



CITY OF NOVI
Administrative ePacket
November 09, 2023

Public Safety (Police/Fire)

[Public Safety Year-to-Date Statistics Report](#)

Infrastructure (Roads/Water/Sewer)

[10 Mile Road and Taft Road Pedestrian Signals - Runkel](#)

Economic Development (City Revenue/Job Growth)

[Shop Small and Local Campaign 2023 - McCready](#)

Citizen-Focused Government (Shared Services/Customer Services)

Natural Areas & Features and Community Character (Community that Preserves)

[47707 Nine Mile: Keeping of Chickens - Martinez](#)

[Overview of Planned Rezoning Overlay \(PRO\) Ordinance - Bell](#)

Fiscally Responsible Government (Maintain)

Parks, Recreation & Cultural Services (Enhance Services)

Capital Improvement Program

City Council Only or Confidential

Novi Public Safety

Police and Fire Departments 2023 v. 2022 Year-to-Date Statistics
January - October

November 2023

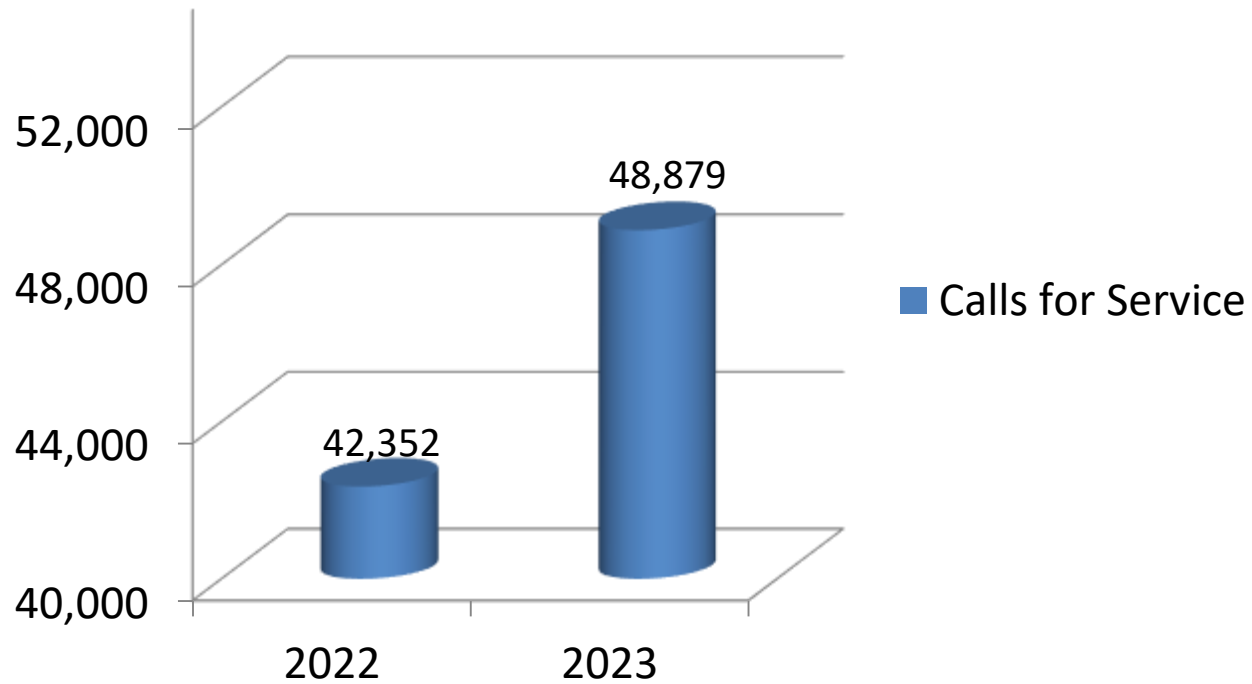


Part A Crime

Description	2023	2022	% Change	Arrests/ EXC	% Cleared	23 YTD	22 YTD	% Change	Arrests/ EXC 23 YTD	% Cleared 23 YTD	Arrests/ EXC 23 YTD	Arrests/ EXC 22 YTD	% Change
Murder	0	0	No Change	0	No Change	0	0	No Change	0	No Change	0	0	No Change
Negligent Homicide	0	1	-100.00%	0	No Change	1	3	-66.67%	0	0.00%	0	3	-100.00%
Kidnapping/Abduction (Parental)	0	0	No Change	0	No Change	0	1	-100.00%	0	No Change	0	1	-100.00%
Crim. Sexual Conduct	3	2	50.00%	1	33.33%	12	16	-25.00%	9	75.00%	9	13	-30.77%
Robbery	0	1	-100.00%	0	No Change	2	6	-66.67%	1	50.00%	1	5	-80.00%
Assault (Aggravated)	8	1	700.00%	5	62.50%	38	24	58.33%	30	78.95%	30	20	50.00%
Assault (Non-Aggravated)	11	24	-54.17%	9	81.82%	197	223	-11.66%	185	93.91%	185	214	-13.55%
Threats/Stalking	2	4	-50.00%	0	0.00%	22	21	4.76%	13	59.09%	13	16	-18.75%
Arson	0	0	No Change	0	No Change	0	0	No Change	0	No Change	0	0	No Change
Extortion	0	0	No Change	0	No Change	0	0	No Change	0	No Change	0	0	No Change
Burglary	1	3	-66.67%	1	100.00%	24	17	41.18%	6	25.00%	6	6	0.00%
Larceny	16	23	-30.43%	4	25.00%	201	189	6.35%	29	14.43%	29	29	0.00%
Motor Vehicle Theft	5	6	-16.67%	1	20.00%	67	39	71.79%	9	13.43%	9	4	125.00%
Forgery/Counterfeiting	1	0	N/C	0	0.00%	5	6	-16.67%	1	20.00%	1	6	-83.33%
Fraud	20	13	53.85%	3	15.00%	101	90	12.22%	16	15.84%	16	18	-11.11%
Retail Fraud	22	22	0.00%	14	63.64%	190	181	4.97%	132	69.47%	132	117	12.82%
Embezzlement	1	3	-66.67%	1	100.00%	18	17	5.88%	15	83.33%	15	17	-11.76%
R&C Stolen Property	0	0	No Change	0	No Change	3	3	0.00%	2	66.67%	2	3	-33.33%
Vandalism	8	5	60.00%	4	50.00%	63	69	-8.70%	14	22.22%	14	19	-26.32%
Narcotics	2	0	N/C	1	50.00%	24	9	166.67%	20	83.33%	20	7	185.71%
Obscenity	0	0	No Change	0	No Change	0	1	-100.00%	0	No Change	0	1	-100.00%
Prostitution & Vice	0	0	No Change	0	No Change	0	1	-100.00%	0	No Change	0	1	-100.00%
Weapons	1	0	N/C	1	100.00%	20	13	53.85%	19	95.00%	19	12	58.33%
Animal Cruelty	0	0	No Change	0	No Change	0	0	No Change	0	No Change	0	0	No Change
Total Part A Incidents	101	108	-6.48%	45	44.55%	988	929	6.35%	501	50.71%	501	512	-2.15%



