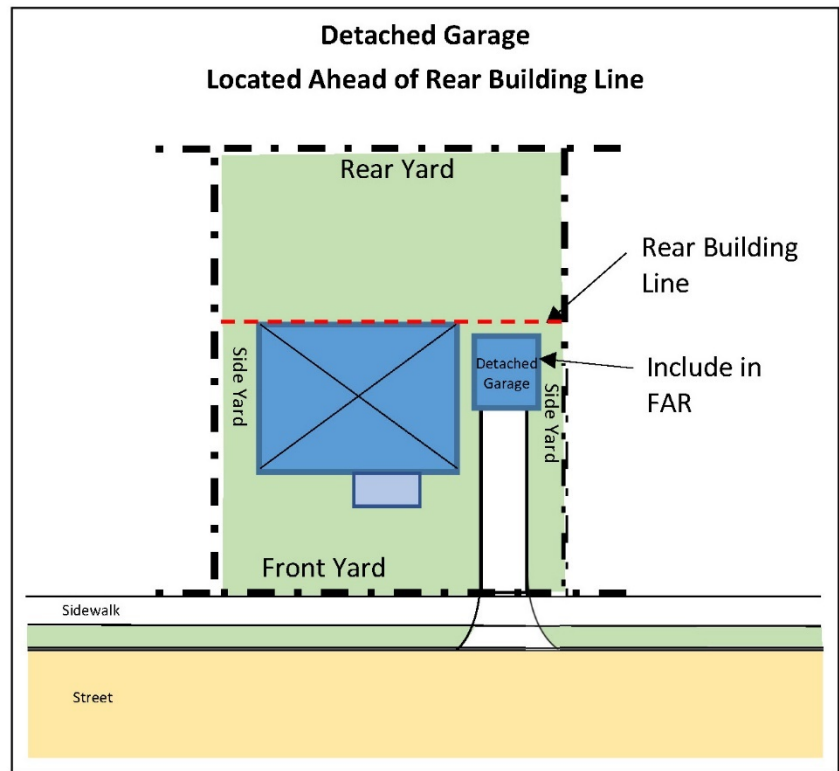
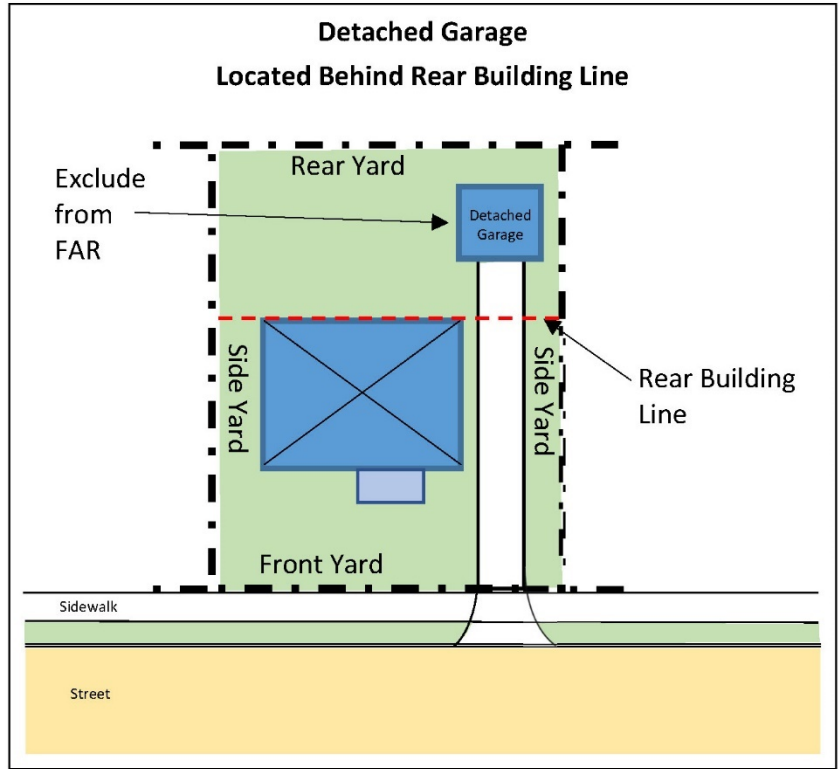
81. Floor Area Ratio (FAR): The floor area of all floors of the building or buildings on a lot divided by the area of the lot. For example: when a floor area ratio of 0.36 is specified, the floor area of the building constructed on a lot of 10,000 square feet in area is limited to a maximum of 3,600 square feet (or $10,000 \times 0.36 = 3,600$). The purpose of this ratio is to control the bulk of buildings based on the size of the lot. FAR for residential buildings is calculated using “Floor Area, Residential,” as defined in this ordinance.
82. Floor Area, Residential: Means the sum of the horizontal areas of each story of the building measured from the exterior walls or from the centerline of walls separating two dwellings. The floor area measurement shall include any habitable space (unless excluded in the table below) and bathrooms, toilet rooms, closets, halls, storage or utility spaces and similar areas, and attached garages. Examples of architectural features that are included or excluded in the FAR calculation are shown in the following table. Features not specifically listed in the table will be evaluated by the Building Official per Section 24.02, who shall determine whether a feature is included or excluded in the FAR calculation. *(Rev. 8/20)*

Examples of Architectural Elements Included/Excluded from FAR Calculation (Rev. 5/21)

	<u>Architectural Feature</u>	<u>Conditions</u>
Include in FAR:	First story	
	Upper story	<ul style="list-style-type: none"> • Connected by a fixed stairway to the first story, and • Has exterior walls supporting a roof. (See “Upper level floor area under sloped roof...” provisions below.)
	Attached garages or carports, including attached garages in basements of a dwelling	For basements that contain an attached garage, only the floor area of the basement occupied by the garage is included in the FAR calculation. This applies regardless of the location of the garage door.
	Detached garages or carports, that are not attached to the house, but are located ahead of the rear building line of the house (See illustrations below)	
	Accessory structures (except detached garages or carports, as described in “excluded” features below)	
	Porte cochere	
	Enclosed porches and breezeways	
	Unenclosed and covered porches, decks, and breezeways located behind the front building line (See illustrations below)	Unenclosed porches, decks and breezeways shall not contain walls, windows, screens, or other enclosures except for open balustrades and railings.
Architectural projections with floor area		
Exclude from FAR:	Basements, except for attached garages in basements of a dwelling	For basements that contain an attached garage, only the floor area of the basement unoccupied by the garage is excluded from the FAR calculation. This applies regardless of the location of the garage door.
	Unfinished attics	<ul style="list-style-type: none"> • With headroom of less than five (5) feet (between top of floor and bottom of rafter), and • Which may NOT be made usable for human habitation
	Upper level floor area under a sloped roof where the roof is not supported by exterior walls and sits on the story below.	<ul style="list-style-type: none"> • If dormers occupy less than 50% of the roof area, floor area under these dormers is excluded from the FAR calculation. • If dormers occupy 50% or more of the roof area, floor area under the dormers in excess of 50% of the roof area shall be included in the FAR calculation.
	Single-story, unenclosed, and covered porches located ahead of the front building line or in an alcove created by the front building line, meeting conditions to the right (See illustrations below)	<ul style="list-style-type: none"> • Unenclosed front porches shall not contain walls, windows, screens, or other enclosures except for open balustrades and railings. • The porch must be located ahead of the front building line, and/or occupy the alcove on the front of the house created by the front building line, and the front façade of the house directly behind the front building line.
	Unenclosed and uncovered porches and decks	Unenclosed porches and decks shall not contain walls, windows, screens, or other enclosures except for open balustrades and railings.
Detached garages or carports, not attached to the house, that are located behind the rear building line of the house (See illustrations below)		







83. Garage, Commercial Parking: Is a building or other structure which is used for the storage or parking of motor vehicles. A “Commercial Parking Garage” may include the dispensing of motor fuels, lubricants, air, water and other operating commodities wholly within the buildings, but not readily visible from or advertised for sale on the exterior of the building. However, a commercial parking garage shall not include a building or other facility used for automobile repair, or primarily for storage of commercial vehicles or for dead storage of vehicles.
84. Garage, Private: An accessory building or portion of a main building designed or used solely for the storage of motor driven vehicles, boats, and similar vehicles owned and used by the occupants of the building to which it is accessory.
85. Garage, Service: Any building used for the storage or care of motor driven vehicles, or where any such vehicles are equipped for operation, repaired, or kept for remuneration, hire or sale.
86. Garden Ornament: Is any decorative feature customarily placed in a garden setting. Examples include benches, planters, bird baths, bird houses, coach lights, fountains, statuary, piers, columns, and similar items. Garden ornaments are not considered accessory structures. Fences, play structures, arbors, pergolas, trellises, ponds, animal enclosures such as pens or chicken coops, and similar items are not considered garden ornaments. Requirements relating to garden ornaments are provided in Section 18.11.12 of this ordinance. *(Rev. 4/16)*
87. General Common Elements - The common elements other than the limited common elements.
88. Grade: A reference plane representing the ground level adjoining a building or structure. *(Rev. 4/16)*
89. Grade, Existing. The elevation or surface of the ground or pavement as it exists prior to disturbance. This includes both the “natural” grade, where no man-made disturbances have impacted a building site, as well as the existing grade as established by existing buildings, structures and/or pavement. *(Rev. 4/16)*
90. Grade, Finished. The final elevation of the ground surface after development. *(Rev. 4/16)*
91. Grade Plane: A reference plane representing the average of the existing grades or ground level adjoining the building at exterior walls. Where the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, where the lot line is more than six (6) feet from the building, between the building and a point six (6) feet from the building. *(Rev. 4/16)*

92. Greenbelt: Means an area of land set aside exclusively for landscaping. Generally a greenbelt area serves to visually reduce the impact of an adjoining land use or the view of a land use from the public street. As such, a greenbelt should include in its landscaping, vegetation or earth mounding or combination of both.
93. Group Day Care Home: means a private home in which more than six (6) but not more than twelve (12) minor children are given care and supervision for periods of less than twenty-four (24) hours a day unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. Group day care includes a home that gives care to an unrelated minor child for more than four (4) weeks during a calendar year. Group day care homes are a permitted use only in districts zoned PBO, LCD and GCD.
94. Habitable Space: Is a space in a structure for living, sleeping, eating or cooking. Bathrooms, toilet compartments, closets, halls, storage or utilities spaces and similar areas are not considered habitable spaces.
95. Harmful Increase: Means an unnaturally high stage on a river, stream or lake which causes, or may cause damage to property, threat to life, personal injury, or damage to and or water resources.
96. Hedge: A dense row of shrubs or low growing trees at least ten (10) feet in length used for screening or as a barrier. *(Rev. 5/09)*
97. Home Occupation: An occupation, profession, activity, or use that is clearly a customary, incidental, and secondary use of a residential dwelling unit and which does not alter the exterior of the property or affect the residential character of the neighborhood.
98. Hospital: Shall mean any institution providing physical or mental health services, in-patient or overnight accommodations, and medical or surgical care of the sick or injured. Hospital includes sanitariums.
99. Hotel: Is a building or part of a building, with a common entrance or entrances, in which the dwelling units or rooming units are used primarily for transient occupancy, and in which one or more of the following services are offered.

