



Rochester Hills Master Report

1000 Rochester Hills
Drive
Rochester Hills, MI 48309
(248) 656-4660
Home Page:
www.rochesterhills.org

File Number: 2004-1057

File Number: 2004-1057	File Type: Ordinance	Status: For Introduction
Version: 5	Reference: N/A	Controlling Body: City Council
Requester: Planning/Development	Cost:	Introduced: 11/12/2004
File Name: Planned Unit Development (PUD) Ordinance Amendment		Final Action:

Title: Acceptance for First Reading - An Ordinance to repeal Sections 138-1001 through 138-1008, of Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, adopt new Sections 138-1001 through 138-1008 governing Planned Unit Developments, repeal conflicting or inconsistent ordinances, and prescribe a penalty for violations.

Notes:

Code Sections:

Indexes: Ordinance Change

Sponsors:

Attachments: Agenda Summary.pdf,
PUD_amend_memo_11-12-04.pdf, PUD Ordinance
060905.pdf

Agenda Date:

Agenda Number:

Enactment Date:

Enactment Number:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
---------------	--------------	-------	---------	----------	-----------	-----------------	---------

1 Planning Commission 02/01/2005 Discussed

Notes: *Mr. Delacourt stated that there had been more requests for utilization of the PUD Ordinance recently. Certain projects before the Planning Commission had initiated discussion about modifying the Ordinance. He mentioned the examples of Papa Joe's, City Walk and City Place, which involved the underlying zoning. There was concern if one of those projects failed and questions about whether the zoning would revert back to the previous zoning or the new PUD zoning. In response to the discussion, Staff provided two options at the last joint meeting. One was a series of amendments to the City's existing PUD Ordinance to deal with existing projects already approved for use of the process or projects being considered for use. The alternative to that was a rewritten Ordinance, which would keep all the controls and intent for use of the current Ordinance. At that meeting, both bodies expressed that they would like to see a rewritten Ordinance rather than a series of amendments to the City's current Ordinance. Prior to the Public Hearing, Staff wished to allow discussion regarding the amendment submitted.*

Mr. Delacourt stressed that the proposed Ordinance kept City and Staff control over use of the process and that the uses for the process were similar. The proposal

basically would untie everyone's hands to be able to negotiate the best possible development for a PUD, without being restricted by underlying zoning requirements or the dimensional requirements that currently existed.

Mr. Hooper asked if this would allow a PUD to be used anywhere at any time. Mr. Delacourt replied that it would, if the Planning Commission and City Council agreed that the proposed PUD projects met the intent for use of the process or if a change to the underlying zoning was not required. He indicated that proposed projects would have to be consistent with either the existing zoning district or the Master Plan, and the City would be allowed to make that decision. It should not require changing the zoning and would allow any underlying zoning to be included in the process. He referred to City Place, and said the current Ordinance requirement required the entire property to be rezoned to B-1, when it was to be a 99% residential development. The question was asked about what would happen if the PUD were not built, and the City was then left with an underlying zoning of B-1 rather than single-family, as it was zoned. He indicated that the multi-family proposed for City Place would have been more consistent with single-family than the commercial zoning.

Mr. Hooper asked if the word "consistent" would become tricky and explained that if someone had a residential property and wanted to put commercial on it, it might appear to be a good idea but would not be consistent.

Mr. Delacourt suggested that in that instance, the Planning Commission might recommend that the proposed projects appeared to meet the requirements for utilization of a PUD but the underlying zoning in that instance would have to be rezoned first.

Mr. Anzek believed that the qualifying criteria in the beginning of the proposed Ordinance was clearer and more defined than what the City currently had. No one could use a PUD at any place at any time. It would still be at the City's discretion. A PUD could not be used to circumvent or to get something the Master Plan did not support. It could not be used to do something that the infrastructure could not support. He felt the proposed amendment would give the City a stronger and clearer position as to how the tool was used. The current Ordinance had tripped them up a few times because of the standards and the underlays contained.