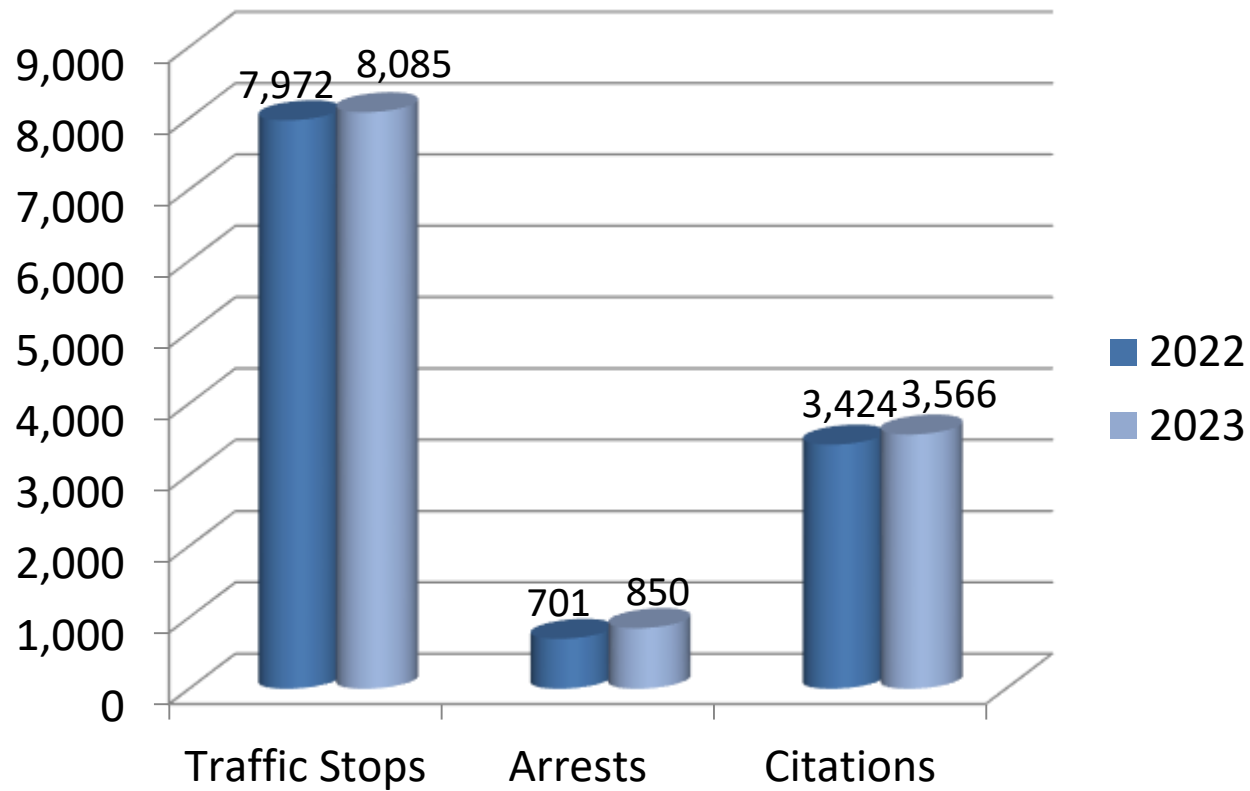
Police Total Calls for Service*



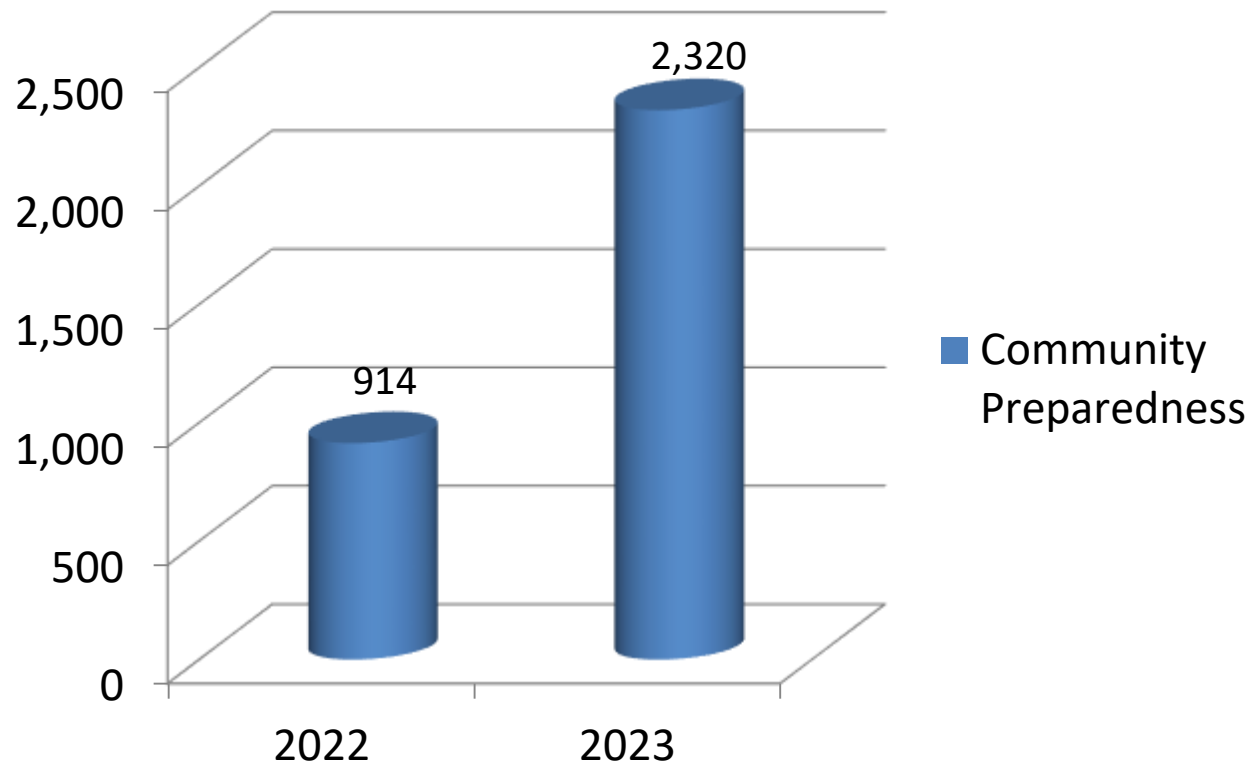
*includes all traffic stops, self initiated activity, routine and priority calls for service, etc.