Bellboy service

Furnishing of linen

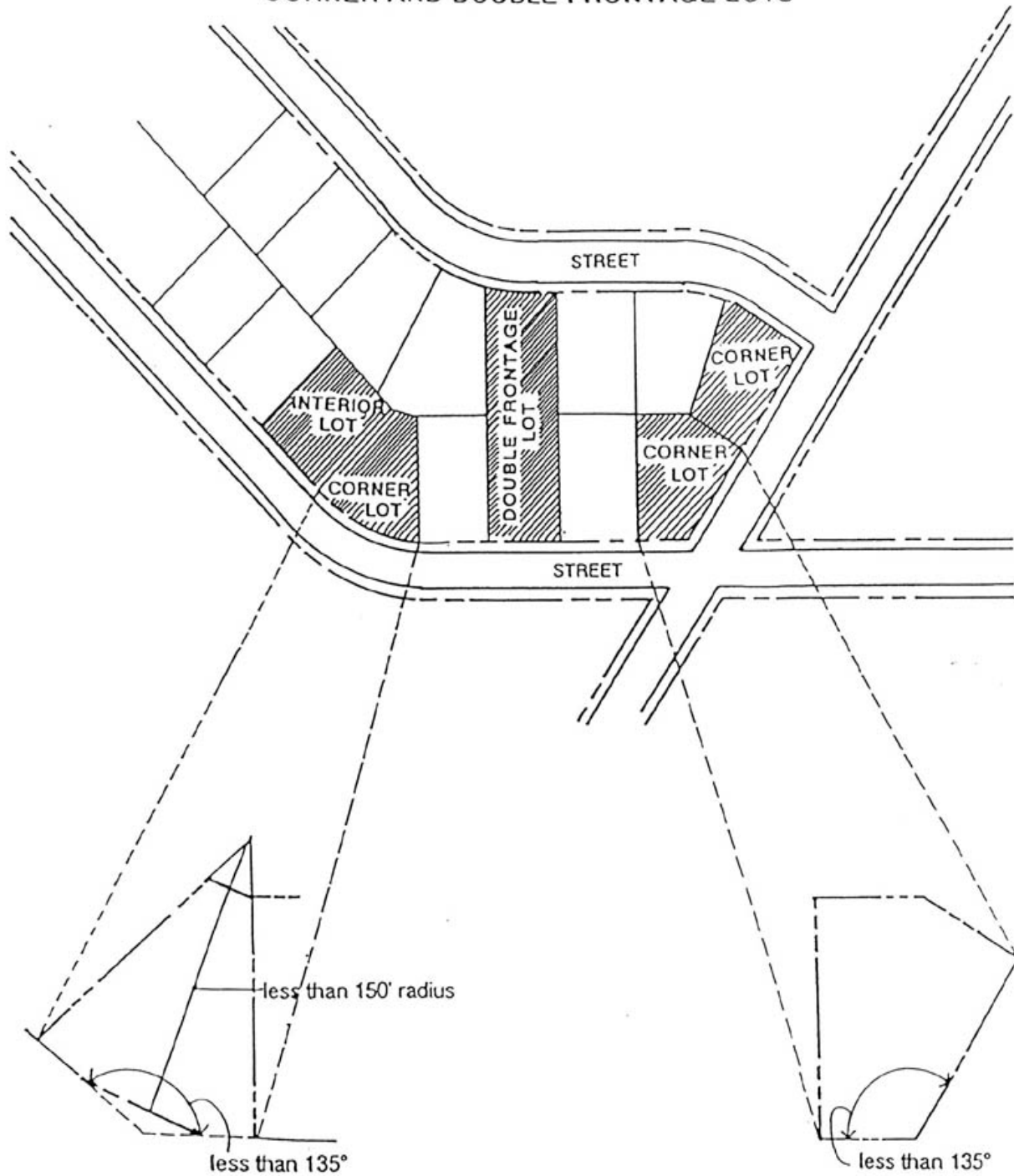
Maid Service

Telephone, secretarial, or desk service

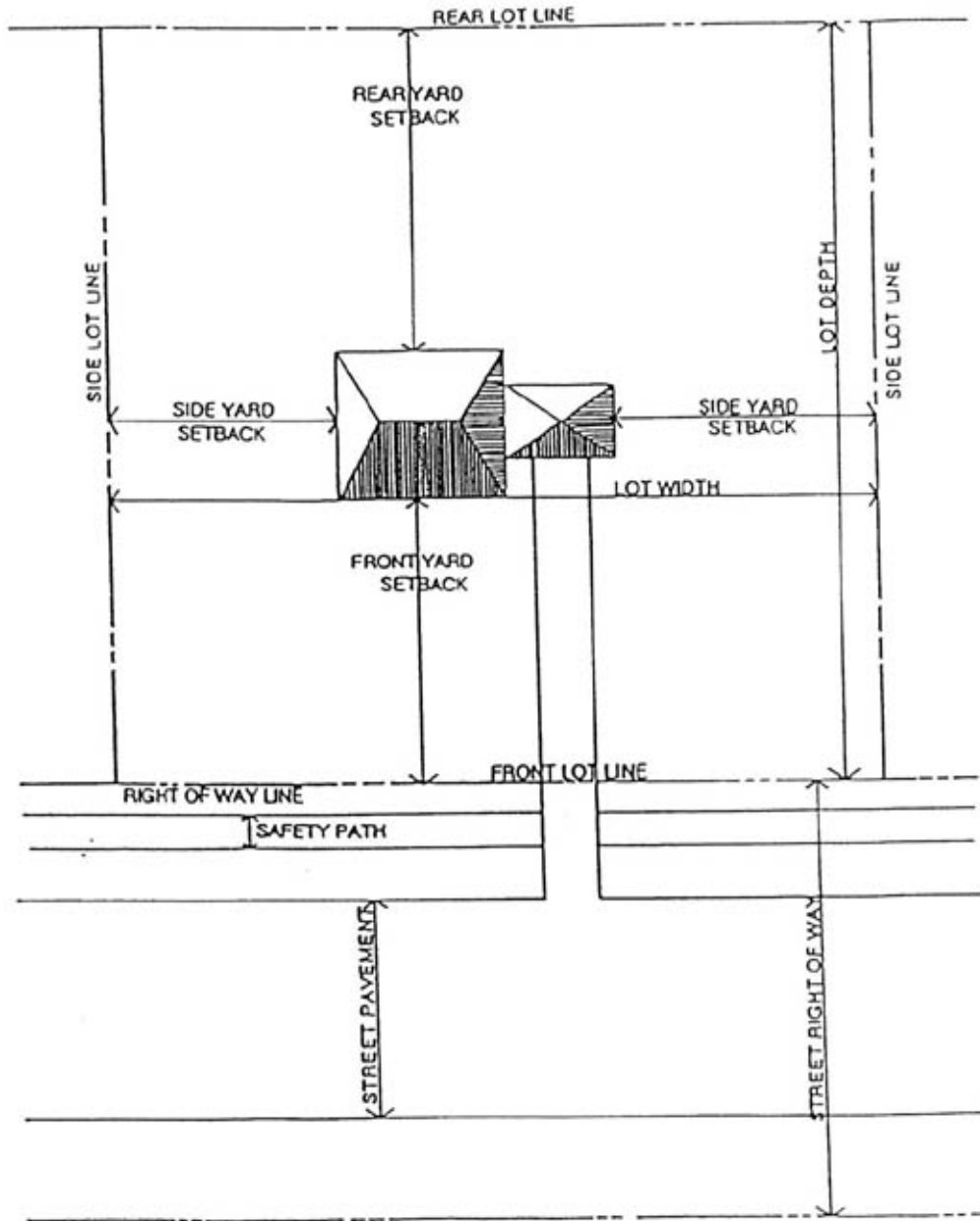
100. Junk Yard: An area where waste, used or secondhand materials are bought and sold, exchanged, stored, baled, packed, disassembled, or handled including but not limited to: scrap iron and other metals, paper, rags, rubber tires, and bottles. A “Junk Yard” includes automobile wrecking yards and includes any open area of more than two hundred (200) square feet for storage, keeping or abandonment of junk.
101. Kennel, Commercial: Any lot or premise on which three (3) or more dogs or cats six (6) months or older are either permanently or temporarily boarded for remuneration or where such pets kept for breeding purposes.
102. Landscape Area: An area of ground surface that has been planted with live plant materials such as, but not limited to, turf grass, ground cover, trees, shrubs, vines, and other live plant material. In addition, landscape areas may include other incidental natural materials, such as woodchips, boulders or mulch, if provided in combination with live plant material. (Rev. 7/17)
103. Limited Common Elements - A portion of the common elements reserved in the master deed for the exclusive use of less than all of the co-owners.
104. Loading Space: An off-street space on the same lot with a building, or group of buildings, for the temporary parking of a commercial vehicle while loading and unloading merchandise or materials.
105. Lot: A parcel of land occupied, or intended to be occupied, by a main building or group of such buildings together with accessory buildings, or utilized for the principal use and uses accessory thereto, together with such yards and open spaces as are required under the provisions of this Ordinance. A lot may or may not be specifically designated as such on public records.
106. Lot, Corner: Is any lot having at least two (2) contiguous sides abutting upon one (1) or more streets, roads, or private roads provided that the interior angle at the intersection of such two (2) sides is less than one hundred thirty-five (135) degrees. A lot abutting a curved street(s) shall be a corner lot if the arc has a radius less than one hundred and fifty (150) feet. (See diagram pg. 26-23)
107. Lot, Interior: Any lot other than a corner lot.
108. Lot Through: Any interior lot having frontage on two more or less parallel streets as distinguished from a corner lot. In the case of a row of double frontage lots, all yards of said lots adjacent to streets shall be considered frontage, and front yard setbacks shall be provided as required.
109. Lot area: The horizontal area within the lot lines of the lot excluding public road right of way or private road right of way.

