

# MEMORANDUM



**TO:** MEMBERS OF THE PLANNING COMMISSION  
**FROM:** ADRIANNA JORDAN, AICP, PLANNER  
**THROUGH:** BARBARA MCBETH, AICP, CITY PLANNER  
**SUBJECT:** TEXT AMENDMENTS  
**DATE:** SEPTEMBER 6, 2016

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Attached, please find a number of proposed text amendments to the zoning ordinance. Most are intended to fix recently found inconsistencies and anachronistic language in the text body of the ordinance; however, one set of amendments regarding pet boarding and training facilities entails new substantive changes.

The proposed pet boarding and training text amendments are intended to make Novi's ordinance more consistent with similar ordinances in surrounding communities. They will also provide relief to applicants regarding the ordinance's restrictions on where pet boarding facilities can locate, while concurrently adding language to address potential pet waste disposal and noise issues.

The text amendments dealing with inconsistencies between the former version of the zoning ordinance and the new Clearzoning ordinance include items relating to child care centers in the B-2 and B-3 zoning districts, and parking setbacks. The text amendments regarding Special Land Use language, and copies of plot plans are meant to fix anachronistic ordinance language.

Planning staff are proposing to amend the following sections of the Zoning Ordinance:

1. 2.2 Definitions
2. 3.1.11 B-2 Community Business District
3. 3.1.12 B-3 General Business District
4. 3.1.18 I-1 Light Industrial District
5. 3.6.2 Note to District Standards
6. 3.32 General Exceptions
7. 4.46 Pet Boarding Facilities
8. 7.4 Plot Plan

Planning staff and the City Attorney's office will provide further review of these standards as the ordinance amendment is brought forward for public hearing. Staff has attached a revised amendment and suggested conditions.

The Planning Commission is asked to review the proposed amendments, and if acceptable, set a public hearing for the proposed text amendments at a later meeting. At that time, the Planning Commission may make a recommendation to the City Council, who will ultimately approve or deny the amendment and may propose alterations as well. The attached staff version of the proposed amendment is subject to review and changes by City staff and/or the City Attorney's Office. Please contact Adrianna Jordan (248) 347-0586 or [ajordan@cityofnovi.org](mailto:ajordan@cityofnovi.org) with any questions or concerns.

STATE OF MICHIGAN  
COUNTY OF OAKLAND  
CITY OF NOVI

ORDINANCE NO. 16- XX - XXX

AN ORDINANCE TO AMEND ORDINANCE NO. 97-18 AS AMENDED, THE CITY OF NOVI ZONING ORDINANCE ARTICLE 2, DEFINITIONS, SECTION 2.2, DEFINITIONS; IN ORDER TO CLARIFY ORDINANCE LANGUAGE ON PET BOARDING AND TRAINING FACILITIES.

THE CITY OF NOVI ORDAINS:

**Part I.**

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

**ARTICLE 2. DEFINITIONS**

**Section 2.2. Definitions**

~~**Kennel, Commercial:** Any lot or premises on which three (3) or more dogs, cats or other household pets are either permanently or temporarily boarded for remuneration.~~

**Pet Boarding and Training Facility:** A facility for the daily observation and care of dogs, cats, or other household pets, but not including farm animals or livestock, which may provide ancillary services such as grooming and training. The facility may be operated for profit and may offer overnight stays.

**Part II.**

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

**PART III.**

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

**PART IV.**

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

**PART V.**

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

MADE, PASSED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, ON THE \_\_\_ DAY OF \_\_\_\_\_, 2016.

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

\_\_\_\_\_  
CORTNEY HANSON, CITY CLERK

Ayes:  
Nays:  
Abstentions:  
Absent:

STATE OF MICHIGAN  
COUNTY OF OAKLAND  
CITY OF NOVI

ORDINANCE NO. 16- XX – XXX

AN ORDINANCE TO AMEND ORDINANCE NO. 97-18 AS AMENDED, THE CITY OF NOVI ZONING ORDINANCE ARTICLE 3, ZONING DISTRICTS, SECTION 3.1.11, B-2 COMMUNITY BUSINESS DISTRICT; IN ORDER TO ADD CHILD CARE CENTERS BACK INTO PERMITTED USES.

THE CITY OF NOVI ORDAINS:

Part I.

