

ORDINANCE NO. ____

AN ORDINANCE TO AMEND CHAPTER ____ OF THE CITY OF ROCHESTER HILLS ZONING ORDINANCE AS FOLLOWS:

AMEND SECTION 138-4.100, TABLE 3. ZONING DISTRICTS, TO REPLACE THE CI COMMERCIAL IMPROVEMENT DISTRICT WITH THE NEW BD BROOKLANDS DISTRICT; AMEND SECTION 138-4.209 TO REPLACE CI COMMERCIAL IMPROVEMENT WITH THE NEW BD BROOKLANDS DISTRICT; AMEND SECTION 138-4.301 (B) TO REPLACE CI WITH THE NEW BD DISTRICT; AMEND SECTION 138-5.100, TABLE 6. SCHEDULE OF REGULATIONS, TO REPLACE THE CI COMMERCIAL IMPROVEMENT DISTRICT WITH THE NEW BD BROOKLANDS DISTRICT; AMEND SECTION 138-5.101 (F)(2) AND (3) TO REPLACE CI WITH THE NEW BD DISTRICT; AMEND SECTION 138-5.101 (I) TO REPLACE CI WITH THE NEW BD DISTRICT; REPLACE ARTICLE 6 SUPPLEMENTAL DISTRICT STANDARDS, CHAPTER 3 CI COMMERCIAL IMPROVEMENT DISTRICT IN ITS ENTIRETY WITH THE NEW BD BROOKLANDS DISTRICT;

THE CITY OF ROCHESTER HILLS, OAKLAND COUNTY HEREBY ORDAINS:

PART 1. AMEND SECTION 138-4.100, TABLE 3. ZONING DISTRICTS, TO REPLACE THE CI COMMERCIAL IMPROVEMENT DISTRICT WITH THE NEW BD BROOKLANDS DISTRICT

PART 2. AMEND SECTION 138-4.209 TO REPLACE CI COMMERCIAL IMPROVEMENT WITH THE NEW BD BROOKLANDS DISTRICT

The **BD Brooklands** district is intended to apply to certain business properties in the city which require relaxation of site improvement requirements in order to allow and encourage the upgrading and improvement of those properties. The irregularities of the parcels, the closeness of existing buildings to the roadway and adjacent buildings, and the lack of space for on-site parking hamper investment in the properties. Improvement and growth of such areas is determined to be of importance to the city and the general welfare of the area.

PART 3. AMEND SECTION 138-4.301 (B) TO REPLACE CI WITH THE NEW BD DISTRICT

Section 138-4.301 Footnotes to the Table of Permitted Uses by District

- B. All uses in the B-1, B-2, B-3, and **BD** districts are subject to the following conditions:
 1. All business establishments shall be retail or service establishments dealing directly with consumers. All goods produced on the premises shall be sold at retail on the premises where produced.
 2. All business, servicing, storage and processing, except for off-street parking or loading, shall be conducted within a completely enclosed building.

PART 4. AMEND SECTION 138-5.100, TABLE 6. SCHEDULE OF REGULATIONS, TO REPLACE THE CI COMMERCIAL IMPROVEMENT DISTRICT WITH THE NEW BD BROOKLANDS DISTRICT

District	Minimum Lot Area (sq. ft.)	Maximum Building Height Stories	Minimum Yard Setback (feet)	Minimum Floor Area (sq. ft.)	Max. Lot Coverage (all bldgs.)
BD	See Article 6, Chapter 3 for Brooklands district regulations				

PART 5. AMEND SECTION 138-5.101 (F)(2) AND (3) TO REPLACE CI WITH THE NEW BD DISTRICT

F. Side Yard Setbacks. Side yards shall comply with the following:

2. Where B-1 and B-2 districts abut R, RCD, RM-1 and MH districts, the minimum side yard requirement shall be 50 feet. This requirement shall not apply to the **BD** district.
3. Where a B-3 district abuts R, RCD, RM-1, MH, SP and **BD** districts, the minimum side yard shall be 75 feet.

PART 6. AMEND SECTION 138-5.101 (I) TO REPLACE CI WITH THE NEW BD DISTRICT

I. Rear Yard Setback Adjacent to a Nonresidential District. Where a **B-1, B-2 or B-3** district abuts a B, O-1, I (industrial) SP or **BD** districts, the rear yard may be reduced to 10 feet with the approval of the Planning Commission, upon its determination that the requested reduction will allow for better development and will be compatible with adjoining properties.

