

ORDINANCE NO.

AN ORDINANCE TO AMEND CHAPTER 138, ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN TO ADD A FLEX BUSINESS OVERLAY DISTRICT TO 13 PARCELS OF LAND TOTALING APPROXIMATELY 22.50 ACRES: PARCEL NOS. 15-35-352-001, -061, -066, -067, -019 AND 15-35-353-055, -039, -040, -041 WITH AN FB-2 FLEX BUSINESS OVERLAY; AND PARCEL NOS. 15-34-429-019, -021, 15-34-477-015 AND -016 WITH AN FB-3 FLEX BUSINESS OVERLAY, TO REPEAL CONFLICTING ORDINANCES AND TO PRESCRIBE A PENALTY FOR VIOLATIONS.

THE CITY OF ROCHESTER HILLS ORDAINS:

Section 1. The zoning classification of the following described property shall be amended to add Flex Business Overlays as follows:

- Add an FB-2 Flex Business Overlay to .4.73 acres zoned B-2 (GENERAL BUSINESS)
- Add an FB-3 Flex Business Overlay to 1.0 acre zoned B-2 (GENERAL BUSINESS)
- Add an FB-2 Flex Business Overlay to 1.29 acres zoned B-5 (AUTOMOTIVE SERVICE BUSINESS)
- Add an FB-3 Flex Business Overlay to 11.6 acres zoned B-3 (SHOPPING CENTER BUSINESS)
- Add an FB-3 Flex Business Overlay to 3.86 acres zoned O-1 (OFFICE BUSINESS)

SITE DESCRIPTION:

Lands in the City of Rochester Hills, Oakland County, Michigan, described as:

- 15-35-352-001**
- 15-35-352-061**
- 15-35-352-066**
- 15-35-352-067**
- 15-35-352-019**
- 15-35-353-055**
- 15-35-353-039**
- 15-35-353-040**
- 15-35-353-041**
- 15-34-429-019**
- 15-34-429-021**
- 15-34-477-015**
- 15-34-477-016**

Commonly known as: N/A
Parcels identified in the Future Land Use Aerial Map.

Section 2.

Section 3.01. Boundaries, and the Zoning Map attached to

ZONING ORDINANCE NO.

the Zoning Ordinance, shall be amended to depict the amendment to the zoning classification for the property described herein to add an FB-2 Flex Business Overlay to B-2 (General Business), B-3 (Shopping Center Business), B-5 (Automotive Business), and O-1 (Office Business) districts.

Section 3. Severability. This Ordinance and each article, section, subsection, paragraph, part provision, sentence, word and any portion thereof are hereby declared to be severable, and if they or any of them are declared to be invalid or unenforceable for any reason by a court of competent jurisdiction, it is hereby provided that the remainder of this Ordinance shall not be affected thereby.

Section 4. Penalty. All violations of this ordinance shall be municipal civil infractions and upon a determination of responsibility therefore shall be punishable by a civil fine of not more than \$500.

Section 5. Repeal, Effective Date and Adoption.

- (1) Repeal. All regulatory provisions contained in other City ordinances which are inconsistent with the provisions of this ordinance, are hereby repealed.
- (2) Effective Date. This ordinance shall become effective on _____, the day following its publication in the *Oakland Press* on _____.
- (3) Adoption. This Ordinance was adopted by the City Council of the City of Rochester Hills at a meeting thereof held on _____.

Bryan Barnett, Mayor

CERTIFICATE

I hereby certify that the foregoing Ordinance was adopted by the City Council of the City of Rochester Hills at a meeting thereof held on

Tina Barton, City Clerk