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

**ARTICLE 3. ZONING DISTRICTS**

**Section 3.1.11 B-2 Community Business District**

A. [unchanged]

**B. Principal Permitted Uses**

- i. Retail business uses
- ii. Retail business service uses
- iii. Business establishments which perform services on the premises
- iv. Dry cleaning establishments, or pick-up stations, dealing directly with the consumer §4.24
- v. Professional services
- vi. Retail business §4.27
- vii. Service establishments of and office showroom or workshop nature §4.27
- viii. Restaurants (sit-down), banquet facilities or other places serving food or beverage §4.27
- ix. Theaters, assembly halls, concert halls, museums or similar places of assembly §4.27
- x. Business schools and colleges or private schools operated for profit §4.27
- xi. Day care centers and adult day care centers §4.12.2
- xii. Private clubs, fraternal organizations and lodge halls
- xiii. Places of worship §4.10
- xiv. Hotels, and motels, §4.28
- xv. Professional and medical offices, including laboratories
- xvi. Other uses similar to the above uses
- xvii. Accessory structures and uses, §4.19 customarily incident to the above permitted uses
- xviii. [Child care centers](#)

C. [unchanged]

D. [unchanged]

Part II.

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

**PART III.**

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

**PART IV.**

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

**PART V.**

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

MADE, PASSED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, ON THE \_\_\_ DAY OF \_\_\_\_\_, 2016.

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

\_\_\_\_\_  
CORTNEY HANSON, CITY CLERK

Ayes:  
Nays:  
Abstentions:  
Absent:

STATE OF MICHIGAN  
COUNTY OF OAKLAND  
CITY OF NOVI

ORDINANCE NO. 16- XX - XXX

AN ORDINANCE TO AMEND ORDINANCE NO. 97-18 AS AMENDED, THE CITY OF NOVI ZONING ORDINANCE ARTICLE 3, ZONING DISTRICTS, SECTION 3.1.12, B-3 GENERAL BUSINESS DISTRICT; IN ORDER TO ADD CHILD CARE CENTERS BACK INTO PERMITTED USES.

THE CITY OF NOVI ORDAINS:

Part I.

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

**ARTICLE 3. ZONING DISTRICTS**

**Section 3.1.12 B-3 General Business District**

A. [unchanged]

**B. Principal Permitted Uses**

- i. Retail [business](#) uses
- ii. Retail business service uses
- iii. Dry cleaning establishments, or pick-up stations, dealing directly with the consumer §4.24
- iv. Business establishments which perform services on the premises
- v. Professional services
- vi. Retail business or retail business service establishments §4.27
- vii. Professional and medical offices, including laboratories
- viii. Fueling station §4.29
- ix. Sale of produce and seasonal plant materials outdoors §4.30
- x. Auto wash §4.32
- xi. Bus passenger stations
- xii. New and used car salesroom, showroom, or office
- xiii. Other uses similar to the above uses
- xiv. Tattoo parlors
- xv. Publicly owned and operated parks, parkways, and outdoor recreational facilities
- xvi. Accessory structures and uses §4.19 customarily incident to the above permitted uses
- xvii. Public or private health and fitness facilities and clubs
- xviii. Microbreweries §4.35
- xix. Brewpubs §4.35
- xx. [Child care centers](#)

C. [unchanged]

D. [unchanged]

**Part II.**

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

**PART III.**

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

**PART IV.**

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

**PART V.**

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

MADE, PASSED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, ON THE \_\_\_ DAY OF \_\_\_\_\_, 2016.

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

\_\_\_\_\_  
CORTNEY HANSON, CITY CLERK

Ayes:  
Nays:  
Abstentions:  
Absent:

STATE OF MICHIGAN  
COUNTY OF OAKLAND  
CITY OF NOVI

ORDINANCE NO. 16- XX – XXX

AN ORDINANCE TO AMEND ORDINANCE NO. 97-18 AS AMENDED, THE CITY OF NOVI ZONING ORDINANCE ARTICLE 3, ZONING DISTRICTS, SECTION 3.1.18, I-1 LIGHT INDUSTRIAL DISTRICT; IN ORDER TO CORRECT PARKING SETBACK REQUIREMENTS IN THE I-1 LIGHT INDUSTRIAL DISTRICT.