Officer Productivity



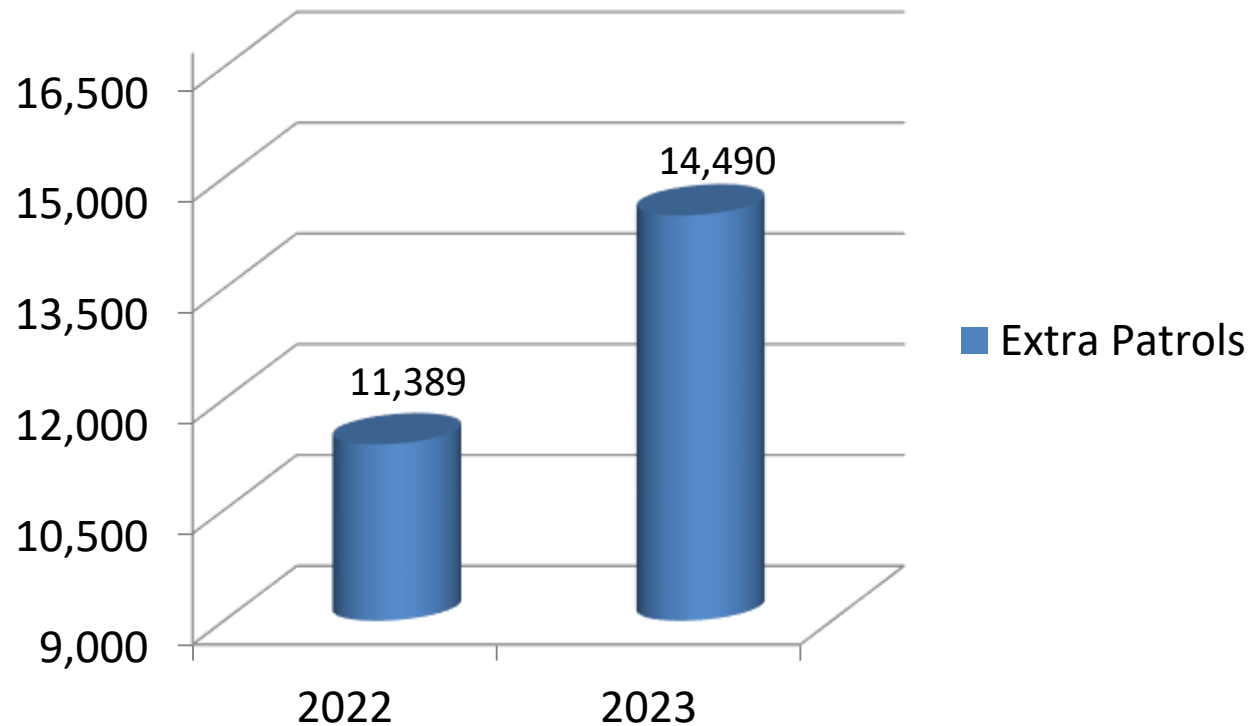
Community Preparedness Numbers* – Self Initiated



*Extra patrols at critical infrastructure (ie. ITC Transmission, US Energy Distribution, Ascension Providence Park Hospital, Water Treatment Facility, etc.) within the city.



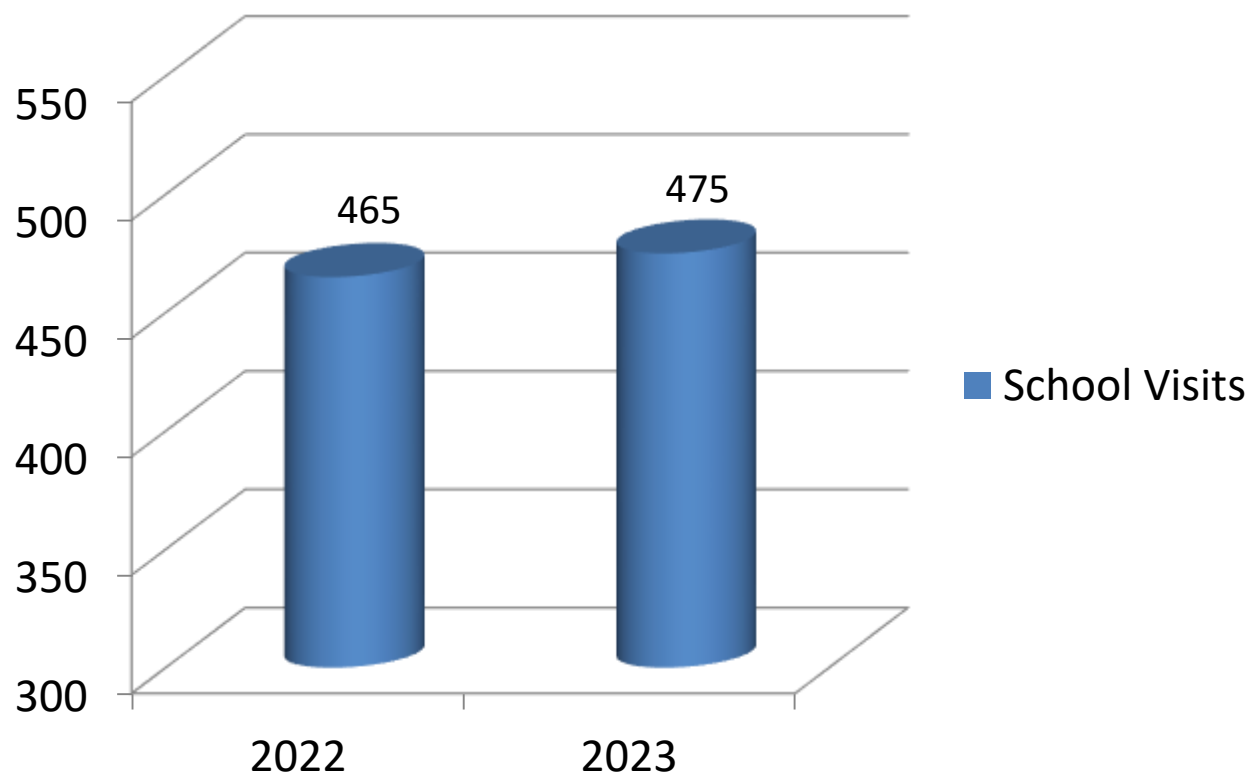
Extra Patrol Numbers* – Self Initiated



*Officers providing additional patrols at various locations above and beyond routine patrol.



School Visit Numbers* – Self Initiated



*Additional patrols at area schools where officers typically walk inside.