Mr. Delacourt referred to Hidden Ridge by Cloverport that also gave rise to considering revising the Ordinance. He reminded that it was a single-family PUD which overlooked the Clinton River. He explained that using the PUD allowed the applicant to reduce lot widths and setbacks, but there was still a standard requiring the lots to be no less than 70 feet. The City could have made even more improvements to the plan if the dimensional restriction had not been there. The lot widths could have been less, further reducing the impact to the river. He added that there were other restrictions that kept the City from negotiating the best development.

Ms. Hill asked where the PUD would fit in with the new contract zoning law. Mr. Delacourt stated that contract zoning involved rezonings and conditions attached to those. The PUD would be part of the City's Zoning Ordinance and the State Law was not, at this point. The PUD amendment could be utilized in cases where a rezoning was not necessary, but would protect an environmentally sensitive parcel

or a Historic District.

Ms. Hill stated that the new law dealt only with areas where a rezoning might be requested, and that someone could contract for the use rather than requesting a rezoning. She asked Mr. Staran if that was correct.

Mr. Staran advised that a PUD was a form of contract zoning which had been authorized by the State Zoning Enabling Act for many years. Rochester Hills had a PUD Ordinance in the 1970s and repealed that. A few years ago they decided to recreate that tool in the Zoning Ordinance. The new law took into account that PUDs were being used, but also recognized that PUD Ordinances had a number of eligibility requirements that would not make it suitable for many other rezoning situations. The PUD contemplated a large-scale development, typically mixed-use, and there were eligibility requirements that might not always apply. The law added a tool that never previously existed in Michigan. The City could look at whatever people were proposing and attach reasonable conditions. There were similarities between that and a PUD, but there were also significant differences. For example, if someone wanted to put a car wash in an area that was not B-5, the City would not have to rezone it for anything else that could go in a B-5 district. If a developer wanted to take advantage of contract zoning, the zoning could be tied down to a specific site plan. The City would probably not consider the above B-5 property as eligible for a PUD. There would just be a car wash and there would not be anything really special about it. Proposals such as City Place, which had a large amount of acreage and mixed-use development, oftentimes had public improvements involved and were very appropriate for use of the PUD process. He felt that with the new law, it could possibly lead to fewer people proceeding under the PUD approach, but not necessarily. It would vary from community to community.

Mr. Staran continued that the two tools were similar, but that there still was a need for a PUD Ordinance. It seemed like each PUD project before the City had a problem with the inflexibility in the Ordinance. The amendment was an attempt to insert some flexibility into the process.

Ms. Hill observed that the two overlapped in certain areas, but she felt there would now be enough tools available so that people could do almost anything in using one of them. She believed that the amendment would address some areas they had trouble previously so that they would not have to keep making modifications to make something fit, but questioned if someone could not do something using the PUD Ordinance, whether they could using contract zoning.

Mr. Staran agreed that the City has had to amend the PUD Ordinance at times because they really wanted to do something like a contract zone with a particular property. There might not be a need to use a PUD because with contract zoning they could get the type of development agreement they wanted.

Ms. Hill indicated that was why she questioned if they might be creating the same thing as contract zoning. If someone could not get an approval with one they could get it with the other. She was always concerned about changing underlying zoning in a PUD, but she felt that the proposed amendment would be fairly open, even if the City had control.

Mr. Delacourt advised that Staff felt the amendment had more definition and control

than contract zoning would. There were criteria that had to be met for a PUD use.

Mr. Staran said they would have to learn as they went along because the contract zone law was brand new. It was fairly straightforward, but he was certain lawyers would be litigating this and he had even identified a few issues that would be construed in different ways. Communities would implement certain things differently; some would make it simple and some would require elaborate agreements. He asked them to keep in mind that both the PUD process and contract zoning were discretionary processes. The City did not have to approve in either case. The City would probably develop some form of categorization, and size and magnitude would matter. He commented that this was a new tool and he did not have all the answers yet, and that they were trying to streamline the PUD Ordinance to give the City flexibility.

Mr. Rosen pointed out that they were talking about essentially the same thing. The City might want to think about making the PUD process the process for contract zoning.