110. Lot Coverage: The part or percent of the lot occupied by the buildings, accessory buildings and structures, and any other building components that have a roof or fixed canopy, such as a covered porch, breezeway, etc. However, per Sections 18.11.8.1. and 18.11.8.2, the area of an eligible front porch located in the front yard setback shall be excluded from the lot coverage calculation. The area of cantilevered projections of any floor, excluding roof overhangs, shall be included in the calculation of lot coverage. *(Rev. 8/20)*
111. Lot Depth: Is the horizontal distance between the front and rear lot lines; measured along the median between the side lot lines.
112. Lot lines: The lines abounding a lot as defined herein:
- a. Lot Line, Front: That line separating the lot from the street or place. In the case of a corner lot or through lot, the lines separating the lot from each street.
 - b. Lot Line, Rear: A lot line which is opposite the front lot line. In the case of a corner lot, the rear lot line may be opposite either front lot line, but there shall be only be one (1) rear lot line. In the case of a lot pointed at the rear, the rear lot line shall be an imaginary line parallel to the front lot line, not less than ten (10) feet long, lying farthest from the front lot line and wholly within the lot.
 - c. Lot Line, Side: Any lot line not a front lot line or not a rear lot line.

ILLUSTRATIONS OF ZONING TERMS CORNER AND DOUBLE FRONTAGE LOTS



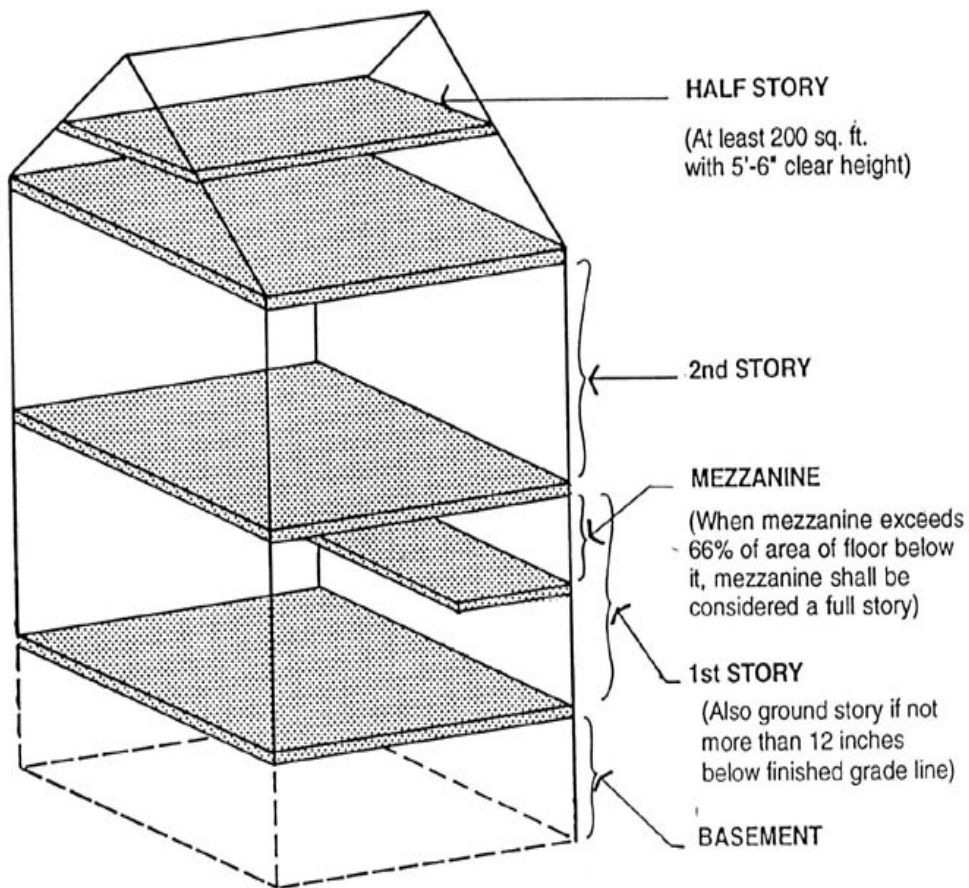
ILLUSTRATIONS OF ZONING TERMS GENERAL LOT TERMS



113. Lot of Record: Is a parcel of land, the dimensions of which are shown on a document or map on file with the County Register of Deeds or in common use by City or County Officials, and which actually exists as so shown, or any part of such parcel held in a record ownership separate from that of the remainder thereof.
114. Lot Width: The distance from one side lot line to the other side lot line measured parallel to the front lot line at the minimum building set-back.
115. Lot Zoning: A single tract of land, located within a single block, which, at the time of filing for a building permit, is designated by its owner or developer as a tract to be used, developed, or built upon as a unit, under single ownership or control.
- A zoning lot shall satisfy this Ordinance with respect to area, size, dimensions, and frontage as required in the district in which the zoning lot is located. A zoning lot therefore, may not coincide with a lot of record as filed with the County Register of Deeds, but may include one or more lots of record.
116. Main Building: Is a building in which is conducted the principal use of the lot upon which it is situated.
117. Main Use: Is the principal use to which the premises are devoted and the principal purpose for which the premises exist.
118. Major Thoroughfare: Is an arterial street which is intended to serve as a large volume traffic way for both the immediate City area and the region beyond, and may be designated as a major thoroughfare, parkway, freeway, expressway, or equivalent term to identify those streets comprising the basic structure of the street plan. Any street with a width, existing or proposed, of one hundred (100) feet shall be considered a major thoroughfare.
119. Manufactured Home: Means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle."
120. Manufactured Home Park or Subdivision: Means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.
121. Marihuana or Medical Marihuana: The substance or material defined in section 7106 of the Public Health Code, 1978 P.A. 368, MCL 333.7106, as amended. (Rev. 1/15)
122. Master Deed - The condominium document recording the condominium project to which are attached as exhibits and incorporated by reference the bylaws for the project and the condominium subdivision plan for the project, and all other information required by Section 8 of the condominium Act.

123. Master Plan: Is a comprehensive plan approved by the Planning Commission and including graphic and written materials indicating the general location for streets, parks, schools, public buildings, and other physical development of the City and includes any unit or part of such plan and any amendment to such plan or parts thereof.

BASIC STRUCTURAL TERMS



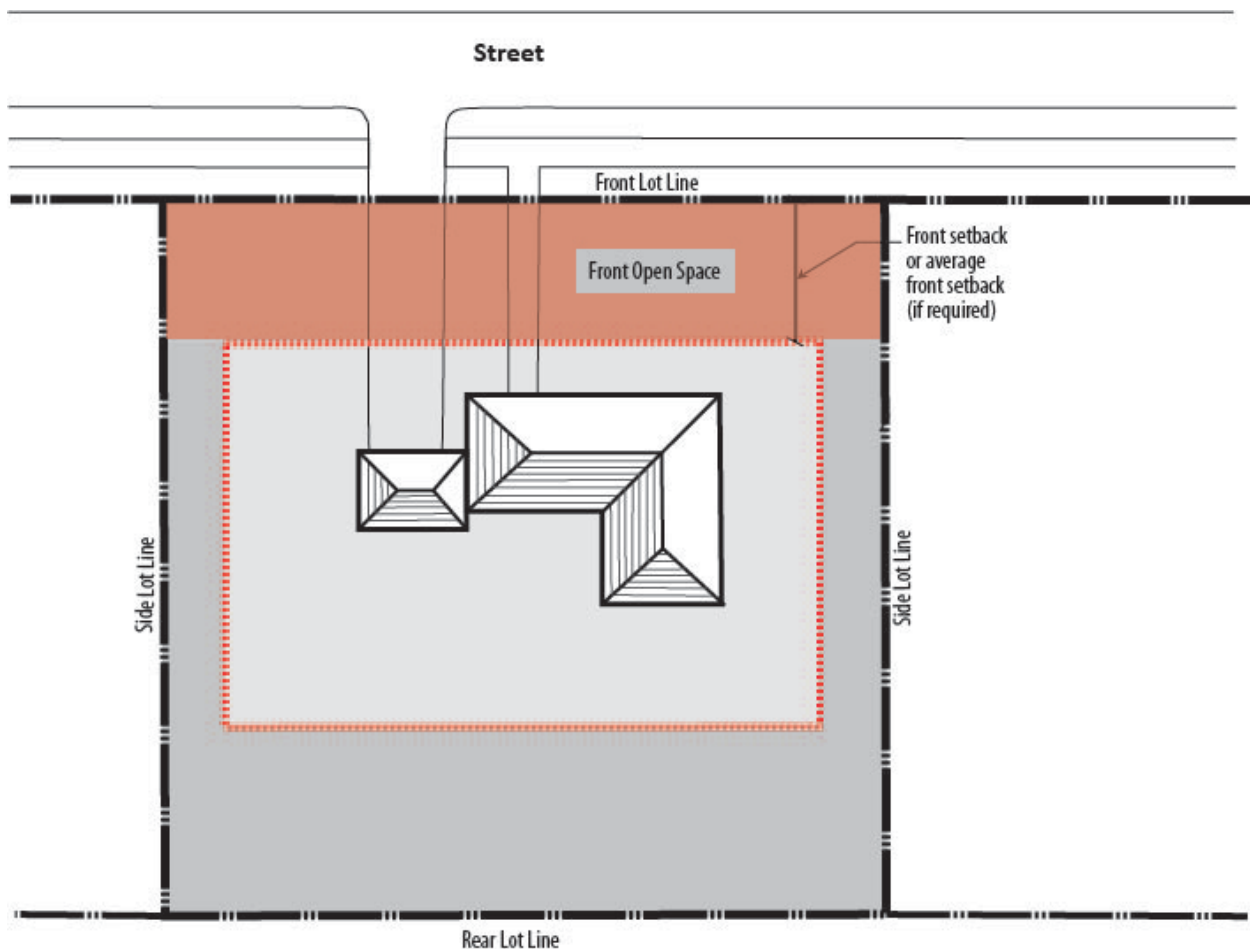
124. Medical Marihuana Activities: The acquisition, possession, cultivation, manufacture, use, internal possession, delivery, transfer or transportation of medical marihuana by a qualifying patient or primary caregiver as defined in the Michigan Medical Marihuana Act, PA 2008, Initiated Law 1. (Rev. 1/15)
125. Medical Marihuana Provisioning Center: A commercial entity that acquires, possesses, manufactures, delivers, transfers, or transports medical marihuana and sells, supplies, or provides medical marihuana to registered qualifying patients, directly or through patients' registered primary caregivers, all as otherwise further provided for in the Michigan Medical Marihuana Act, as amended. Provisioning centers include any commercial property, whether owned or leased, where medical marihuana is sold to registered qualifying patients and registered primary care givers. The location used by a primary caregiver to assist a qualifying patient connected to the caregiver through the department's medical marihuana registration process in accordance with the Michigan Medical Marihuana Act, is not a provisioning center for purposes of this Ordinance. (Rev. 1/15)
126. Membrane Storage Structure: A structure consisting of a frame that is covered with a plastic, fabric, canvas or similar non-permanent material, which is used to provide storage for vehicles, boats, recreational vehicles or other personal property. The term shall also apply to structures commonly known as hoop houses, canopy covered carports and tent garages, but shall not apply to temporary tents or canopies uses for special events such as weddings or graduations or to provide temporary shade or weather protection over patios or decks. (Rev. 4/10)
127. Mezzanine, Residential: For a residential building is an intermediate floor in any story with an aggregate floor area of not more than one third of the floor area of such story. (Rev. 4/16)
128. Mezzanine, Commercial: For a commercial building, refer to the definition of "Mezzanine/Loft" in the Michigan Building Code, as amended. (Rev. 4/16)
129. Mobile food stand, mobile food trailer, or mobile food vehicle: means a stand, vehicle or motorized vehicle that temporarily parks and engages in the service, sale, or distribution (vending) of ready-to-eat food for individual portion service to the general public directly from the stand, trailer or vehicle. (Rev. 8/18)
130. Mobile food vendor: means the registered owner of a mobile food stand, trailer, or vehicle or the owner's agent or employee. (Rev. 8/18)
131. Motel: A building or group of buildings on a lot, consisting of individual sleeping quarters, detached or connected, not more than fifty percent (50%) of which have kitchen facilities, for rental to transients. It may include all facilities specified under the definition of "Hotel".
132. New Construction: Means structures for which the "start of construction" commenced on or after the effective date of this Ordinance.