Fire Priority Calls for Service

January - October 2023 v. 2022

INCIDENT ACTIVITY REPORT				
Summary Comparison YTD				
Priority Calls for Service				
Incident Type	2023	2022	Difference	% Change
Fire (All Fires)	64	65	-1	-2%
EMS (Medicals, Rescues & PIAs)	4462	3873	589	15%
Hazardous Condition (Haz-Mat, Wires)	172	115	57	50%
Service Call (Pub.Assist, Unauth.Burn)	83	110	-27	-25%
Good Intent (Haz not found, CNX call)	108	107	1	1%
False Calls	233	236	-3	-1%
Other (Inspections, Pub-Ed, Pub-Relations, Car Seats,	9	13	-4	-31%
TOTAL	5131	4519	612	14%



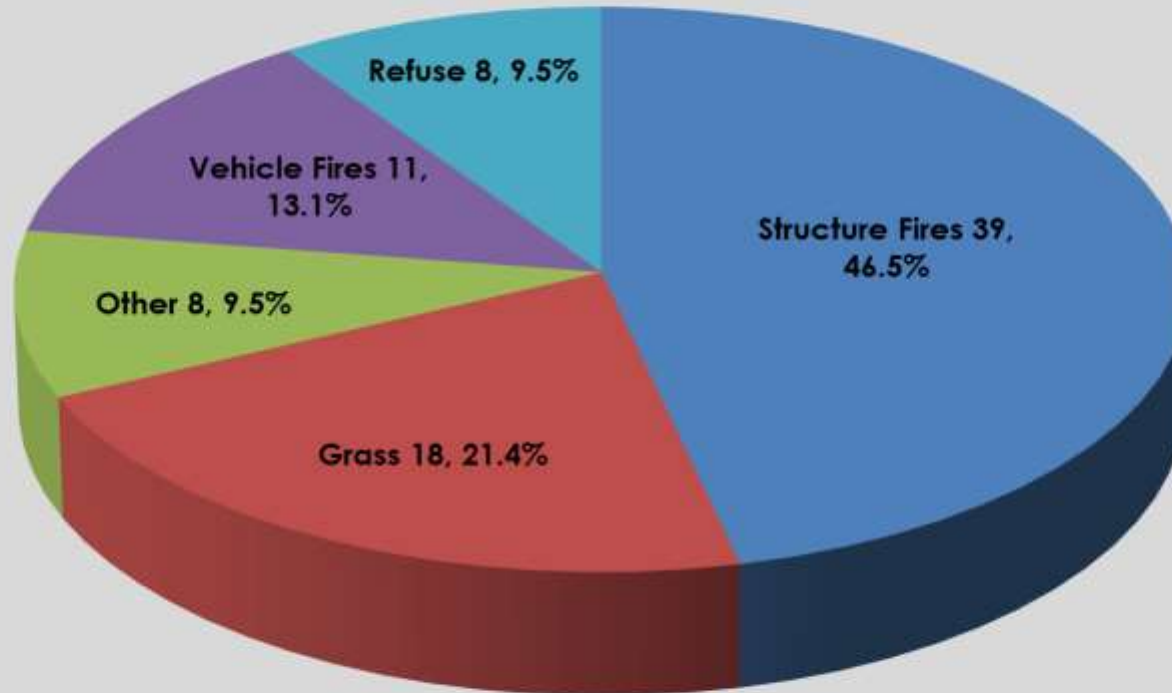
Fire All Calls for Service

January - October 2023 v. 2022

INCIDENT ACTIVITY REPORT				
Summary Comparison YTD				
All Calls for Service				
Incident Type	2023	2022	Difference	% Change
Fire (All Fires)	86	71	15	21%
EMS (Medicals, Rescues & PIAs)	4678	4394	284	6%
Hazardous Condition (Haz-Mat, Wires)	255	179	76	42%
Service Call (Pub.Assist, Unauth.Burn)	776	670	106	16%
Good Intent (Haz not found, CNX call)	240	230	10	4%
False Calls	500	441	59	13%
Power Outage Invst.(Severe weather)	17	19	-2	-11%
Other (Inspections, Pub-Ed, Pub-Relations, Car Seats,	752	736	16	2%
TOTAL	7304	6740	564	8%