THE CITY OF NOVI ORDAINS:

**Part I.**

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

**ARTICLE 3. ZONING DISTRICTS**

**Section 3.1.18 I-1 Light Industrial District**

A. [unchanged]

B. [unchanged]

C. [unchanged]

**D. Development Standards**

**Lot Size**

Minimum lot area: See **Section 3.6.2.D**

Minimum lot width: See **Section 3.6.2.D**

**Lot Coverage**

Maximum lot coverage: See **Section 3.6.2.D**

**Setbacks**

Minimum front yard setback: 40 ft

Minimum rear yard setback: 20 ft

Minimum side yard setback: 20 ft

**Building Height**

Maximum building height: 40 ft

**Parking Setbacks**

Minimum front yard setback: See **Section 3.6.2.E**

Minimum rear yard setback: 210 ft

Minimum side yard setback: 210 ft



NOTES

- For additions to the above requirements, refer to **Section 3.6.2 Notes to District Standards: C, D, E, F, H, M, O, P and Q**
- See *Selected References* below for applicability

**Part II.**

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**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.

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

\_\_\_\_\_  
CORTNEY HANSON, CITY CLERK

Ayes:  
Nays:  
Abstentions:  
Absent:

STATE OF MICHIGAN  
COUNTY OF OAKLAND  
CITY OF NOVI

ORDINANCE NO. 16- XX – XXX

AN ORDINANCE TO AMEND ORDINANCE NO. 97-18 AS AMENDED, THE CITY OF NOVI ZONING ORDINANCE ARTICLE 3, ZONING DISTRICTS, SECTION 3.6, NOTE TO DISTRICT STANDARDS; IN ORDER TO CORRECT LANGUAGE REGARDING PLANNING COMMISSION'S DISCRETION TO MODIFY SETBACK REQUIREMENTS.

THE CITY OF NOVI ORDAINS:

**Part I.**

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

**ARTICLE 3. ZONING DISTRICTS**

**Section 3.6 Note to District Standards**

1. [unchanged]

**2. Notes:**

A-P. [unchanged]

Q. The Planning Commission may modify parking setback requirements in those instances where it determines that such modification may result in improved use of the site and/or in improved landscaping; provided, however, that such modification of the parking setback requirements does not reduce the total area of parking setback on a site below the minimum setback area requirements of this Section.

**Part II.**

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**PART III.**

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

**PART IV.**

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

**PART V.**

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

MADE, PASSED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, ON THE \_\_\_ DAY OF \_\_\_\_\_, 2016.

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

\_\_\_\_\_  
CORTNEY HANSON, CITY CLERK

Ayes:  
Nays:  
Abstentions:  
Absent:

## STATE OF MICHIGAN

## COUNTY OF OAKLAND

## CITY OF NOVI

## ORDINANCE NO. 16- XX – XXX

AN ORDINANCE TO AMEND ORDINANCE NO. 97-18 AS AMENDED, THE CITY OF NOVI ZONING ORDINANCE ARTICLE 3, ZONING DISTRICTS, SECTION 3.32, GENERAL EXCEPTIONS; IN ORDER TO CORRECT LANGUAGE REGARDING SPECIAL LAND USES (SLUs).

THE CITY OF NOVI ORDAINS:

Part I.

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

**ARTICLE 3. ZONING DISTRICTS**

**Section 3.32 General Exceptions**

Area, Height and Use Exceptions. The regulations in this Ordinance shall be subject to the following interpretations and exceptions.

1. Essential Services. Essential services serving the City of Novi shall be permitted as authorized and regulated by law and other ordinances of the Municipality. Overhead or underground lines and necessary poles and towers to be erected to service primarily those areas beyond the Municipality shall receive the review and recommendation of the Planning Commission to the City Council, and the review and approval, after public hearing, of the City Council. Such a review of the City Council shall consider abutting property and uses as they relate to easements, rights-of-way, overhead lines, poles and towers and further, shall consider injurious effects on property abutting or adjacent thereto and on the orderly appearance of the City.
2. 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.
3. Height Limit. The height limitations of this Ordinance shall not apply to farm buildings, chimneys, church spires, flagpoles, public monuments or commercial wireless transmission towers; provided, however, that the Zoning Board of Appeals may specify a height limit for any such structure requires authorization as a ~~conditional~~ special land use and provided further that the height of any such structure shall not be greater than the distance to the nearest property line.
4. Lot Area. Any lot existing and of record on the effective date of this Ordinance may be used for any principal use permitted in the district [in] which such lot is located, other than ~~conditional~~ special land uses for which special lot area requirements are specified in this Ordinance, whether or not such lot complies with the lot area and width requirements of this Ordinance. Such use may be made provided that all requirements

other than lot area and width prescribed in this Ordinance are complied with, and provided that not more than one (1) dwelling unit shall occupy any lot except in conformance with the provisions of this Ordinance for required lot area for each dwelling unit, and except as provided for in Section 7.1.2, of this Ordinance.