133. New Manufactured Home Park or Subdivision: Means a manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.
134. Non-Conforming Building: Is a building or portion thereof lawfully existing at the effective date of this Ordinance, or amendments thereto, but which does not conform to the provisions of the ordinance in the district in which it is located.
135. Non-Conforming Use: Is a use which lawfully occupied a building or land at the effective date of this Ordinance, or amendments thereto, but which does not conform to the use regulations of the district in which it is located.
136. Nudity/State of Nudity: The showing of the human male or female genitals, pubic area, vulva, anus, anal cleft or cleavage with less than a fully opaque covering, the showing of the female breast with less than a fully opaque covering of any part of the nipple, or a showing of the covered male genitals in a discernibly turgid state. Public nudity does not include:
1. A women breastfeeding whether or not exposed.
 2. Material defined in Section 2 of Act No. 343 of the Public Acts of 1984, being Section 752.362 of the Michigan Compiled Laws.
 3. Sexually explicit visual material defined in Section 3 of Act 33 of the Public Acts, being Section 722.673 of the Michigan Compiled Laws. *(Rev. 12/05)*
137. Nursery, Plant Material: Is a space, building or structure, or combination thereof, for the storage of live trees, shrubs or plants offered for wholesale or retail sale including products used for gardening or landscaping. The definition of nursery within the meaning of the Ordinance does not include any space, building, or structure used for the sale of fruits, vegetables or Christmas trees.
138. Off-Street Parking Lot: Is a facility providing vehicular parking spaces along with adequate drives and aisles, for maneuvering, so as to provide access for entrance and exit for the parking of more than two (2) vehicles except in the single-family residential districts.

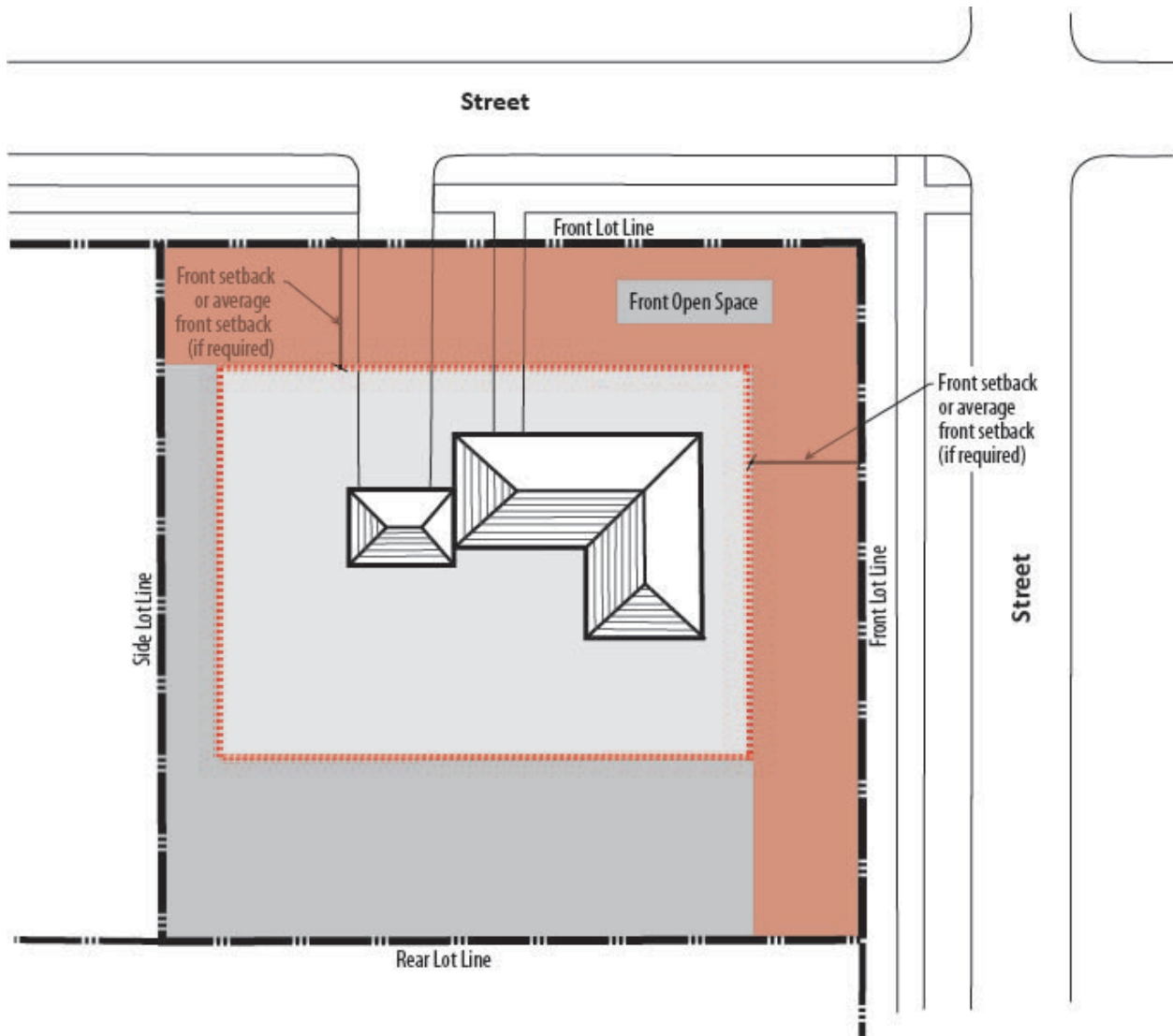
- 139. Open Space: Is that part of a zoning lot, including courts or yards which:
 - Is open and unobstructed from its lowest level to the sky;
 - Is accessible to all tenants upon the zoning lot.
 - Can be a part of the roof when recommended by the Planning Commission and approved by the Council, subject to the following conditions:
 - Adequate nuisance protection for tenants;
 - Tenants have unrestricted, free, easy, access thereto.

- 140. Open Space, Front: The open space extending the full width of the lot and of a depth equal to the required setback, measured horizontally at right angles to the front lot line which is unobstructed by any building or structure. (Rev. 7/17)

Front Open Space: Interior Lot



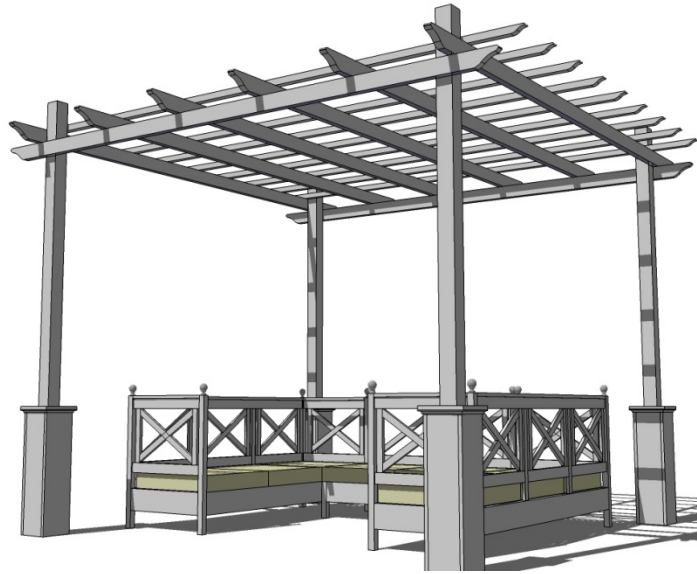
Front Open Space: Corner Lot



141. Outdoor Storage: The keeping of personal or business property in any area outside of a building for a period exceeding seventy-two (72) consecutive hours. (Rev. 4/19)
142. Parking Space: Is hereby determined to be a minimum area of one hundred eighty (180) square feet with minimum dimensions of nine feet by twenty feet (9' X 20') said area shall be exclusive of drives, aisles, or entrances giving access thereto, and shall be fully accessible for the storage of parking permitted vehicles.
143. Pavement: A material, permeable or impermeable, that covers the surface of the ground, such as concrete, blacktop, asphalt, pavers, brick, stone, gravel, or other similar material. Handicap access ramps are excluded from this definition. (Rev. 7/17)

144. Pergola: Is an accessory structure used in landscaping consisting of parallel colonnades supporting an open roof of girders and cross rafters. A pergola is built as an outdoor sitting area with lattice or open slat roof for partial shade. (Rev. 4/16)

PERGOLA



145. Portable On-Demand Storage Structure: Any portable container, portable storage unit or other portable structure that is used for the temporary storage of personal property which is located outside an enclosed building. The storage unit is delivered to a lot, unloaded from a truck, and left on the lot to be packed or unpacked by the occupant of the lot over a period of time, with a truck returning at a later date to remove the storage container. The term does not include normal sheds or membrane storage structures. It also does not include freight containers located on a lot in an industrial district. (Rev. 4/10)
146. Porte-cochere: An unenclosed, roofed structure located on the same lot, which extends from the principal dwelling over an adjacent driveway that is designed to let vehicles pass under and used for the shelter of those getting in and out of vehicles. (Rev. 8/20)
147. Primary Caregiver: A person who is at least 21 years old and who has agreed to assist with a patient's medical use of marihuana and who has never been convicted of a felony within the past 10 years and has never been convicted of a felony involving illegal drugs or a felony that is an assaultive crime as defined in Section 9a of Chapter X of the Code of Criminal Procedure, 1927 PA 175 (MCL 770.9a), as defined in the Michigan Medical Marihuana Act, PA 2008, Initiated Law 1. (Rev. 1/15)