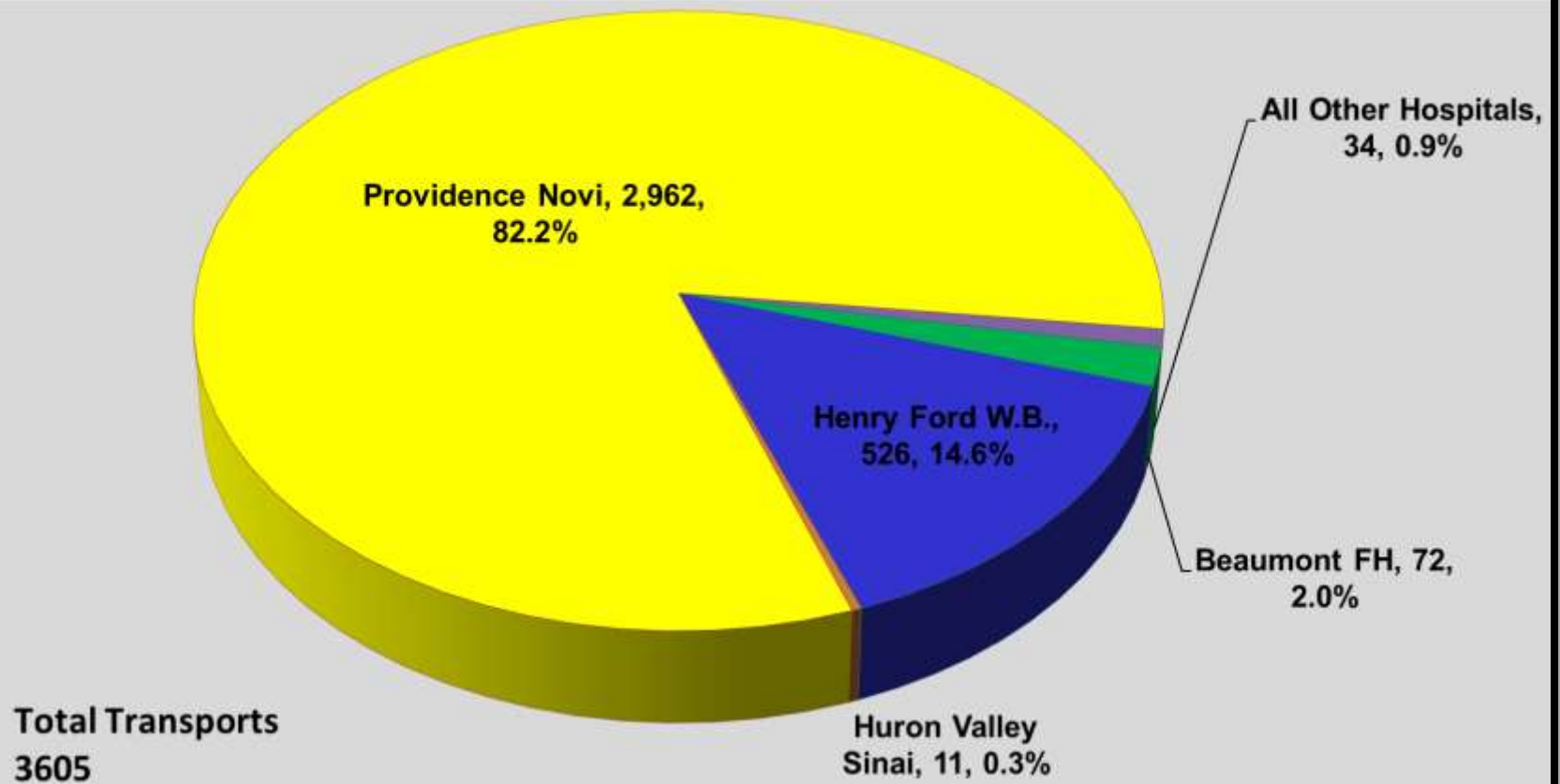
2023 YTD FIRES



TOTAL 84



Hospital Transports 2023



FIRE OPERATIONS AVERAGE RESPONSE TIMES PRIORITY RESPONSES ONLY

TEAM / STATION	October	Total Calls	YTD	Total Calls	YTD	Total Calls
	2023		2023		2022	
TEAM 'A':						
STATION 1	5:20	107	5:20	1011	5:18	948
STATION 2	5:11	80	5:39	848	5:49	801
STATION 3	5:05	27	5:32	311	5:38	355
STATION 4	6:19	30	5:38	364	6:01	251
TEAM 'A' AVERAGE:	5:22	244	5:31	2534	5:37	2355
TEAM 'B':						
STATION 1	6:24	121	5:53	996	5:48	921
STATION 2	6:16	94	6:32	885	6:11	842
STATION 3	6:53	31	6:57	403	6:25	394
STATION 4	7:44	27	7:05	314	6:37	333
TEAM 'B' AVERAGE:	6:33	273	6:25	2598	6:08	2490
TEAM. AVERAGE	5:57	517	5:58	5132	5:53	4845



MEMORANDUM



TO: WALKABLE NOVI COMMITTEE
FROM: REBECCA RUNKEL, PROJECT ENGINEER
SUBJECT: 10 MILE RD & TAFT RD PEDESTRIAN SIGNALS
DATE: NOVEMBER 9, 2023

Mayor and Council –
A follow-up from staff regarding a recent request to the Walkable Novi Committee.
- Victor

In response to a resident inquiry and at the request of the Walkable Novi Committee, City staff have investigated the feasibility, as well as the pros and cons, of changing the operation of the pedestrian walk signals at the intersection of 10 Mile Road and Taft Road. Currently, the pedestrian signals operate by a push button, so pedestrians must approach the intersection and push a button on a post to initiate the walk signal cycle. This way, the walk signal only activates when the button is pushed.

10 Mile Road is under the jurisdiction of the Road Commission of Oakland County (RCOC), and the RCOC controls the traffic signals at this intersection. The RCOC can change the pedestrian signals from a push button system to an automatic cycle that doesn't require a push button, either cycling continuously all hours of the day or on a set schedule (i.e., daytime hours only). According to staff at the RCOC, automatically cycling the pedestrian signals makes sense if the crosswalks are near a school where children will be crossing, where pedestrian volumes are high, and/or where Jewish communities are present (during Sabbath).

City engineering consultant OHM Advisors, completed a 10 Mile Rd Corridor Study in 2019 which assessed current and future operational and safety performance along 10 Mile Road within the City. The 10 Mile Road and Taft Road intersection was listed as a location of concern due to afternoon peak traffic delays. Based on SEMCOG and STRAVA data, this intersection sees high daily volumes of both vehicles and pedestrians. The location of Fuerst Park, the Novi Library, and Novi High School just east of the intersection may make the intersection a good candidate for automatic pedestrian signal cycling during certain times of day.

The main concern with automatically cycling the pedestrian signals is an increased vehicle wait time, especially when traffic volumes are low. Currently the traffic signals will 'rest' or remain on green for motorists traveling on Ten Mile Road until traffic approaches the intersection from Taft Road or the pedestrian signals are activated by the push buttons. If the pedestrian signals are cycled continuously 24 hours a day, the vehicle wait time would increase due to the longer time needed for pedestrian signal cycling.

Another factor to consider is the push button system provides the pedestrian with the maximum amount of time needed to cross the intersection. If a pedestrian approaches the intersection and activates the push button after traffic is already stopped by a red light where they intend to cross, the walk signal will not display until the traffic signal cycles through to the next red light, giving the pedestrian maximum crossing time. By changing

to automatic signals, pedestrians may approach an intersection after traffic has been stopped at a red light, see the walk signal displayed, and choose to cross despite having less than the maximum amount of time to cross.

If the City decides to request the RCOC to change the operation of the pedestrian signals, further evaluation would be needed by RCOC staff. While destinations near the intersection may warrant changing to an automatic signal during certain hours of the day, the current push button system provides the safest conditions for pedestrians.

MEMORANDUM



TO: VICTOR CARDENAS, CITY MANAGER
FROM: MIKE MCCREADY, DIRECTOR, ECONOMIC DEVELOPMENT
SUBJECT: SHOP SMALL & LOCAL CAMPAIGN
DATE: NOVEMBER 9, 2023

Mayor and Council –

FYI on this year's edition of Shop Small and Local, the initiative to celebrate small businesses in our community.

- Victor

The City of Novi celebrates our local small businesses and their contributions to our economy and community. During November, Novi is partnering with Oakland County Economic Development on their campaign "Shop Small & Local." The program features the Local Gems Sweepstakes contest, where residents are encouraged to submit selfies of their favorite small businesses for a chance to win prize money. Oakland County promotes these businesses throughout the month on its social media platforms. The extra social media visibility helps to build foot traffic and sales for these small businesses during the holiday season. More information on the program can be found at: <https://www.oakgov.com/community/community-development/shop-small-oakland-county>.

Small Business Saturday is November 25th. Consumers are encouraged to shop at small and locally owned businesses, including restaurants, retail stores, salons, grocery stores, and service-based businesses. The event is designed to support both brick-and-mortar and online small businesses.



MEMORANDUM



TO: CHARLES BOULARD, DIRECTOR OF COMM. DEVELOPMENT
FROM: DEBORAH MARTINEZ, CODE COMPLIANCE
SUBJECT: 47707 NINE MILE: KEEPING OF CHICKENS
DATE: NOVEMBER 8, 2023

Mayor and Council –
FYI on a request that will be coming before for consideration, to allow chicken and roosters on an address on 9-mile Rd.
- Victor

Background

Earlier this spring Community Development received a complaint from a resident regarding chickens at large on Nine Mile, west of Beck Rd. The complainant indicated this had occurred several times in the recent past as well.

Follow-up inspection on May 04, 2023, revealed several chickens and what appeared to be a rooster roaming the road and front lawn of the home located at 47707 Nine Mile Rd. The adjacent neighbor allowed access to view the property to confirm a barn-styled shed and pen area with several white ducks, and a few other chickens in the pen area at the center of the adjacent property located at 47707 Nine Mile Rd.

Action to date:

A Notice of Violation (N.O.V.) was sent to the property owner of 47707 Nine Mile Rd., Caldin Konja, on May 05, 2023, for violation of Ordinance Code Section 5-12 for the following: the keeping of roosters, the keeping of waterfowl, the allowance of chickens to free roam, the construction of a (chicken) pen area closer than 100 ft. to the nearest dwelling, and the lack of a properly constructed chicken coop.