PART 7. REPLACE ARTICLE 6 SUPPLEMENTAL DISTRICT STANDARDS, CHAPTER 3 CI COMMERCIAL IMPROVEMENT DISTRICT IN ITS ENTIRETY WITH THE NEW BD BROOKLANDS DISTRICT

Section 138-6.300 Principal Uses Permitted

- A. Retail sales including, but not limited to, specialized food stores, bakeries, department stores, general merchandise stores, pet shops, apparel and accessory stores, drug stores, video rental, and bookstores.
- B. Personal service establishments which perform services on the premises, such as, but not limited to, repair shops (watches, television, shoe, jewelry and the like), tailor shops, beauty parlors, barber shops, and self-service laundries.
- C. Existing Gas stations, auto repair and service **establishments** established prior to the effective date of adoption of this chapter (XXX, XX 2019), **provided that the current number of pumps, tanks and/or service bays are not expanded or increased.**
- D. Existing accessory drive-through facilities established prior to the effective date of adoption of this chapter (XXX, XX 2019), provided that no expansion of the accessory drive-through facilities are permitted.**
- E. Artist studios and galleries.
- F. Eating and drinking establishments, including bakeries/cafés, restaurants/bars, provided a restaurant/caf  or other eating and drinking establishment shall not include a drive-through facility or in-the-vehicle services.
- G. Outdoor dining subject to the provisions of Section 138-4.428.
- H. Physical fitness facilities such as health clubs or recreation centers.
- I. Professional or business offices.
- J. Medical offices and clinic.**
- K. Banks and similar financial institutions.
- L. Residential uses on second floor or higher meeting the following requirements:
 1. Each dwelling unit must contain the minimum number of square feet set forth below based on the number of bedrooms in the unit:
 - a. One bedroom: 600 square feet.
 - b. Two bedrooms: 900 square feet.
 - c. Three bedrooms: 1,100 square feet.
 - d. More than 3 bedrooms: 1,100 square feet plus an additional 200 square feet for each bedroom over three.
 2. Each dwelling unit must contain its own separate bath and kitchen facilities. Shared facilities are not permitted.

3. Detached single-family housing and two-family housing shall not be permitted.
4. Dwelling units shall not be located above any establishment engaged in food preparation of any kind involving heating, baking and/or cooking on the premises unless both of the following fire safety measures are in place:
 - a. The establishment is protected by a sprinkler fire suppression system; and
 - b. The dwelling units and all common aisles, corridors, etc. adjacent to the dwelling units are equipped with hard wired smoke alarms. Battery operated alarms are not permitted.
5. Applicable restrictions under the city fire code and/or fire prevention code shall not be subject to waiver or variance of any kind.

M. Media and entertainment production facility.

N. Civic and education uses.

O. Place of worship.

- P. Uses of a similar and no more objectionable character and impact as the above uses. Also permitted are customer accessory uses to the above provided there shall be no drive-through or other auto-oriented uses in this district.

Section 138-6.301 Conditional Uses

- A. Small-scale Breweries, Wineries and Distilleries
- B. Makerspaces
- C. Assembly and Machining Operations subject to the provisions of Section 138-4.418.
- D. Professional or business offices located on the first floor.
- E. Libraries or museums.
- F. Government offices and assembly halls.
- G. Theaters, auditoriums, concert halls and similar places of assembly.
- H. Uses of a similar and no more objectionable character as the above uses, as determined by City Council following a recommendation by the Planning Commission.