Mr. Delacourt reminded that they had been stopped from using the current PUD Ordinance as a tool for many zoning districts and developments. There had to be a rezoning attached in many cases and he questioned why developers would use the current PUD Ordinance if they had to come in for an underlying zoning change. He stated that an amendment would make the PUD Ordinance viable in regards to that.

Mr. Rosen said that the same reasons the City would want to use a PUD were the same reasons they would want to use contract zoning. There had to be benefit to the City. Mr. Staran said there were situations where that was 100% correct, but there were others where there might not be identifiable benefits, but they would be imposing conditions to prevent a detriment. Mr. Rosen remarked that would be a benefit.

Ms. Millhouse stated that if a parcel were already properly zoned, she did not believe contract zoning could be used. For a large, mixed-use development, contract zoning would not be in place because it would be to a particular zoning district and the use would still have to be permitted. Mr. Staran agreed that would be his opinion. The City could not rezone something to residential and, as a condition of that, allow a carwash, for example.

Mr. Delacourt said that he wanted to get an idea of how to proceed with the PUD Ordinance and referred to Rochester College, saying that Staff had been trying to work out a proposed settlement for the College's Historic District and future development. The College was zoned correctly, so he did not feel they could use contract zoning. However, the current PUD Ordinance did not allow Special Purpose as an underlying zoning district so that tool could not be considered without some type of amendment. He stated that was an example of what Staff was coming up against. They would consider a PUD, but had to eliminate its use in cases such as this. Neither the PUD in its current form, or contract zoning, would work for the College.

Mr. Rosen felt they had to be careful about encouraging innovation in design layout (he referred to Sec. 138-1001, Purpose and Applicable Regulations in the proposed amendment). He stated that he was very much in favor of doing things better than

they had been done before, but they had to be careful about "different" and think in the context of Rochester Hills. He referenced Section 138-1003, Criteria for Qualification (b). He felt they had to be concerned about "financial" aspects. He thought that if they based some considerations primarily on money it would become the driver, and that might not be the best for the City.

Mr. Delacourt asked if he read that as a reason to do something or if the developer used that as a reason to use the PUD that the Planning Commission could ask for substantiation. He felt it said that the applicant had to provide information to substantiate financial claims rather than just state them.

Mr. Rosen said it could be a consideration, but it read to him that financial problems would be a good enough reason to use a PUD. He did not feel the City could be put in that position. He stressed that companies were after tax abatements because they could be and because it was their fiduciary duty. He felt that if the amendment were written so that the PUD would be relaxed for financial reasons, that everyone would go after it.

Mr. Delacourt wondered if the Planning Commission felt the proposal was the direction to go, and if so, if anyone had concerns with language or content before it was brought back for a public hearing. Mr. Rosen asked if it was stated that both the Planning Commission and City Council had to have a defined set of findings or conclusions that justified using a PUD. He felt that should be explicit and gave Papa Joe's as an example. He said they never came out and said the traffic issue was the showstopper. He thought that the criteria that made the project qualify for a PUD had to be explicit. He wanted the benefit to the City to be made clear.

Mr. Delacourt suggested that for Criteria for Qualification, instead of "it must be demonstrated that all of the following criteria will be met" it could say, "the Planning Commission and City Council shall find that all the following criteria will be met." He continued under D, "The PUD shall meet as many of the following objectives as the City as may be deemed appropriate by the City," and suggested they could add "as deemed appropriate and find." Mr. Rosen suggested that as part of approval, it should say that the Planning Commission shall identify or find the issue.

Mr. Staran said that what Mr. Rosen said made sense and he would not argue with the logic. He felt the reason it was not done before, and it was not by oversight, was because the decision to rezone something PUD was a legislative act and typically findings were not made with zoning decisions. He suspected that while considering a PUD there might be nine different reasons why the City was doing that and they might not have a collective statement. That was difficult, for posterity, to know why something would deem to qualify or not.

Mr. Rosen did not feel it would be for posterity, but to make it clear to everyone the things that had to be done versus things that were a little waffly. The decision makers had to be in a position to know they made the right decision for a reason.