The Notice also indicated that per City Ordinance free-range chickens are prohibited, and that the chicken coop shall be constructed in a way that allows for proper ventilation to prevent drafts and to remove odors, and provides the chickens protection from predators, also included was a reminder that all City of Novi codes and ordinances relating to noise, odor, and sanitation apply to the keeping of animals, including dogs as the complainant also stated that Mr. Konja's dog often roams onto adjacent property.

Subsequent conversations with the property owner acknowledged partial resolution of the issues, and he did state that the previous homeowners had chickens, pigs, and other animals and that the pen and "barn" were in place when he moved in. City staff were unable to verify or confirm this assertion. To date, the rooster has been removed, but some of the remaining animals are housed less than the required distance to the adjacent dwellings.

Pending Appeal:

As Section 5-12 "Keeping of Animals as accessory use" of the City Code does not include variance procedures, consideration of an exception to the ordinance provisions would occur under Section 1-12 "General Appeal "and would be to City Council.

Mr. Konja has requested an appeal to allow the accessory coop structure to be located within approximately 75 feet of neighboring dwellings. This matter will be brought before City Council for consideration on a future agenda.

To whom it may concern,

CITY OF NOVI
CITY CLERK'S OFFICE

2023 OCT 19 AM 11:20
Sec. 5-12. Keeping of

This letter intends to serve as an appeal to municipal ordinance code ***Sec. 5-12. Keeping of animals as accessory use*** which states ***Any animal, other than a household pet, that is permitted to be kept as accessory to a principal use of a property shall be housed in accessory buildings meeting the requirements of the zoning ordinance. Notwithstanding any other provision of this Code, including the zoning ordinance, such accessory structure shall be permitted, provided that is shall not be located in the front yard of any lot, nor nearer than one hundred (100) feet to any adjoining dwelling, nor nearer than twenty-five (25) feet to the dwelling of the owner thereof. Such accessory structure shall be a covered enclosure, and the animal shall be kept within the covered enclosure or within a fenced area complying with the setback requirements below at all times, and shall not be permitted to run at large in any street, alley, or public place, or upon the premises of another.*** As the current owner of 47707 Nine Mile Rd Northville, MI 48167, I am requesting a variance of 25 feet, from the current 100 feet requirement between an accessory structure and any adjacent dwelling. I have previously filed an appeal through the ZBA as advised by the city of Novi, and was advised this was not a ZBA issue and that I must petition this concern to the city council. I am hopeful this reaches the intended destination, and we are able to resolve this conflict in a timely manner.

I purchased my property in 2021, from the original owners who built the accessory structure as well as the home on the property. My intention when purchasing the property was to use the barn and land as they had. The previous owners farmed many animals on this land including chickens, pigs, and turkeys. My property features a barn that the previous owners used for their farming needs, which was built sometime before 1974 as seen on aerial photographs per the city of Novi. The home on my property was built around 1968. The previous owners had a well documented chicken coop and run connected to the barn, present long before any neighbors moved into the neighborhood. The neighboring home directly west of my property was built in the 1980s, and the neighboring home directly east of my property was built in the early 2000's. These dates demonstrate that my accessory structure (barn) was the first building between the three addresses. These dates also pose a concern that my neighbors are in fact in violation of the ordinance, as their buildings came well after the established barn, chicken coop and run had been present for decades.

As the new owner, I understand that I have to apply for a variance at this time, as the previous owners were not made aware that there was any concern of violation, and I am hopeful that this can be resolved without complication. My request for a variance of 25 feet will allow me to continue keeping my chickens where they currently are without causing an issue of violation. I have spent countless hours creating a safe space for my neighbors and my animals, where there

should be no concern of detriment to the public health, safety or welfare of neighboring property. There is no risk or concern for bodily harm whatsoever with regard to any neighboring properties. I am more than willing to present this concern to the city council if you would have me in person, as well as present testimony from the previous owners regarding their use of the barn and land for livestock and agriculture that preceded my ownership. Thank you for your time.

Caldia Konja

47707 9 Mile Rd

Northville MI 48167

248-978-2986

CKONJA1234@gmail.com

Sec. 5-12. - Keeping of animals as accessory use.

Any animal, other than a household pet, that is permitted to be kept as accessory to a principal use of a property shall be housed in accessory buildings meeting the requirements of the zoning ordinance. Notwithstanding any other provision of this Code, including the zoning ordinance, such accessory structure shall be permitted, provided that it shall not be located in the front yard of any lot, nor nearer than one hundred (100) feet to any adjoining dwelling, nor nearer than twenty-five (25) feet to the dwelling of the owner thereof. Such accessory structure shall be a covered enclosure, and the animal shall be kept within the covered enclosure or within a fenced area complying with the setback requirements below at all times, and shall not be permitted to run at large in any street, alley, or public place, or upon the premises of another.

All enclosures for the keeping of such animal shall be constructed of material that can be easily cleaned and shall be kept in a clean and sanitary condition. The enclosure shall be properly ventilated to prevent drafts and remove odors, shall be of sufficient size to accommodate the animal, and shall be designed so as to prevent rats, mice, or other rodents from being harbored underneath, inside, or inside the walls of the enclosure. The required fenced area shall be a minimum of fifteen (15) feet from the property line (a fence located on a property line shall not satisfy the requirement for a fenced area). The required fenced area must be kept free from trash and accumulated droppings.