Section 138-6.302 Required Conditions

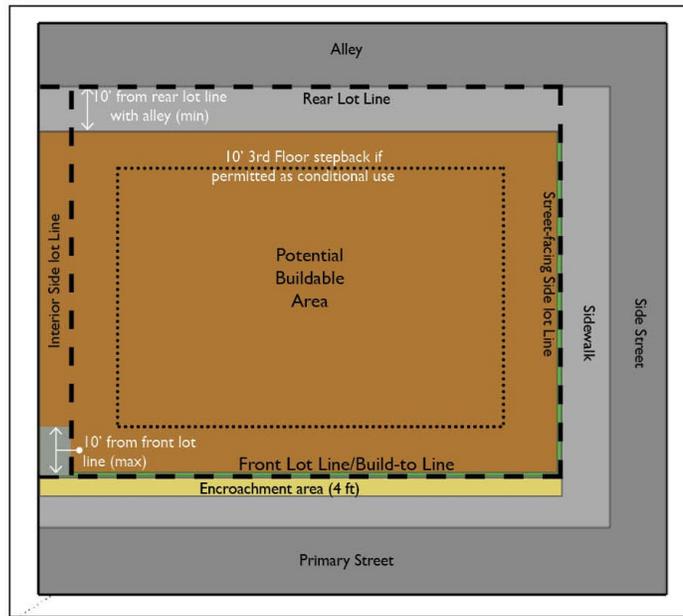
Except as permitted, all businesses, servicing, storage and processing, except for off-street parking and loading, shall be conducted within a completely enclosed building.

The outdoor sales of goods in the BD district shall require a special events permit from the Building Department, and must apply with all applicable City codes and ordinance.

Section 138-6.303 Area, Height and Typology Requirements

A. Area and Placement Requirements

- Figure: Setbacks, Façade Abutting Street, and Encroachments



Standard	Requirement
1. Minimum front yard setback.	<p>The front lot line is the required build-to line. The façade shall be built to the build-to line for the minimum width specified in subsection 4 below.</p> <p>* To provide for some design flexibility, a maximum front yard setback of 10 feet is permitted.</p> <p>Depth variations that exceed 10 feet may be permitted within the front facade if 80 percent of the building frontage meets the build-to line. Applicants are encouraged to incorporate small courtyards and plazas into site design.</p>
2. Minimum side yard setback	<p>Side yard setbacks are not required and shall only be permitted on one side of the property with the following exception:</p> <p>Structures shall provide a side yard setback of 20 feet, plus the height of the building which exceeds 30 feet in height if allowed by conditional use for each side yard abutting a residential district.</p>
3. Minimum rear yard setback	<p>If an alley is present abutting the rear yard, a setback of 10 feet shall be required. If an alley is not present in the rear yard, a minimum setback of 30 feet shall be required and a 20-foot wide paved access drive shall be provided in the rear yard setback area.</p>
4. Primary Street façade abutting build-to line	<p>Buildings shall be constructed to the build-to line, and the façade of the building shall occupy 80 percent or more of the full width of the parcel. For buildings with forecourts, the minimum required percent of façade abutting the build-to line shall be reduced provided 1) the combination of forecourt</p>

	frontage and balance of the building frontage at the same lot line equals at least 80% of the total build-to line length and 2) the forecourt meets all the requirements specified in this chapter.
5. Side Street façade abutting street	Buildings shall be constructed to the build-to-line (i.e., the street-facing side lot line), and the façade of the building shall occupy 50 percent or more of the full depth of the parcel along the street-facing side yard.
6. Minimum building depth along a required build-to line	Whenever a build-to line is specified, the minimum depth of a building abutting the build-to line shall be 20 feet.
7. Maximum encroachments	Awnings, balconies without supporting columns/posts, projecting signs, and upper floor bay windows may encroach over the build-to-line by 4 feet. Encroaching balconies and bay windows shall maintain a minimum vertical clearance of 15 feet between the lowest point of the feature and the sidewalk or grade.

B. Height and Floor Area Requirements

- Figure: Height Requirements



Standard	Requirement
1. Maximum height	30 feet; 2 stories The city may allow additional height as a conditional use up to a maximum of 45 feet; 3 stories subject to top floor being stepped back ten feet from the second story on front building facades along Auburn Road and all rear building facades.*
2. Minimum height	18 feet; one story
3. Minimum first floor ceiling height	14 feet. Storage and utility rooms are exempt.

4. Lot coverage	The maximum building coverage shall not exceed 80% of the lot.
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*NOTE: Conditional use standards for 45 feet; 3 stories:

1. Submission of architectural perspective drawings that illustrate the relationship of the additional height with the nearest residential buildings on any residentially-zoned parcels sharing a boundary with the site. Sight lines from windows or other occupied areas of the subject building seeking additional height shall be indicated to minimize views from areas of additional height to adjacent residential buildings. Views should be minimized through the use of landscaping, additional step backs, building orientation, or other means as determined necessary by the Planning Commission.
2. Submission of floor plans and elevations indicating the use of additional height areas, including any proposed outdoor uses on second or third floors, to determine potential noise nuisances.
3. Outdoor dining shall be prohibited on any additional height areas on the rear or side of buildings adjacent to residentially-zoned parcels.
4. **Parking for the additional third story shall be provided completely on the site.**

Primary and Side Streets

1. A Primary Street is the street upon which the front lot line abuts.
2. For corner lots, a side lot line abutting a street shall be considered a build-to line. Auburn Road shall always be designated as a Primary Street in the BD District, and any property abutting Auburn Road shall designate Auburn Road frontage as a front lot line.