148. Principal/Primary Purpose: A commercial establishment may have other principal business purposes that do not involve the offering for sale or rental of the material identified and still be categorized as an Adult Bookstore, Adult Video Store or Adult Novelty Store. The sale of such material shall be deemed to constitute a principal business purpose of an establishment if it comprises 35% or more of sales volume or occupies 35% or more of the floor area or visible inventory within the establishment. (Rev. 12/05)
149. Private Road: An area of land which is paved and privately owned, providing vehicle access to more than two (2) residences (e.g. site condominium, attached condominium, apartment development, a lot split or combination that does not require platting or subdivision lot), has not been, and is not intended to be dedicated to public use other than access by emergency and public safety vehicles, and is maintained by private owners.
150. Provisioning Center Agent: Means a principal officer, board member, employee, or operator, or any other individual acting as an agent of a provisioning center. (Rev. 1/15)
151. Public Utility: Is a person, firm, or corporation, municipal department, board or commission duly authorized to furnish and furnishing under Federal, State or Municipal regulations to the public: water, gas, steam, electricity, telephone, telegraph, waste disposal, communication and transportation.
152. Qualifying Patient or Patient: A person who has been diagnosed by a physician as having a debilitating medical condition in accordance with the Michigan Medical Marihuana Act, PA 2008, Initiated Law 1. (Rev. 1/15)
153. Recreational Vehicle: Means a vehicle which is:
- a. built on a single chassis;
 - b. four hundred (400) square foot or less when measured at the largest horizontal projection;
 - c. designed to be self-propelled or permanently towable by a light-duty truck; and
 - d. designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
154. Regional Shopping Center: Is a group of commercial establishments, planned and developed as a unit, with a minimum gross leasable area of three hundred thousand (300,000) square feet or greater, and with off-street parking provided on the property.
155. Registry Identification Card: A document issued by the State of Michigan that identifies a person as a registered qualifying patient or a registered primary caregiver. (Rev. 1/15)
156. Reoccupancy: A renewed utilization of a structure, tenant space, or site in a manner which is similar to the prior use and which does not constitute a change of use. (Rev. 3/13)

157. Restaurant - Sit-Down: Shall mean a restaurant serving food and beverages (both alcoholic and non-alcoholic) in which the customer is served food and beverages within the establishment or at outside tables. Sit-down restaurants as herein described shall not have any exterior window opening which permits food and beverages to be picked up by automobiles or pedestrians for consumption off the premises or within the automobiles on the premises.
158. Restaurant - Sit-Down and Drive In/Thru: Shall mean a restaurant where food and beverages may be consumed within, on the premises or away from the premises.
159. Restaurant - Take-out: Shall mean a restaurant where food and beverages are purchased but not generally consumed on the premises and are generally carried away and consumed elsewhere. This shall not prohibit, however, incidental consumption of food and beverages within the establishment at tables or stand-up facilities. This type of restaurant requires patrons to go to the establishment to pickup their food order either on foot or by personal automobile. Takeout restaurants as herein described do not provide food service through an exterior wall window to standing automobiles.
160. Restaurant - Home Delivery: Shall mean a restaurant where food and beverages are delivered to the consumer at their place of business or residence by delivery vehicles in the employ of the proprietor of the restaurant.
161. Room: For the purpose of determining lot area requirements and density in a multiple-family district, a room is a living room, dining room, or bedroom, all of which are at least eighty (80) square feet in area each. A room shall not include the area in kitchens, sanitary facilities, utility provisions, corridors, hallways, and storage. Plans presented showing one (1), two (2), or three (3) bedroom units and including a “den,” “library,” or other extra room, shall count such extra room as a bedroom for the purposes of computing density.
162. Semi-nude/Semi-nude Condition: The showing of the female breast below a horizontal line across the top of the areola at its highest point or the showing of the male or female buttocks. This definition shall include the entire lower portion of the human female breast, but shall not include any portion of the cleavage of the human female breast, exhibited by a dress, blouse, skirt, leotard, bathing suit or other wearing apparel provided the areola is not exposed in whole or in part. (Rev. 12/05)

163. Senior Housing:

- (a) Assisted Senior Living Facility – In General: An interim or permanent residential facility which furnishes room, board, laundry, personal care or supervised personal care, and other assistance in activities of daily living to residents. Assisted senior living units do not include individual cooking facilities. Residents shall be unrelated, non-transient individuals over the age of 60. Each resident shall have a separate bedroom and sanitary facilities, food is prepared in a central kitchen, and the facility provides shared dining and living space. This use does not include:
1. Hotels, or facilities that negotiate sleeping arrangements on a daily basis;
 2. Adult foster care facilities;
 3. Hospitals, nursing homes, or county medical care facilities;
 4. Dwelling units occupied by families;
 5. Halfway houses for criminal rehabilitation, or criminal rehabilitation facilities; and
 6. Overnight general purpose shelters.

For purposes of land use planning, assisted senior living facilities are categorized as follows:

1. Small Assisted Senior Living Facility: Assisted senior living facilities in this category provide care, as defined above, to 20 or fewer residents. This category could also include a licensed Home for the Aged, as defined by the State of Michigan, which provides supervised personal care to 20 or fewer residents and is operated in conjunction with and as a distinct part of a licensed nursing home.
 2. Large Assisted Senior Living Facility: Assisted senior living facilities in this category meet the standards for Homes for the Aged, as defined by the State of Michigan, which provides care to 21 or more residents.
- (b) Continuing Care Retirement Community (CCRC): A community that offers several levels of housing and care to individuals aged 55 and older, including Independent, Assisted, and Memory or Nursing care (Also see definition of “Convalescent or Nursing Home.”). CCRC is different from other housing and care facilities for seniors because it usually provides a written agreement or long-term contract between the resident (frequently lasting the term of the resident’s lifetime) and the community which offers a continuum of housing, services, and health care, commonly all on one campus or site.
- (c) Independent Senior Living Facility: A facility in which senior adults age 55 and older live in individual dwelling units with cooking facilities, and may receive hospitality services as a benefit of lease or purchase of the dwelling unit. Independent senior living does not include the delivery/receipt of custodial or medical services to occupants as a benefit of lease or purchase of the dwelling unit. (Rev. 5/18)

164. Sexual Encounter Centers: A business or commercial enterprise that, as one of its principal business purposes, offers for any form of consideration:
1. Physical contact in the form of wrestling or tumbling between persons of the opposite sex; or
 2. Activities between male and female persons and/or persons of the same sex when one or more of the persons is in a state of nudity. *(Rev. 12/05)*
165. Sexually Orientated Business: A business or commercial enterprise engaging in any of the following: (a) adult arcade; (b) adult bookstore or adult video store; (c) adult cabaret; (d) adult motion picture theater; (e) adult theater; (f) escort agency; (g) sexual encounter center. *(Rev. 12/05)*
166. Shared Parking Agreement: Shall mean an agreement, lease or contract whereby two or more property owners agree to share parking spaces as a result of differing operating hours. *(Rev. 10/08)*
167. Sign: Is a name, identification, description, display, or illustration which is affixed to, painted, or represented, directly or indirectly upon a building, structure, parcel, or lot and which directs attention to an object, product, place, activity, person, institution, organization or business as provided in the City of Northville Sign Ordinance.
168. Site Condominium - A condominium development containing residential, commercial, office, industrial, or other structures or improvements for uses permitted in the zoning district in which located in which each co-owner owns exclusive rights to a volume of space within which a structure or structures may, be constructed, herein defined as a condominium unit, as described in the master deed.
169. Specified Anatomical Areas: The human male genitals in a discernibly turgid state, even if completely or opaquely covered; or less than completely and opaquely covered human genitals, pubic region, buttocks or a female breast below a point immediately above the top of the areola. *(Rev. 12/05)*
170. Specified Sexual Activities: Includes any of the following: the fondling or other erotic touching of human genitals, pubic region, buttocks, anus, or female breasts; sex acts, normal or perverted, actual or simulated, including intercourse, oral copulation, masturbation or sodomy; or excretory functions as part of or in connection with any of the activities previously mentioned in this definition. *(Rev. 12/05)*
171. Story: Is that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and ceiling or roof above. *(Rev. 4/16)*
172. Story, Half: Is an uppermost story being under a sloping roof having an area of at least two hundred (200) square feet. In calculating the square footage of a half story, any area with a clear height of at least five foot six inches (5' 6") between the finish floor and ceiling or joists shall be used in determining the minimum square footage required.

173. Street: Is a public thoroughfare which affords the principal means of access to abutting property.
174. Structure: Is that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.
175. Substantial Damage: Means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty percent (50%) of the market value of the structure before the damage occurred.
176. Substantial Improvement: Means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either:
- a. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions, or
 - b. Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."
177. Temporary Construction Building or Office: A temporary structure or trailer used for the storage of construction materials, tools, and supplies; or to provide temporary office space or sales area during construction of an approved building project. *(Rev. 4/10)*
178. Temporary Residence: A residence, which may be a manufactured home, that is located on the same lot as a residence made uninhabitable by fire, flood or other disaster and occupied by the persons displaced by such disaster, or a residence located on the same lot as a residence that is undergoing substantial repairs or reconstruction and occupied by the persons intending to live in such permanent residence when work is completed. *(Rev. 8/18)*
179. Temporary Use: A use established for a fixed period of time with the intent to discontinue such use upon the expiration of the time period. *(Rev. 4/10)*
180. Tent: Any structure used for living or sleeping purposes, or for sheltering a public gathering; constructed wholly or in part from canvas, plastic material, tarpaulin or other similar materials and shall include shelter provided for circuses, carnivals, side shows, revival meetings, camp meetings, and similar meetings or exhibitions in temporary structures.