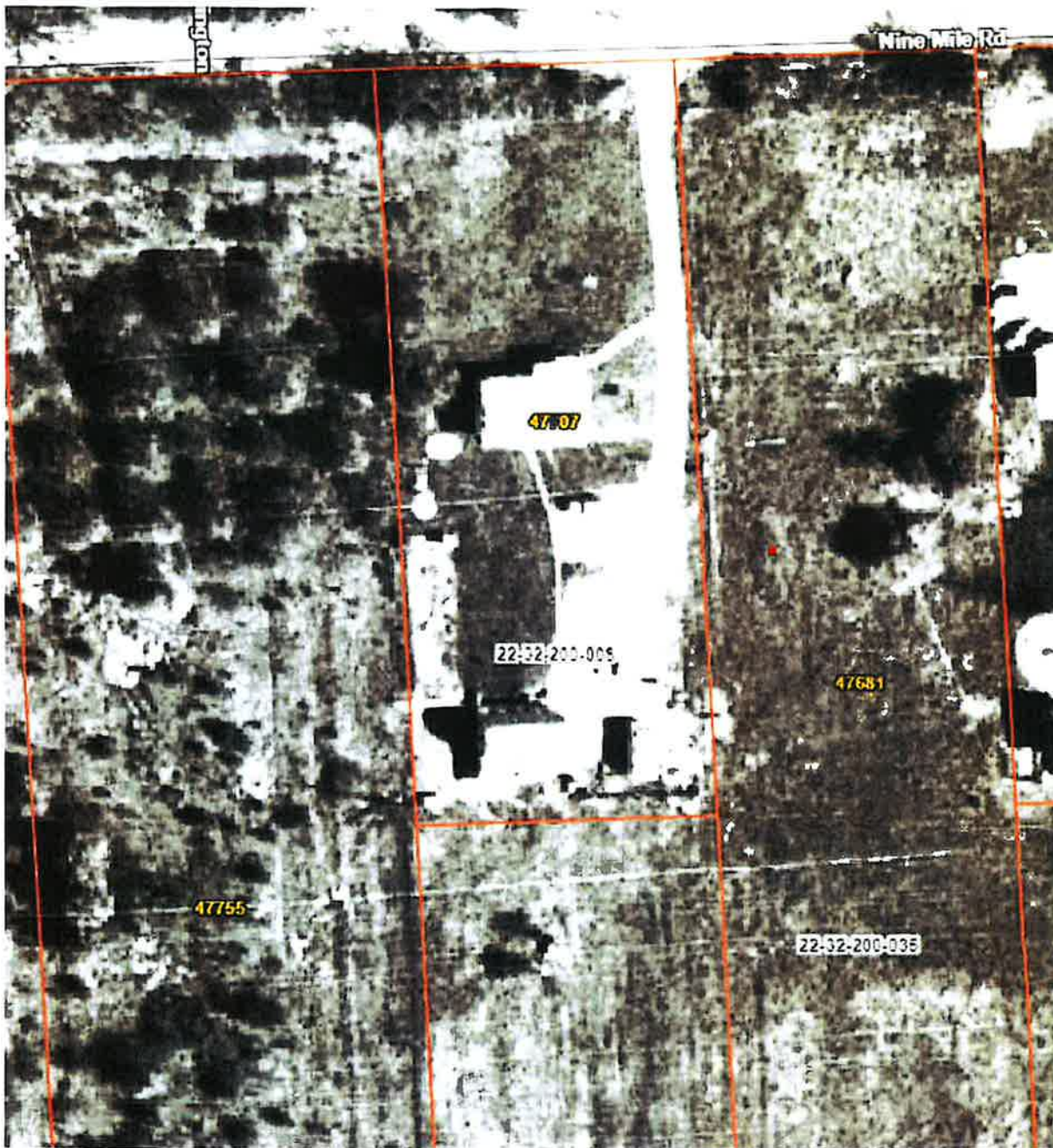
Removal or appropriate disposal of droppings is required. Droppings not used for composting or fertilizer shall be removed. All provisions of this Code relating to noise, odor, and sanitation, including the provisions of this article, shall apply to the keeping of animals under this section.

All animals, except livestock and household pets, shall be female. No roosters are permitted on any property. No slaughtering of animals may occur except within the fenced area and in an enclosed building.

(Ord. No. 11-108.05, Pt. I, 3-7-11)







1974



1980

MEMORANDUM



TO: VICTOR CARDENAS, CITY MANAGER
FROM: LINDSAY BELL, AICP, SENIOR PLANNER
THROUGH: BARBARA MCBETH, AICP, CITY PLANNER
SUBJECT: PLANNED REZONING OVERLAY (PRO)
DATE: NOVEMBER 9, 2023

Mayor and Council –

Please see a comprehensive overview of the City's PRO process and current projects currently being evaluated through the lens of a PRO.

- Victor

The Planning Department is in the process of reviewing several Planned Rezoning Overlay (PRO) applications that we anticipate will be reviewed by the Planning Commission and the City Council in the upcoming months. This memo provides an overview of the history of the PRO ordinance provides examples of completed PRO projects, PRO projects currently under construction, and three new applications that were submitted recently.

The Planned Rezoning Overlay (PRO) Option first became available to applicants and developers in January 2004 when the City of Novi adopted a Zoning Ordinance amendment, creating the new option for a rezoning request. This was an alternative to traditional or straight rezoning, which is simply a request by an applicant to the city to rezone a parcel of land from one zoning district to another district.

The PRO Option gave property owners the ability to voluntarily offer, in writing, specific use and site-specific terms as a condition of City Council approving a rezoning of the land. The City recognized that, in certain instances, it would be an advantage to both the City and the property owners seeking a rezoning if a concept plan, along with site-specific conditions and limitations, were approved together as part of a rezoning petition. Three of these advantages are:

1. the assurance of knowing what the uses would be and how the development would be built. With a straight rezoning, the property owner could propose and generally obtain site plan approval for any of the permitted uses listed in the zoning district after approval of the rezoning petition. The PRO agreement includes the concept plan and spells out use and site-specific requirements.
2. the identification of benefits to the public that will accompany the project. The applicant must show that the project will result in an overall enhancement of the area compared to existing zoning.
3. deviations can be granted within the terms of the Agreement, which means the applicant does not need to separately request variances from the Zoning Board of Appeals.

The typical steps involved in the review and consideration of a PRO application included:

- Review of the request and concept plan by the City's staff and consultants
- Public hearing by the Planning Commission
- Consideration of the First Reading of the request by the City Council
- Consideration of the Second Reading of the request by the City Council with the consideration and approval of a PRO Agreement that provides the terms and conditions of the approval that run with the land.
- After approval of the development agreement, the petitioner will submit site plans for review and approval through the standard site plan review process.

The list of Planned Rezoning Overlay projects that have been completed include:

- Basilian Fathers Residence (Eleven Mile Road),
- Valencia Estates (North and South of Ten Mile Road),
- Ridgeview Villas (East of Novi Road on Nick Lidstrom Drive),
- Medilodge of Novi (Convalescent home, Eleven Mile) and
- Beacon Hill (Meadowbrook Road, north of 12 Mile)

Examples of Planned Rezoning Overlay projects that are currently under construction include:

- Terra (Single family residential development on Nine Mile Road),
- Sakura (Mixed-use development at Grand River/Town Center/Eleven Mile) and
- Innova Apartments (272 apartments on Haggerty Road, north of 12 Mile)

In the coming months staff anticipates the following PRO proposals will be scheduled for eligibility review by City Council:

- Elm Creek – Scheduled November 20, 2023. Planning Commission initial review October 11, 2023. The Planning Commission packet can be found [here](#).
- Novi-Ten Mile – anticipated January 2024. Planning Commission's initial review is scheduled for December 13, 2023.
- Sakura East – anticipated January 2024. Planning Commission's initial review is scheduled for December 13, 2023.

AMENDMENTS TO PRO ORDINANCE - 2021

The consideration of a PRO ordinance amendment in 2021 was prompted by comments and discussion at the City Council and Planning Commission levels to clarify the review criteria and, perhaps more importantly, providing an opportunity for City Council to review and comment on PRO applications earlier in the process rather than after the formal Planning Commission hearing and recommendation has been made.