5. Lots Adjoining Alleys. In calculating the area of a lot that adjoins an alley for the purpose of applying lot area requirements of this Ordinance, one-half (½) the width of such alley abutting the lot shall be considered as part of such lot.
6. Yard Regulations. When yard regulations cannot reasonably be complied with, or where their application cannot be determined on lots of peculiar shape, topography or due to architectural or site arrangement, such regulations may be modified as determined by the Board of Appeals.
7. Porches; Decks. An open, unenclosed and uncovered porch or paved terrace may project into a required front yard setback for a distance not exceeding four (4) feet, but this shall not be interpreted to include or permit fixed canopies. An open, unenclosed and uncovered wooden deck may project into a required rear yard setback for a distance not exceeding eighteen (18) feet, but this shall not be interpreted to include or permit fixed canopies. Spas and gazebos as an accessory to a deck shall be permitted in all areas allowable for placement of a deck. With the exception of the lakeside of waterfront lots which are further regulated by Section 5.11.1.A.ii, privacy and decorative fencing used in the construction of a deck shall be limited to six (6) feet in height as measured from the floor of the deck. All construction shall comply with the provisions of the State Construction Code, as enforced pursuant to Chapter 7, Article II of the Novi Code of Ordinances.
8. Projections into Yards. Architectural features, including gutters, soffits, eaves, cornices, and roof overlaps, but 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 of such side yard; and may extend or project into a required front yard or rear yard not more than three (3) feet. Bay windows, chimneys, cantilevered floors, and other vertical projections of up to ten (10) feet in length, and not occupying more than thirty (30) percent of the length of the wall on which they are located, may project into required side yard not more than two (2) inches for each one (1) foot of width of such side yard (up to a maximum of two (2) feet of projection), and may project into a required front or rear yard not more than three (3) feet.
9. Access Through Yards. For the purpose of this Ordinance, access drives may be placed in the required front or side yards so as to provide access to rear yards or accessory or attached structures. These drives shall not be considered as structural violations in front and side yards. Further, any walk, terrace or other pavement servicing a like function, and not in excess of nine (9) inches above the grade upon which placed, shall, for the purpose of this Ordinance, not be considered to be a structure, and shall be permitted in any required yard.
10. Lots Having Water Frontage
  - A. Those residential lots or parcels having water frontage on a body of water having an area of six-hundred (600) acres or more and abutting a public thoroughfare shall maintain the yard on the water side as an open unobscured yard, except that the following may be permitted:

- i. A boat well, upon review and approval by the Planning Commission, provided the following conditions are satisfied:
      - a. Erection of the boat well shall not unreasonably impair the view of the lake from adjacent lots or parcels.
      - b. The boat well shall not be located in such a way that it will create a potential safety hazard to boaters on the lake.
      - c. The appearance of the boat well shall be in harmony with the principal use of the lot or parcel.
    - ii. A single storage shed, upon review and approval by the Community Development Department, provided the following conditions are satisfied:
      - a. The shed shall be no larger than ten (10) feet by ten (10) feet in area and no taller than eight (8) feet in height.
      - b. The lot coverage of the shed is no more than five (5) percent.
      - c. The shed is a minimum of ten (10) feet from the adjacent roadway, and a minimum of one (1) foot from the side property lines.
      - d. Multiple platted lots having common ownership shall be considered one lot.
  - B. Accessory structures shall be permitted upon such water frontage lots in the setback between the abutting road right-of-way and the main building provided the front yard setback required in Development Standards of each district in this Ordinance is met.
  - C. The winter storage (October 1st to May 31st) of boats and docks and materials customarily incidental to the summertime usage of lake front property is permitted on lake front property and provided the property is maintained in a manner to enhance and not obstruct the view of the lake.
  - D. The storage of wood on lake front lots is permitted where such storage is immediately adjacent to a house or garage on such lot and otherwise in compliance with all ordinances and regulations. When the firewood is not stored immediately adjacent to a house or garage, the maximum dimensions of the pile shall be three (3) feet in height, three (3) feet in length and eighteen (18) inches in width.
11. Basketball Apparatuses. Basketball apparatuses consisting of a single backboard, hoop, and net may project into a front yard or side yard setback area when mounted directly on a garage. As an alternative to a garage mounted apparatus, a single pole-mounted backboard, hoop and net may be erected, provided it is located only in the one-half of the front yard or side yard lawful setback area nearest the dwelling and is contiguous to the driveway.