181. Trellis: Is a vertical accessory structure used in landscaping of open lattice work designed and intended to support vegetation. (Rev. 4/16)

TRELLIS

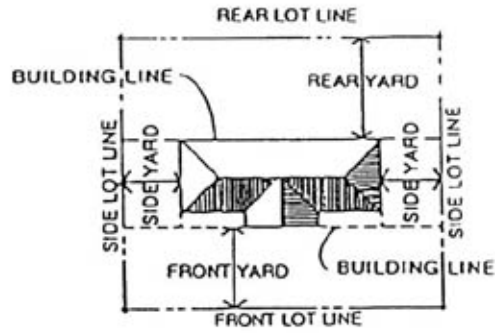


182. Mobile Home/Trailer Houses: Any unit used or designed to be used for living or sleeping purposes and which is equipped with wheels for the purpose of transporting such from place to place, whether or not such unit is self-propelled. There are two (2) distinct types of house trailers that are defined herein for the purposes of regulation.
- a. Mobile Home: is a dwelling which is factory constructed and is hauled to its site on attached wheels or a trailer device. A mobile home is a self-contained living unit.
 - b. Mobile Home Development: is a development designed and regulated as a single family residential subdivision which accommodates mobile homes used as permanent dwellings.
 - c. Travel Trailer: is a temporary dwelling which is licensed for travel on public ways.
183. Trailer Park: Is designed to accommodate those travel trailers which are used as a temporary dwelling and are not more than six (6) months in any one (1) trailer park.
184. Use: Is the purpose for which land or a building is arranged, designed or intended, or for which land or a building is or may be occupied.
185. Vehicle Repair Shop: Is a place where, along with the sale of engine fuels, the following services may be carried out; general repair, engine rebuilding, rebuilding or reconditioning of motor vehicles, collision service, such as body, frame, or fender straightening and repair; overall painting and undercoating of automobiles.
186. Wall: A side of a room or building or a constructed barrier used for screening or privacy. This shall not include retaining walls required for topographic transition, where the top of the wall extends no more than six (6) inches above a soil embankment. (Rev. 5/09)

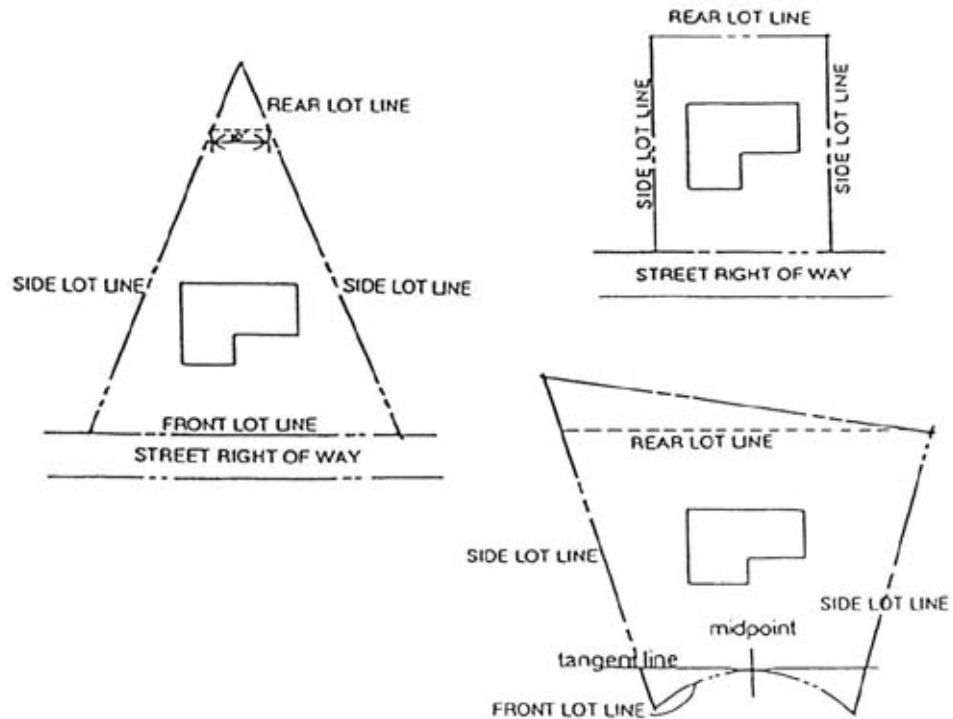
187. Wireless Communications Facilities or Facility: All structures and accessory facilities relating to the use of the radio frequency spectrum for the purpose of transmitting or receiving radio signals or other wireless communications services, and include wireless communications equipment, wireless communications support structures, and wireless communications equipment compounds, as defined herein. This may include, but shall not be limited to, radio towers, telephone devices, and telephone transmission equipment building. Not included within this definition are: citizen band radio facilities, short wave receiving facilities, amateur (ham) radio facilities, private/stand-alone satellite dishes, and governmental facilities which are subject to state or federal law or regulations which preempt municipal regulatory authority. For purposes of this Ordinance, the following additional terms are defined:
- (a) *Attached wireless communications facilities* shall mean wireless communications equipment attached to an existing wireless communications support structure or in an existing wireless communications equipment compound.
 - (b) *Substantial change in physical dimensions* means one (1) or more modifications of the height, width, length, or area of a wireless communications facility at a location, the cumulative effect of which is to materially alter or change the appearance of the wireless communications facility.
 - (c) *Wireless communications equipment* means the equipment and components, including antennas, transmitters, receivers, base stations, equipment shelters or cabinets, emergency generators and power supply, coaxial and fiber optic cables used in the provision of wireless communications services, but excluding wireless communication support structures.
 - (d) *Wireless communications equipment compound* means a delineated area surrounding or adjacent to the base of a wireless communications support structure within which any wireless communications equipment related to that support structure is located.
 - (e) *Wireless communications support structures or support structures* shall mean structures designed to support or capable of supporting wireless communication equipment. Support structures within this definition include but shall not be limited to monopoles, lattice towers, utility poles, wood poles, and guyed towers, buildings, or other structures with such design or capability.
 - (f) *Collocation* shall mean the location by two (2) or more wireless communication providers of wireless communication equipment on a common wireless communication support structure. (Rev. 3/13)

188. Yard: The open space on the same lot with a main building, unoccupied and unobstructed from the ground upward except as otherwise provided in this Ordinance, and as defined herein:
- a. **Front Yard**: Is an open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the front lot line and the nearest point of the building line. There shall be a front yard on each public street side or private road of a corner lot. Each front yard of a corner lot shall also meet minimum lot width requirements. No accessory building shall project beyond the front yard line on either street.
 - b. **Rear Yard**: Is an open space extending the full width of the lot, the depth of which is the minimum horizontal distance between the rear lot line and the nearest point of the main building. In the case of a corner lot, the rear yard may be opposite either street frontage, but there shall only be one (1) rear yard.
 - c. **Side Yard**: Is an open space between the main building and the side lot line, extending from the front yard to the rear yard, the width of which is the horizontal distance from the nearest point on the side lot line to the nearest point of the main building.