The amendment to the PRO Ordinance was adopted on August 30, 2021. The City Attorney's Office provided the following summary of the changes to the PRO Ordinance adopted:

- Rearranged the ordinance to be more readable.
- Added some concepts to the intent section—including confirmation that this is a fully optional form of development, at the City's discretion.
- Confirmed in a number of places that City Council is the ultimate decision maker with regard to the PRO process.
- Clarified what needs to be in the concept plans.
- Specifically authorized, at the City's discretion, combining the PRO plan approval with a potentially more detailed preliminary site plan approval.
- Clarified/restated standards for securing ordinance deviations.
- Clarified/restated the sorts of things that are required as PRO conditions in order to induce the City to utilize the PRO process.
- Added steps to provide opportunity for City Council to have some input earlier in the process. See the attachment to this memo for a flow chart diagram of the new PRO process steps.
- Clarified that if the City and the applicant agree, the PRO will not simply expire by virtue of non-activity for a period of two years, but will continue to run with the land, in the nature of a deed restriction.

PRO OPTION

The PRO option creates a “floating district” with a conceptual PRO plan attached to the rezoning of a parcel. As part of the PRO, the underlying zoning is proposed to be changed, and the applicant submits a conceptual plan for development of the site. After staff and consultant review, the proposed request goes through initial review by the Planning Commission and City Council. Each of those bodies provide feedback and comments on whether the project meets the eligibility criteria for the PRO process.

The applicant can then make any changes to the Concept Plan based on the feedback received and resubmit for formal review. The Planning Commission holds a public hearing and makes a recommendation to City Council. The City Council reviews the Concept Plan, and if the plan receives tentative approval, it directs the preparation of an agreement between the City and the applicant, which also requires City Council approval. Following final approval of the PRO concept plan and PRO agreement, the applicant will submit for Preliminary and Final Site Plan approval under standard site plan review procedures. The

PRO runs with the land, so future owners, successors, or assignees are bound by the terms of the agreement, absent modification by the City of Novi.

APPLICANT'S BURDEN UNDER PRO ORDINANCE

The Planned Rezoning Overlay ordinance (PRO) requires the applicant to demonstrate that certain requirements and standards are met. The applicant should be prepared to discuss these items, especially in number 1 below, where the ordinance suggests that the enhancement under the PRO request would be unlikely to be achieved or would not be assured without utilizing the Planned Rezoning Overlay. Section 7.13.2.C.ii states the following:

1. *(Sec. 7.13.2.C.ii.a) The PRO accomplishes the integration of the proposed land development project with the characteristics of the project area in such a manner that results in an enhancement of the project area as compared to the existing zoning that would be unlikely to be achieved or would not be assured in the absence of the use of a Planned Rezoning Overlay.*
2. *(Sec. 7.13.2.C.ii.b) Sufficient conditions shall be included on and in the PRO Plan and PRO Agreement such that the City Council concludes, in its discretion, that, as compared to the existing zoning and considering the site-specific land use proposed by the applicant, it would be in the public interest to grant the Rezoning with Planned Rezoning Overlay. In determining whether approval of a proposed application would be in the public interest, the benefits which would reasonably be expected to accrue from the proposal shall be balanced against, and be found to clearly outweigh the reasonably foreseeable detriments thereof, taking into consideration reasonably accepted planning, engineering, environmental and other principles, as presented to the City Council, following recommendation by the Planning Commission, and also taking into consideration the special knowledge and understanding of the City by the City Council and Planning Commission.*

Within the process, which is initiated by the applicant, the applicant and City Council can agree on a series of conditions to be included as part of the approval which must be reflected in the Concept Plan and or the PRO agreement.

As stated in the amended PRO Ordinance,

In order to be eligible for the proposal and review of a rezoning with PRO, an applicant must propose a rezoning of property to a new zoning district classification, and must, as part of such proposal, propose clearly identified site-specific conditions relating to the proposed improvements that,

- (1) are in material respects, more strict or limiting than the regulations that would apply to the land under the proposed new zoning district, including such regulations or conditions as set forth in Subsection C below; and*

- (2) *constitute an overall benefit to the public that outweighs any material detriments or that could not otherwise be accomplished without the proposed rezoning.*

(See [Full text of Ordinance 18.97: Zoning Ordinance, Chapter 7, Section 13, Subsection 2: Planned Rezoning Overlay](#).)

ORDINANCE DEVIATIONS

City Council may authorize deviations from the strict interpretation of the Zoning Ordinance within a PRO agreement. Height, area, and bulk standard deviations may be authorized, however use and density standards are not eligible for modification. City Council may also authorize deviations from other City Codes (e.g., design and construction standards, sign regulations, etc.).

The City may, at its discretion, consider the following in determining whether to grant each such deviation:

- a. The PRO Plan, with the deviation, demonstrates an innovative, unified, planning approach to developing the site that has resulted in a proposal for a higher quality development than the City could otherwise require, and that the Ordinance standard, if the deviation were not granted, would likely prohibit an enhancement of the development that would be in the public interest or would significantly impair the use or operation of the development.*
- b. The applicant has proposed measures that will eliminate, minimize, or mitigate any negative impacts of the deviation, and that the deviation will not be detrimental to the public health, safety, or welfare of the occupants of the development, the surrounding neighborhood, or the City as a whole.*
- c. The PRO Plan, with the deviation, meets the standards for approval under this Section, including the provision of restrictions or limitations on the use or development not otherwise required by the Ordinance.*

All deviations from the ordinance requirements shall be identified and included in the PRO Agreement. Any additional deviations identified during Site Plan Review (after the Concept Plan and PRO Agreement is approved), will require amendment of the PRO Agreement.

IDENTIFYING BENEFITS TO PUBLIC

Section 7.13.2.C.ii states that the City Council must determine that the proposed PRO rezoning would be in the public interest and that the benefits to the public of the proposed PRO rezoning would clearly outweigh the detriments.

Examples of previous PRO benefits proposed by applicants have included:

- Providing publicly available parkland,

- Dedication of land for public parks,
- Construction of missing sidewalk segments and trails beyond the limits of the subject property,
- Preservation of natural features in conservation easements,
- Providing historical markers in locations of local significance,
- Exceeding façade or landscape requirements,
- Enhanced amenities,
- “Welcome to Novi” signage,
- Contributions to construction costs of City trail network or sidewalks,
- Trailhead or comfort station amenities near City trail network,
- Road construction,
- Cleanup of environmentally compromised sites.

CONSIDERATION OF ELIGIBILITY

After the initial PRO Plan submittal and review by the Plan Review Center, the Planning Commission and City Council will have an opportunity to review the proposals, discuss the initial submittal and eligibility of the rezoning requests. Members of the Planning Commission and City Council will have reviews from city staff and consultants, which offer comments on whether the project meets Ordinance standards, evaluate potential impacts, and give the applicant feedback on their proposal.

Additional Information can be found in the following resources:

- [City of Novi Site Plan and Development Manual](#), Chapter 3 – Rezoning and Planned Rezoning Overlay Review Process
- [Full text of Ordinance 18.97: Zoning Ordinance, Chapter 7, Section 13, Subsection 2: Planned Rezoning Overlay](#)

SECTION 3.2 PLANNED REZONING OVERLAY REVIEW PROCESS

FLOW CHART