Front and Exterior Side Yard Setbacks: Whenever a structure is setback from a front or street-facing side lot line, the setback area shall be either paved with concrete, brick pavers or similar material customarily found in the district. Landscaped areas and furnishings (benches, trash receptacles, and similar equipment) designed and constructed in a manner consistent with the district, with a focus on pedestrian flow and creating places of pedestrian interest, may also be provided.

C. Building Typology

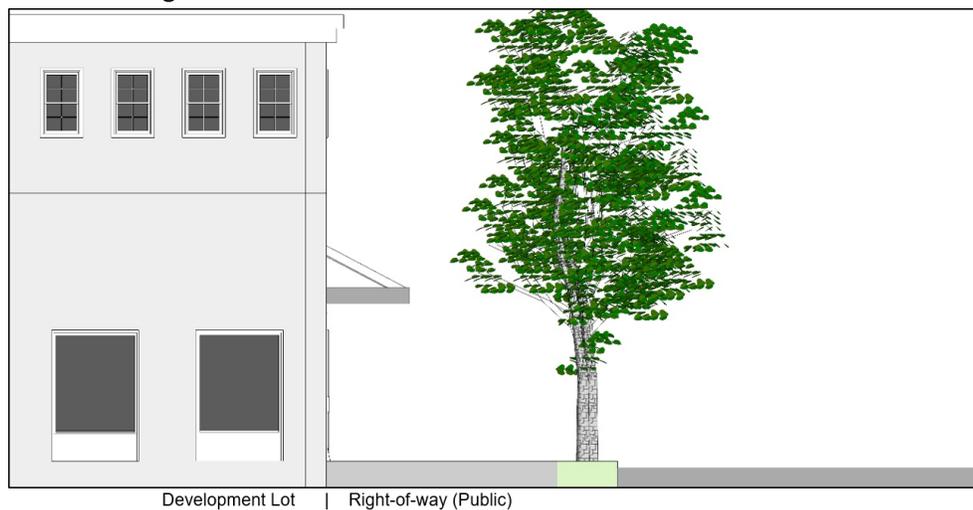
1. Shopfront

This frontage type is intended to encourage ground floor commercial uses in multiple story buildings that are typical in commercial main streets. Buildings feature ample windows for displays and open views to indoor activity on the ground floor. Primary entrances are prominent and street-facing, and they are either recessed at the doorway up to five feet or placed at the build-to line. Awnings are encouraged to shield pedestrians from the elements and minimize the impact of direct sunlight near storefronts.

Below: Shopfront axonometric view illustrating pedestrian-oriented storefront that encourages walking throughout the BD District. The storefront glazing, which allows views inside the building, is a critical element that encourages pedestrians to stroll the District.



Below: Section view of shopfront illustrating relationship of storefront to pedestrian walkway. Street trees and awnings provide protection from the elements and reduce the impact of high temperatures during warm weather months.



2. Arcade

With this frontage type, the upper floors of the façade project to the lot line, while the ground floor façade is recessed from the lot line. The maximum recess of the ground floor from the lot line shall be 10 feet. Arcades are ideal for retail use and outdoor dining.

Below: Arcade axonometric view shows how the building design creates a recessed ground floor shopfront area. The upper floors project over the pedestrian walkway to the front lot (build-to) line.



Below: Arcade section view shows the recessed pedestrian walkway and the upper floor area above. The entire structure is on private property, and the columns and upper floors extend to the front lot (build to) line.



3. Forecourt

Forecourts are an additional design element incorporated into a shopfront or arcade frontage. The main façade of the building is at or near the build-to line, while a maximum of 50 percent of building frontage is set back up to 40 feet from the build-to line, creating a small court space. The space could be used as an entry court or shared garden space for apartment buildings, as an additional restaurant seating area within retail and retail service use areas, as a small park or plaza, or similar use.