ILLUSTRATIONS OF ZONING TERMS BUILDING LINE



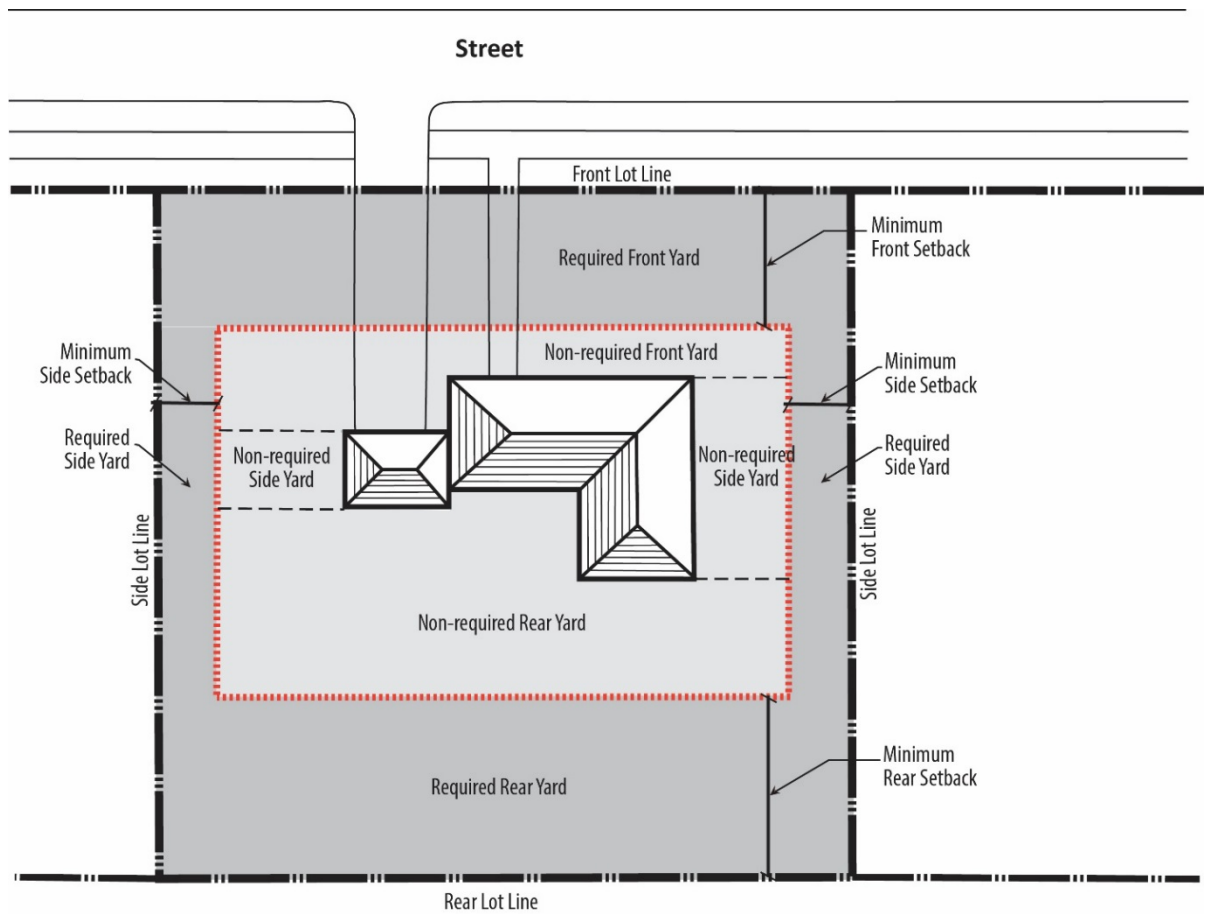
LOT LINES



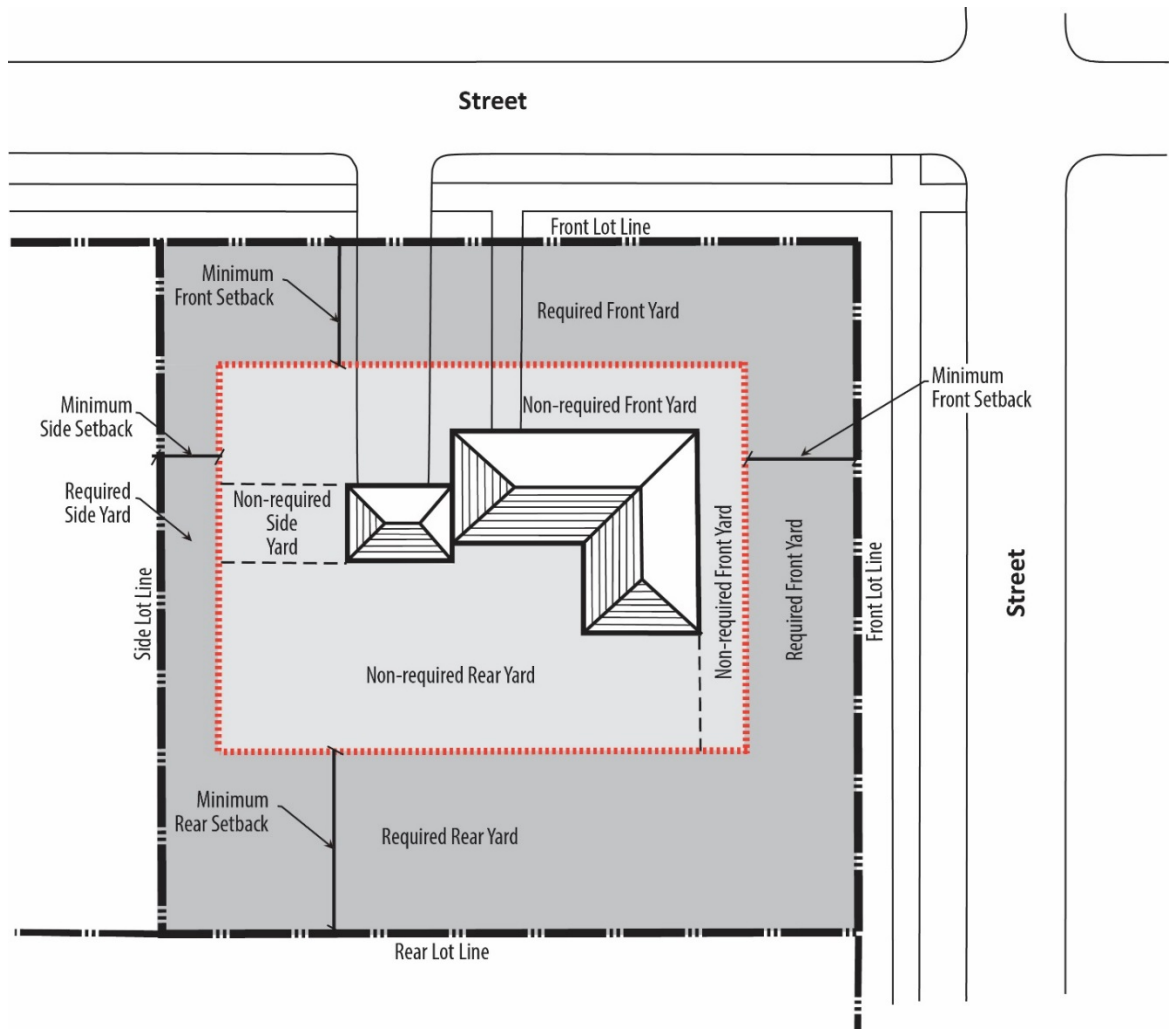
- 189. Yard, Required: Is the area between the property line and the setback line, as illustrated below. (Rev. 4/16)
- 190. Yard, Non-required: Is the area between the setback line and the building or structure required to be setback, as illustrated below. (Rev. 4/16)

REQUIRED AND NON-REQUIRED YARD ILLUSTRATIONS

Interior Lot:



Corner Lot:



191. Zoning Jurisdiction: Refers to the area encompassed by the legal boundaries of the City of Northville, within which the provisions of this Ordinance shall be effective. (Rev. 12/06)

ARTICLE 27

ZONING COMMISSION

The City Planning Commission is hereby designated as the Board specific in Section 4, Act 207 of the Public Acts of 1921, and shall perform the duties of said Board as provided in the statute in connection with the amendment of this Ordinance.

ARTICLE 28**PLANNING COMMISSION APPROVAL**

In cases where the City Planning Commission is empowered to approve certain use of premises under the provisions of this Ordinance the applicant shall furnish such surveys, plans or other information as may be reasonably required by said Commission for the proper consideration of the matter.

The Planning Commission shall investigate the circumstances of each case and shall notify such parties, who may in its opinion be affected of the time and place of any hearing which may be held relative thereto as required under its rules of procedure.

The Planning Commission may impose conditions or limitations in granting approval as may in its judgment be necessary to fulfill the spirit and purpose of this Ordinance as herein defined and provided.

Any approval given by the Planning Commission and which work is not started within twelve (12) months, or when such use or work has been abandoned for a period of six (6) months, then such approval shall cease to be effective as if having never been granted.

ARTICLE 29**AMENDING THE ORDINANCE****SECTION 29.01 ORDINANCE AMENDMENTS**

All Amendments to the Zoning Ordinance must be reviewed by the City Planning Commission. Amendments may take the form of the City Council proposal; staff initiated recommendations or individual petitions, for either zoning text or zoning district boundary changes. In any event, the Planning Commission shall hold a public hearing as provided in Public Act 110 of 2006 as amended. After the public hearing has been closed, the Planning Commission shall submit a recommendation to the City Council on the proposed change. *(Rev. 12/06)*

The City of Northville shall serve public notice of the proposed amendment in a newspaper of general circulation in the City. The Notice for map changes shall be sent by mail or personal delivery to the owners of property for which the application is being considered. The Notice shall also be sent to all persons to whom real property is assessed within 300 feet of the property and to the occupants of all structures within 300 feet of the property regardless of whether the property or occupant is located in the zoning jurisdiction. If the name of the occupant is not known, the term “occupant” may be used in making notification under this subsection. *(Rev. 12/06)*

The notice shall be given not less than fifteen (15) days before the date the application will be considered at a public hearing. The notice shall do all of the following:

- a. Describe the nature of the application.
- b. Indicate the property that is the subject of the application. The notice shall include a listing of all existing street addresses within the property. Street addresses do not need to be created and listed if no such addresses currently exist within the property. If there are no street addresses, other means of identification may be used.
- c. State when and where the application will be considered.
- d. Indicate when and where written comments will be received concerning the application. *(Rev. 12/06)*

Petitions for zoning ordinance amendments or conditional zoning amendments shall be submitted to the Building Department on standard forms provided at least twenty-one (21) days prior to the next regularly scheduled Planning Commission meeting. At the next regularly scheduled meeting, the Planning Commission shall set a date for a public hearing to receive public comment. The standard forms shall be completed in the manner prescribed and such documents, as required by the ordinance, shall be filed with the Building Department. A fee schedule, as provided by resolution of the City Council, shall be levied against each petition to covers the costs of administering the application process and for advertising public hearings and other incidental costs

relative to said petition. The Building Department shall transmit the application to the Planning Commission. *(Rev. 2/12)*

In reviewing any petition for a zoning map amendment, the Planning Commission shall evaluate all factors relevant to the petition and shall make its recommendations for disposition of the petition to the City Council following a public hearing.

The factors to be considered by the Planning Commission may include, but shall not be limited to, the following:

- a. Whether the rezoning is consistent with the policies and uses proposed for that area in the City's Master Land Use Plan. If conditions have changed since the Master Plan was adopted, the consistency with recent development trends in the area as well as other factors or conditions which may have changed.
- b. Whether all of the uses allowed under the proposed rezoning would be compatible with other zones and uses in the surrounding area.
- c. Whether any public services, facilities, traffic flow, or natural features would be significantly and adversely impacted by a development or use allowed under the requested rezoning.
- d. Whether the uses allowed under the proposed rezoning would be equally or better suited to the area than uses allowed under the current zoning of the land.
- e. Whether the condition and/or value of property in the City or in adjacent communities would be significantly and adversely impacted by a development or use allowed under the requested rezoning.
- f. Whether or not the requested zoning change is justified by a change in conditions since the original ordinance was adopted or by an error in the original ordinance.
- g. Whether precedents might result from approval or denial of the petition, and the possible effects of such precedents. *(Rev. 2/12)*

SECTION 29.02 CONDITIONAL REZONING *(New 2/12)*

- a. Intent. It is recognized that there are certain instances where it would be in the best interest of the City, as well as advantageous to property owners seeking a change in zoning classification, that certain conditions could be proposed by property owners as part of a request for rezoning. This is especially true since the City must consider all potential uses which may be made of property when considering a traditional rezoning request, some of which may be inappropriate for a particular piece of property considering items such as, but not limited to, the surrounding land uses, the City Master Plan, available infrastructure and utilities, and natural

features. It is the intent of this Section to provide a process consistent with the provisions of Section 405 of the Michigan Zoning Enabling Act, Public Act No. 110 of 2006 as amended, MCL 125.3101 et seq., by which an owner seeking a rezoning may voluntarily propose conditions regarding the use and/or development of land as part of the rezoning request.

b. **Application and Offer of Conditions.** An owner of land may voluntarily offer in writing conditions relating to the use and/or development of land for which a conditional rezoning is requested. This offer may be made either at the time the application for conditional rezoning is filed, or additional conditions may be offered at a later time during the conditional rezoning process as set forth below.

1) **General Procedure.** A request for a conditional rezoning shall be commenced by filing an application with the Building Department, on the required forms, accompanied by the specified fees. The application and process for considering a conditional rezoning request will be the same as that for considering a rezoning request without any conditions, except as modified by this Section. The application shall explicitly describe the proposed conditional rezoning and shall be signed by the owner of the property. Applications for conditional rezoning of a specific site shall be accompanied by a plot plan or survey, as well as a conceptual plan showing the specific proposed use of the property. The concept plan shall contain the following details:

- A scaled map or drawing of the property
- Existing and proposed uses, buildings, and structures
- Parking arrangements and on-site circulation
- Relationship of the site to adjoining parcels
- Proposed landscape screens, walls, or buffers

Detailed information regarding topography, site engineering, building architecture, or other items not relevant to the zoning decision may be waived by the Planning Commission.

2) **Pre-Application Conference.** Prior to filing a formal request for a conditional rezoning, and prior to a public hearing, the applicant is encouraged to meet with the City Planning Consultant, and other representatives as deemed necessary by the City, to discuss the proposed development. The pre-application conference is intended to be informative and advisory in nature, and affords the applicant the opportunity to discuss the land use and planning policies of the City of Northville.

The applicant must present a conceptual plan for the contemplated conditional rezoning at or before the pre-application conference. Any and all statements made by the representatives of the City at the pre-application conference have no legal force and are not legal and binding promises, commitments, or contracts.

- c. Review Procedures. The owner's offer of conditions may not purport to authorize uses or developments not permitted in the requested new zoning district. The owner's offer of conditions shall bear a reasonable and rational relationship to the property for which the conditional rezoning is requested.
 - 1) Other Required Approvals by the City of Northville.
 - a. Any use or development proposed as part of an offer of conditions that would require a special land use permit under the terms of this Ordinance may only be commenced if a special land use permit for such use or development is ultimately granted in accordance with the provisions of this Ordinance.
 - b. Any use or development proposed as part of an offer of conditions that would require a variance under the terms of this Ordinance may only be commenced if a variance for such use or development is ultimately granted by the Board of Zoning Appeals in accordance with the provisions of this Ordinance.
 - c. Any use or development proposed as part of an offer of conditions that would require site plan approval under the terms of this Ordinance may only be commenced if site plan approval for such use or development is ultimately granted in accordance with the terms of this Ordinance.
 - 2) Amendment of Conditions. The offer of conditions may be amended during the process of conditional rezoning consideration, provided that any amended or additional conditions (other than minor or technical adjustments) are entered voluntarily by the owner, and confirmed in writing. An owner may withdraw in writing all or part of its offer of conditions any time prior to final rezoning action of the City Council provided that, if such withdrawal occurs subsequent to the Planning Commission's public hearing on the original rezoning request, then the rezoning application shall be referred back to the Planning Commission for a new public hearing with appropriate notice and a new recommendation.
- d. Planning Commission Review. The Planning Commission, after public hearing and consideration of the factors for rezoning set forth in Section 29.01 of this Ordinance, may recommend approval, approval with recommended changes, or

denial of the rezoning; provided, however, that any recommended changes to the offer of conditions are acceptable to and thereafter offered by the owner in writing.

- e. **City Council Review.** After receipt of the Planning Commission's recommendation, the City Council shall review the Planning Commission's recommendation and deliberate upon the requested conditional rezoning, and may approve or deny the conditional rezoning request. If the applicant initiates additional or different conditions not considered by the Planning Commission subsequent to the recommendation of the Planning Commission, then the City Council shall refer such proposed additional or different conditions to the Planning Commission for report thereon within a time specified by the City Council, and the City Council shall thereafter proceed to deny or approve the conditional rezoning.
- f. **Approval.** If the City Council finds the conditional rezoning request and offer of conditions acceptable, the offer of conditions shall be incorporated into a formal written Statement of Conditions acceptable to the owner and conforming in form to the provisions of this Section. The Statement of Conditions shall be incorporated by attachment or otherwise as an inseparable part of the Ordinance adopted by the City Council to accomplish the requested conditional rezoning. The Statement of Conditions shall:
 - 1) Be prepared in a form recordable with the County Register of Deeds;
 - 2) Contain a legal description of the land to which it pertains;
 - 3) Contain a statement acknowledging that the Statement of Conditions runs with the land, and is binding upon successor owners of the land;
 - 4) Incorporate by attachment the conceptual plan which formed the basis of the conditional rezoning;
 - 5) Contain the notarized signatures of all the owners of the property proceeded by a statement attesting to the fact that they are the only parties having an interest in the property, and that they voluntarily offer and consent to the provisions contained within the Statement of Conditions;
 - 6) The Statement of Conditions may be reviewed and approved by the City Attorney, with the applicant to pay all costs associated with such review and approval.

The approved Statement of Conditions shall be filed by the owner with the County Register of Deeds within thirty (30) days after approval of the conditional rezoning. The owner shall provide the City with a recorded copy of the Statement of Conditions within thirty (30) days of receipt. The City Council shall have the authority to waive this requirement if it determines that, given the nature of the conditions and/or the time frame within which the conditions are to be satisfied, the

recording of the Statement of Conditions would be of no material benefit to the City or to any subsequent owner of the land; and

Upon the conditional rezoning taking effect, the Zoning Map shall be amended to reflect the new zoning classification, together with a designation that the land was a Conditional Rezoning with a Statement of Conditions. Upon the conditional rezoning taking effect, and after the required recording of the Statement of Conditions, unless waived, use of the land so rezoned shall conform thereafter to all the requirements regulating use and development within the new zoning district as modified by any more restrictive provisions contained in the Statement of Conditions.

- g. Compliance with Conditions. Any person who establishes development or commences a use upon land that has been conditionally rezoned shall continuously operate and maintain the development or use in full compliance with all the conditions set forth in the Statement of Conditions. Any failure to comply fully with the conditions contained within the Statement of Conditions shall constitute a violation of this Ordinance and be punishable accordingly. Additionally, any such violation shall be deemed a nuisance per se and subject to judicial abatement as provided by law.
- h. Time Period for Establishing Development or Use. The approved development and/or use of the land pursuant to building and other required permits must be commenced upon the land within eighteen (18) months after the effective date by publication of the conditional rezoning action, and must thereafter proceed diligently to completion. This time limitation may, upon written request, be extended by the City Council if:
 - 1) It is demonstrated that there is a strong likelihood that the development and/or use will commence within the period of extension and proceed diligently thereafter to completion, and
 - 2) The City Council finds that there has not been change in circumstances that would render the conditional rezoning with Statement of Conditions incompatible with other zones and uses in the surrounding area or otherwise inconsistent with sound zoning policy.
- i. Reversion of Zoning. If the approved development and/or use of the rezoned land does not occur within the time frame specified under subsection (h) above, then the land shall revert to its former zoning classification as set forth in MCL 125.3405(2). The reversion process shall be initiated by the City Council, and proceed pursuant to Section 29.01. Reversion to a different zoning classification may also be considered by the City.
- j. Subsequent Rezoning of Land. When land that is conditionally rezoned with the Statement of Conditions is thereafter rezoned to a different zoning classification, or to the same zoning classification but with a different or no Statement of Conditions, whether as a result of a reversion of zoning pursuant to subsection (i) above, or

upon application of the landowner, or otherwise, the Statement of Conditions imposed under the former zoning classification shall cease to be in effect. Upon the owner's written request, the City Clerk shall record with the County Register of Deeds a notice that the Statement of Conditions is no longer in effect.

- k. Amendment of Conditions. During the time period for commencement of an approved development or use specified pursuant to subsection (h) above, or during any extension thereof granted by the City Council, the City shall not add to or alter the conditions in the Statement of Conditions. The Statement of Conditions may be amended thereafter in the same manner as was prescribed for the original conditional rezoning and Statement of Conditions.
- l. City Right to Rezone. Nothing in the Statement of Conditions nor in the provisions of this section shall be deemed to prohibit the City from rezoning all or any portion of land that is subject to a Statement of Conditions to another zoning classification. Any rezoning shall be conducted in compliance with this Ordinance and the Michigan Zoning Enabling Act, Public Act No. 110 of 2006 as amended, MCL 125.3101 et seq.
- m. Failure to Offer Conditions. The City shall not require an owner to offer conditions as a requirement for rezoning. The lack of an offer of conditions shall not affect an owner's rights under this Ordinance.

ARTICLE 30**AMENDMENT LIMITATIONS**

A petition for rezoning, once denied by City Council, shall not be resubmitted for recommendation or action within one (1) year from date of denial.

If the Council does not take any action to resolve a petition for rezoning after public hearing within nine (9) months beginning with the initial day of filing said petition shall be determined to have been denied.

ARTICLE 31**REPEAL OF PRIOR ORDINANCE**

In the interpretation and application, the provisions of this Ordinance shall be held to be minimum requirements adopted for the promotion of the public health, morals, safety, comfort, convenience, or general welfare. It is not intended by this Ordinance to repeal abrogate, annul or in any way to impair or interfere with any existing provision of law or ordinance other than the above described Zoning Ordinance, or with any rules, regulations or permit previously adopted or issued or which shall be adopted or issued pursuant to the law relating to the use of buildings or premises; provided, however, that where this Ordinance imposes a greater restriction than is required by existing ordinance or by rules, regulations or permits; the provision of this Ordinance shall control.

ARTICLE 32
VESTED RIGHT

Nothing in this Ordinance should be interpreted or construed to give rise to any permanent vested rights in the continuation or any particular use, district, zoning classification or any permissible activities therein, and, they are hereby declared to be subject to subsequent amendment, change or modification as may be necessary to the preservation or protection of public health, safety and welfare.

ARTICLE 33**ENFORCEMENT, PENALTIES AND OTHER REMEDIES****SECTION 33.01 VIOLATIONS**

Any person, firm or corporation violating any or the provisions of this Ordinance shall be guilty of a misdemeanor, and upon conviction thereof, shall be subject to a fine of not more than five hundred (500.00) dollars and the costs of prosecution or, in default of the payment thereof, shall be punished by imprisonment in the County Jail for a period not to exceed ninety (90) days for each offense, or by both such fine and imprisonment in the discretion of the court, together with the costs of such prosecution.

SECTION 33.02 PUBLIC NUISANCE PER SE

Any building or structure which is erected, altered or converted, or any use of premises or land which is begun or changed subsequent to the time of passage of this Ordinance and in violation of any of the provisions thereof is hereby declared to be a public nuisance per se, and may be abated by order of any court of competent jurisdiction.

SECTION 33.03 FINES, IMPRISONMENT

The owner of any building, structure or premises or part thereof, where any condition in violation of this Ordinance shall exist or shall be created, and who has assisted knowingly in the commission or such violation shall be guilty of a separate offense and upon conviction thereof shall be liable to the fines and imprisonment herein provided.

SECTION 33.04 EACH DAY A SEPARATE OFFENSE

A separate offense shall be deemed committed upon each day during or when a violation occurs or continued.

SECTION 33.05 RIGHTS AND REMEDIES ARE CUMULATIVE

The rights and remedies provided herein are cumulative and in addition to any other remedies provided by law.

ARTICLE 34
SEVERANCE CLAUSE

Sections of this Ordinance shall be deemed to be severable and should any section, paragraph, or provision hereof be declared by the courts to be unconstitutional or invalid, such holdings shall not affect the validity of this Ordinance as a whole or any part thereof, other than the part so declared to be unconstitutional or invalid.

ARTICLE 35

EFFECTIVE DATE

Public hearing having been held herein, the provisions of this Ordinance are hereby given immediate effect on its publication pursuant to the provisions of Section 4, Act 207 of the Public Acts of 1921, as amended.

Made and passed by the City Council of the City of Northville, Wayne County, Michigan on this day of _____, A. D., 20____.

- 1. Date or Public Hearing: _____
- 2. Date of Publication: _____
- 3. Date of Adoption by City Council: _____
- 4. Date and Time Ordinance Shall Take Effect: _____

City Clerk