**Part II.**

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

**PART III.**

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

**PART IV.**

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

**PART V.**

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

MADE, PASSED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, ON THE \_\_\_ DAY OF \_\_\_\_\_, 2016.

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

\_\_\_\_\_  
CORTNEY HANSON, CITY CLERK

Ayes:  
Nays:  
Abstentions:  
Absent:

STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF NOVI

ORDINANCE NO. 16- XX - XXX

AN ORDINANCE TO AMEND ORDINANCE NO. 97-18 AS AMENDED, THE CITY OF NOVI ZONING ORDINANCE ARTICLE 4, USE STANDARDS, SECTION 4.46, PET BOARDING FACILITIES; IN ORDER TO CLARIFY ORDINANCE LANGUAGE ON PET BOARDING AND TRAINING FACILITIES.

THE CITY OF NOVI ORDAINS:

Part I.

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

**ARTICLE 4. USE STANDARDS**

**Section 4.46. Pet Boarding and Training Facilities**

In the I-1 and I-2 districts, pet boarding and training facilities are permitted, subject to the following conditions:

1. The facilities ~~must be located in a building with the pet boarding being the only use~~ are allowed in single-tenant buildings on lots one acre or larger, or in buildings with multiple tenants on lots two acres or larger.
2. Up to ten (10) percent of the gross floor area may be used for accessory retail sales.
3. Adequate traffic circulation shall be provided on the site to accommodate the frequent pickups and drop-offs of animals for the facility.
4. Outdoor facilities, with the following restrictions:
  - A. Any outdoor facilities shall not be closer than five-hundred (500) feet from the boundary of the adjacent residential zoning.
  - B. Any outdoor facilities shall be located in the interior side yard or rear yard.
  - C. A six (6) foot tall, solid, obscuring fence or wall shall completely enclose all outdoor facilities.
  - D. The outdoor facilities shall not encroach into any required building setback.
  - E. All animal waste shall be removed from the outdoor area daily and disposed of in a sanitary manner.
  - F. Pets shall not be permitted to remain outdoors overnight.



5. Animal wastes, biohazard materials or byproducts shall be disposed of as required by the Michigan Department of Public Health, or other duly appointed authority. All other wastes shall be contained in leak-proof and odor proof containers. No animal wastes, biohazard materials or byproducts shall be buried or incinerated on-site, or allowed to enter into groundwater.

6. Noise shall be minimized through the combined use of screening, site isolation, and sound dampening materials in compliance with Section 5.5 and Section 5.11.

**Part II.**

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

**PART III.**

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

**PART IV.**

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

**PART V.**

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

MADE, PASSED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, ON THE \_\_\_ DAY OF \_\_\_\_\_, 2016.

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

\_\_\_\_\_  
CORTNEY HANSON, CITY CLERK

Ayes:

Nays:  
Abstentions:  
Absent:

STATE OF MICHIGAN

COUNTY OF OAKLAND

CITY OF NOVI

ORDINANCE NO. 16- XX - XXX

AN ORDINANCE TO AMEND ORDINANCE NO. 97-18 AS AMENDED, THE CITY OF NOVI ZONING ORDINANCE ARTICLE 7, ADMINISTRATION, APPEALS, AND ENFORCEMENT, SECTION 7.4, PLOT PLAN; IN ORDER TO UPDATE ANTIQUATED LANGUAGE REFERENCING MICROFICHE.

THE CITY OF NOVI ORDAINS:

Part I.

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

**ARTICLE 7. ADMINISTRATION, APPEALS, AND ENFORCEMENT**

**Section 7.4 Plot Plan**

1. [unchanged]

2. Where the proposed structure is part of a development requiring site plan approval, copies of the approved final site plan may serve as the plot plan required by this Section; provided, that the applicant additionally submit to the Building Department a microfiche digital copy of the approved final site plan. The microfiche digital copy shall be in the format approved by the Director of Public Services.

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.

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

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MADE, PASSED, AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF NOVI, OAKLAND COUNTY, MICHIGAN, ON THE \_\_\_ DAY OF \_\_\_\_\_, 2016.

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

\_\_\_\_\_  
CORTNEY HANSON, CITY CLERK

Ayes:  
Nays:  
Abstentions:  
Absent: