AN ORDINANCE TO AMEND THE CITY OF NOVI ZONING ORDINANCE, AMENDING ARTICLE 3, ZONING DISTRICTS, AT SECTION 3.1.10 B-1, LOCAL BUSINESS DISTRICT, TO ALLOW RESTAURANT USES IN THE B-1 LOCAL BUSINESS ZONING DISTRICT.

THE CITY OF NOVI ORDAINS:

Part I. That Ordinance No. 97-18, the City of Novi Zoning Ordinance, as amendment, is hereby amended to read as follows:

ARTICLE 3.1.10 B-1, Local Business District

Section A. - B. [Unchanged]

C. SPECIAL LAND USES
   i. Mortuary establishments
   ii. Publicly owned buildings, public utility buildings, telephone exchange buildings, electric transformer stations and substations; gas regulator stations with service yards, but without storage yards; water and sewage pumping stations
   iii. Restaurants (Sit-Down) and Restaurants (Fast Food Carryout), within a Planned Commercial Center of at least 15,000 (fifteen thousand) square feet of gross floor area, subject to the following:
   1. No more than 20 (twenty) percent of the gross floor area of any such Planned Commercial Center may be used for Sit-Down or Carry-Out restaurants, and no single restaurant use shall exceed 2500 (twenty-five hundred) square feet;
   2. The hours of operation of any such restaurant shall not extend beyond the hours of 7 a.m. to 10 p.m., except that deliveries only may take place until 1 a.m.;
   3. There shall be no outdoor food preparation of any kind. All such activity must occur inside the building;
   4. In addition to the provisions of the Special Land Use requirements found in Section 6.2.c, the Planning Commission shall consider the proximity of the proposed restaurant to any adjacent residential districts, and any adverse effects that may be expected to the residential districts due to potential smells, noise, or location of the trash receptacles; and
   5. Once established, a subsequent substantially similar restaurant may occupy the same tenant space, utilizing the same (or less) floor area without the need for the Planning Commission to again review a request for Special Land Use consideration.
PART II.

Severability. Should any section, subdivision, clause, or phrase of this Ordinance be declared by the courts to be invalid, the validity of the Ordinance as a whole, or in part, shall not be affected other than the part invalidated.

PART III.

Savings Clause. The amendment of the Novi Code of Ordinances set forth in this Ordinance does not affect or impair any act done, offense committed, or right accruing, accrued, or acquired or liability, penalty, forfeiture or punishment, pending or incurred prior to the amendment of the Novi Code of Ordinances set forth in this Ordinance.

PART IV.

Repealer. All other Ordinance or parts of Ordinance in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

PART V.

Effective Date: Publication. Public hearing having been held hereon pursuant to the provisions of Section 103 of Act 110 of the Public Acts of 2006, as amended, the provisions of this Ordinance shall be published within fifteen (15) days of its adoption by publication of a brief notice in a newspaper circulated in the City of Novi stating the date of enactment and effective date, a brief statement as to its regulatory effect and that a complete copy of the Ordinance is available for public purchase, use and inspection at the office of the City Clerk during the hours of 8:00 A.M. to 5:00 P.M., Local Time. The provisions of this Ordinance shall become effective seven (7) days after its publication.

Made, Passed and Adopted by the Novi City Council this 4th day of June, 2018.

Certificate of Adoption

I hereby certify that the foregoing is a true and complete copy of the ordinance adopted at the regular meeting of the Novi City Council held on the 4th day of June, 2018.

Adopted: 06/04/2018
Published: 06/14/2018
Effective: 06/21/2018
Certificate of Clerk

I hereby certify that the foregoing ordinance was published by posting a copy thereof at each of the following times and places within the City of Novi, on the 5th day of June, 2018.

1. Novi City Hall 45175 Ten Mile Road
2. Novi Library 45255 Ten Mile Road

I do further certify that on the 14th day of June, 2018 said Zoning Text Ordinance Amendment 18.286 was published in brief in the Novi News, a newspaper published and circulated in said City.

Cortney Hanson, City Clerk