Below: Forecourt axonometric view shows how the building design creates a recessed ground floor courtyard area. The courtyard is typically a combination of hardscape and landscape area. Examples of uses include outdoor dining and pedestrian plaza areas.



Below: Forecourt section view shows the relationship of the development lot to the right-of-way. The courtyard area is not visible from this angle, as it is behind the portion of the building placed at the build-to line.



Forecourts may be placed at any location along the frontage provided that the forecourt is enclosed on three sides by building walls. The forecourt area shall have a mix of paved areas (brick, stone or concrete pavers or concrete), landscaped areas (planted with a mix of flowers, plants, shrubs, and trees), and street furniture (such as chairs, tables, benches, and similar features). Lawn areas are not appropriate for courtyards and may only be used as a minor accent to an otherwise landscaped area. Outdoor dining is encouraged.

Section 138-6.304 Building Design Standards

The following standards apply to all building facades fronting a public street, alley, or residential district.

A. Building Elements

1. Buildings must include a top or cap element, such as a parapet, cornice or similar feature.
2. The edge of each distinguishable storefront shall be defined by a vertical design element.
3. Horizontal expression lines shall define stories of the building.
4. A minimum of one pedestrian entrance onto Auburn Road for each building is required. For buildings with more than 150 feet of building frontage on the same street, provide one additional pedestrian entrance for each 75 feet of building frontage over the first 75 feet.
5. **Rear building pedestrian entrances are required for building areas containing retail sales or eating and drinking establishments that on sites with a rear parking lot and/or alley.**
6. **All pedestrian entrances shall include elements such as: covered entries, integral planters, awnings, raised corniced parapets over the door, peaked roof forms having an average slope greater than or equal to a minimum 5:12 pitch, arches, or architectural details such as tile work and moldings that are integrated in to the building materials and design.**
7. Vacant storefronts shall not be boarded up, covered with paper or otherwise appear derelict or abandoned. Temporary displays of art, merchandise from other area businesses or similar displays shall be permitted. Temporary decorative covering of windows shall be permitted only during periods of active store renovations.

B. Building Materials. Exterior materials that may be used on buildings in the BD district fall into two categories, primary and accent building materials. The building material requirement is based on the exterior wall surface area, excluding windows and doors. Primary building materials shall cover a minimum of 60% of the exterior wall surface area, while accent materials may be used on up to 40% of the exterior wall surface area.

1. Primary Building Materials include:
 - a. Durable natural building materials such as brick, stone, and other similar materials.
 - b. Exposed logs, timbers, or wood trim.
 - c. Any durable, relatively low-maintenance material that convincingly matches the appearance of the above natural building materials.
2. Accent Building Materials include:
 - a. Decorative precast concrete block.
 - b. Metal panels and trim.
 - c. Glass.
 - d. Vinyl siding and non-durable building materials such as EIFS may be used as accent materials, but may cover a maximum of 10% of any exterior building façade's wall area.
 - e. Any other material except those specifically prohibited by the following subsection 3.
3. Prohibited Building Materials include:
 - a. Plain concrete block (both painted and unpainted).

- b. Plywood or T-111 panels.
 - c. Vinyl and aluminum siding.
 - 4. Compliance with LEED-NC Standards. LEED certification for new buildings is encouraged. Absent certification for the entire building, compliance with the following building material credits is encouraged: MR 4.1 or MR 4.2, MR 5.1 or MR 5.2, MR 6, and MR 7.
- C. Façade Transparency**
- 1. Window glazing shall be clear with a visible light transmittance of not less than 65% (0.65) on ground floors, and 45% (0.45) on upper floors, per glass manufacturer specifications.
 - 2. Ground Floor Non-Residential Uses shall maintain a minimum of 70% façade transparency, measured between 2 feet and 8 feet above grade.
 - 3. Upper Floor Non-Residential Uses shall maintain a minimum of 30% façade transparency on street-side facades measured from floor to floor.
 - 4. Ground Floor Residential Uses shall maintain a minimum of 25% façade transparency measured from exterior grade level to the second story floor level.
 - 5. Upper Floor Residential Uses shall maintain a minimum of 20% façade transparency measured from floor to floor

Section 138-6.305 Parking and Loading

The following parking requirements are applicable in the BD, Brooklands district and replace similar requirements set forth in Article 11. Any requirement of Article 11 that is not superseded by one of the following parking requirements shall remain in effect in the district.

A. Minimum Parking Required.

1. Residential

- i. 0.75 spaces per studio dwelling unit**
- ii. 1 space per dwelling unit with 1 bedroom**
- iii. 1.5 spaces per dwelling unit with 2 or more bedrooms**
- iv. 1 visitor space shall be provided for every 3 units**

- 2. 1 parking space per 400 square feet of nonresidential building space.

B. Maximum Parking Permitted. The maximum surface parking requirement shall be 200% of the minimum parking requirement. The maximum parking requirement may be modified by the reviewing authority if the applicant can submit evidence that additional parking will be required to accommodate maximum parking demand on a typical day. Parking spaces in parking garages are exempt from the maximum parking standard.

C. On-Street Parking. Shall be counted toward the minimum parking requirement. **On-street spaces that have at least 50% of the parking stall length fronting the site shall be counted.**

D. Public Parking. **The minimum parking requirement for nonresidential building space only may be reduced by 20% if a public parking lot is located within 500 feet of the nonresidential use, as measured from property line to property line.**

E. The Planning Commission may further modify the numerical requirements for off-street parking in accordance with Section 138-11.202.

F. Parking Lot Layout. Parking lot layout, maintenance, and construction shall comply with all of the requirements of Article 11. The Planning Commission may modify the dimensional requirements of Article 11 based on evidence submitted by the applicant indicating that the modification will result in superior site design, will achieve the same purpose as if the parking lot were designed according to conventional standards, and will function in a safe and efficient manner.

- G. Loading Space and Alleys.** There are no specific loading requirements in the **BD, Brooklands district**; however, buildings and sites shall be designed such that trucks and large delivery vehicles may be accommodated on the site using alleys without encroaching directly onto a perimeter or interior street. Further, loading facilities such as truck docks shall be located and screened such that they are not visible from any perimeter or interior street.
- H. Shared Parking. (ZO Replacement)**
1. The Planning Commission may authorize a reduction in the total number of required parking spaces for two (2) or more uses jointly providing off-street parking when their respective hours of peak operation do not overlap. Shared parking shall be subject to the location requirements of the Zoning Ordinance and the following conditions:
 - i. Computation. The number of shared spaces for two (2) or more distinguishable land uses shall be determined by the following procedure:
 1. Multiply the minimum parking required for each individual use, as set forth in the Specific Off-Street Parking Provisions by the appropriate percentage indicated in the Shared Parking Calculations table for each of the six (6) designated time periods.
 2. Add the resulting sums for each of the six (6) columns.
 3. The minimum parking requirement shall be the highest sum among the six (6) columns resulting from the above calculations.
 4. Select the time period with the highest total parking requirement and use that total as the shared parking requirement.
 2. Other uses. If one (1) or all of the land uses proposing to make use of shared parking facilities do not conform to the general land use classifications in the Shared Parking Calculations table, as determined by the Planning and Economic Development Director, then the applicant shall submit sufficient data to indicate the principal operating hours of the uses. Based upon this information, the Planning and Economic Development Director shall determine the appropriate shared parking requirement, if any, for such uses.
 3. Alternative procedure. An application may be submitted requesting that the Planning and Economic Development Director authorize a greater reduction in the total number of required parking spaces for two (2) or more uses where an applicant believes that the Shared Parking Calculations table does not adequately account for circumstances unique to the particular property or properties in question. The application shall include, at a minimum, a parking study with a detailed description of the proposed uses, their hours of operation, their anticipated peak parking demand, and anticipated hours that such peak parking demand would occur. Any study submitted shall be prepared with a parking professional with experience in shared parking studies and shall follow the Shared Parking methodology established by the Urban Land Institute's publication, Shared Parking, by Mary Smith. Based upon information demonstrating that the peak parking demand for the uses in question would not coincide, the Planning Commission may authorize a greater parking reduction than is authorized by the Shared Parking Calculations table. The Planning Commission may impose reasonable conditions to mitigate potential negative effects.
 4. Process. An application for shared parking shall be submitted on a form approved by the Planning Commission and, for parking lots with 1-100 parking spaces, by the Planning and Economic Development Director. (This will be a new form specific to this area based on the below table to be formalized at a later date if approved.

5. Shared Parking Calculations

General Land Use Classification	Weekdays			Weekends		
	2:00 a.m.— 7:00 a.m.	7:00 a.m.— 6:00 p.m.	6:00 p.m.— 2:00 a.m.	2:00 a.m.— 7:00 a.m.	7:00 a.m.— 6:00 p.m.	6:00 p.m.— 2:00 a.m.
Office	5%	100%	5%	0%	10%	0%
Retail sales and services	0%	90%	80%	0%	100%	60%
Restaurant	10%	70%	100%	20%	70%	100%
Residential	100%	60%	100%	100%	75%	90%
Theater	0%	40%	90%	0%	80%	100%
Hotel						
Guest rooms	100%	55%	100%	100%	55%	100%
Restaurant/lounge	40%	60%	100%	50%	45%	100%
Conference rooms	0%	100%	100%	0%	100%	100%
Religious institution	0%	25%	50%	0%	100%	50%
Reception or meeting hall	0%	70%	90%	0%	70%	100%
Museum	0%	100%	80%	0%	100%	80%
School, grades K—12	0%	100%	25%	0%	30%	10%

Section 138-6.306 Landscaping and Screening

- A. Buffer Requirements.** Section 138-12.300 Buffer Requirements shall not apply in the BD, Brooklands district where an alley is present or planned along the rear of BD district sites. Where no alley is present or planned adjacent to parcel zoned or used as residential, a screening wall is required. All screen walls shall match existing adjacent walls. Where no wall is adjacent, the screen wall shall be six (6) feet in height, consist of decorative masonry or natural materials such as brick or stone, and capped with a stone or concrete cap. The color and material shall be coordinated with the materials of the principal building.
- B. Parking Lot Landscaping.**
1. Interior parking lot landscaping shall be provided in accordance with Section 138-12.301 for parking lots of 20 spaces or more. Tuck under parking spaces shall not be counted towards the 20 spaces or be required to provide interior landscaping.
 2. Perimeter parking lot landscaping shall be provided in accordance with Section 138-12.301 unless in the opinion of the Planning Commission, the parking lot will be sufficiently screened from view by buildings or other site features or improvements.
 - i. All off-street parking areas with more than 10 parking spaces that are visible from a public road shall be screened with a two and one half (2.5) foot high clay masonry brick wall, with a suitable stone cap, hedge row, or ornamental fence as determined by the Planning Commission along the lot line facing the adjacent street. This wall may be set back up to 20 feet from the lot line if the space between the lot line and the wall is designed, constructed and maintained as a park, plaza or outdoor dining area.
 3. Where any pond, retention basin, detention basin, or other constructed stormwater management facility is required, it shall comply with Section 138-12.303.

- C. **Right-of-Way Landscaping.** Landscaping shall be provided within the BD district Auburn Road right-of-way and along the front of BD district parcels in accordance with the Auburn Road Reconstruction Plan for the Brooklands corridor, which is on file in the City of Rochester Hills Planning and Economic Development Department. BD district parcels that do not contain right-of-way landscaping in accordance with the Auburn Road Reconstruction Plan shall install right-of-way landscaping in accordance with this plan and with the direction of the Planning Commission.

PART 8. DEFINITIONS. AMEND SECTION 13.101 TO ADD DEFINITIONS

Makerspace. A place in which people with shared interests, especially in arts, crafts, computing, technology and similar fields, can gather to work on projects while sharing ideas, equipment, and knowledge.

Small-scale brewery. A small-scale facility for the brewing of beer for sale on the premises, as well as for off-site sales, that produces less than 15,000 barrels of beverage annually and may include a restaurant/bar space, tasting room or retail sales.

PART 9. SEVERABILITY. This ordinance and each article, section, subsection, paragraph, subparagraph, part, provision, sentence, word and 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.

PART 10. 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.

PART 11. REPEAL, EFFECTIVE DATE, 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 _____, following its publication in the Rochester Post on _____, 2019.
3. Adoption. This ordinance was adopted by the City Council of the City of Rochester Hills at a meeting thereof held on _____, 2019.

Bryan K. Barnett, Mayor
City of Rochester Hills

CERTIFICATE

I HEREBY CERTIFY THAT THE FOREGOING ORDINANCE WAS ADOPTED BY THE CITY COUNCIL OF THE CITY OF ROCHESTER HILLS AT A MEETING THEREOF ON _____, 2019.

Tina Barton, Clerk
City of Rochester Hills