Ms. Hill said that in the old Ordinance there were qualifying conditions and the Commission did usually spell them out. The applicant listed the criteria they were meeting - whether it was for historic preservation or open space or something else required.

Mr. Delacourt said they were talking about three separate motions. The rezoning motion to a PUD did not have to have those findings. The motion to approve the use of the process could list those findings.

Mr. Staran brought up the Lorna Stone development, which was discussed at the last joint meeting. Both the Planning Commission and City Council were enamored with the project as originally conceived, but when it came back with another architectural plan, it led to discussion about whether it qualified any longer for a PUD. They had taken out certain elements. It probably made sense to have the initial findings so there was no mystery at any point in the process as to why this was proceeding as a PUD.

Mr. Kaltosunis referred to historic properties and said it seemed like the goal in the PUD was to cram as many houses as possible on the sites. He asked if they could better define what they would like a historic PUD to be, other than one with increased density.

Mr. Delacourt said that the intent of the statement was to allow the applicant to meet with the HDC and discuss what type of development was appropriate and would have the least amount of impact. He felt the density issue was more of a Planning Commission issue. He did not know if limiting the language would be the right thing to do, but wondered if perhaps the Planning Commission and HDC should meet to try and get on the same page for what was appropriate about using a PUD for a historic district. Mr. Kaltsounis wished to know if there was something else out there. Mr. Delacourt agreed that they would have to deal more and more in the future with the 10-14 acre historic parcels that were left.

Ms. Hill referred to D and the criteria listed and said there were more than a few. She felt that when talking about open space, that the language could be cleaned up or handled better so the list was not as long. When they talked about preservation of open space it could be addressed in one or two paragraphs. She felt historic preservation should be separated out from unique historic site/structure. She suggested, "shall meet one or more" rather than hoping "it met one thing on the list". It further said, "shall meet as many of the following objectives as possible," rather than pinning it down. Mr. Rosen suggested "as deemed appropriate."

Mr. Delacourt said Staff looked at it in the opposite way. They felt it was better than saying "shall meet one or more" so the applicant could not say they had met "one" and that was enough. The amendment showed it was clearly the City who determined how many were appropriate and how many the project should meet.

Ms. Hill referenced Section B, Uses Permitted, and said it was extremely confusing. She thought it should be a clearer, more concise structure. She suggested that some of the Auburn Hills references should be eliminated (at the beginning of document). She referenced page 4, at the bottom, under For City Council Review, Step 1. She read A, approvals: "Approvals should only be granted when Council all provisions of this Ord..." and said she could not determine which approval they were referring to at that point. She agreed with Mr. Rosen about the financial portion.

Mr. Rosen asked if the Planning Commission would see the final plans after City Council approved a PUD. Mr. Delacourt replied that could be set up as they

wished. Staff would suggest that it not be determined ahead of time, but to base it on the quality of the Plans and Exhibits provided. Some might be conceptual, but some might be very detailed. Ms. Hill said under B, Step 2 Review, "Before any permits are issued it came back for final site plans to the Planning Commission and final City Council approval." Mr. Delacourt agreed that would take the option away. Mr. Rosen said that Papa Joe's did not have to go back to Council as long as their plans were consistent with the PUD plans. Mr. Rosen felt that however it was determined, it should be explicit. Mr. Delacourt said Staff would recommend that it always came back to Planning Commission for final approval.

Ms. Hill said she would like to see the amendment brought back before the Public Hearing was held. Mr. Delacourt suggested that the Commissioners send in any suggested changes and that it could be brought back for another discussion or for the Public Hearing.

4	Planning Commission	04/19/2005	Recommended for Approval	City Council	Pass
	Notes:		Recess: 10:36 p.m. to 10:46 p.m.		

(Reference: Memo prepared by Derek Delacourt, dated April 15, 2005 had been placed on file and by reference became part of the record thereof.)

After noting that there had been several reviews of the proposed revision to the PUD Ordinance by the Planning Commission, Mr. Hooper opened the Public Hearing at 10:48 p.m. Seeing no one come forward, he closed the Public Hearing at 10:48 p.m.

Mr. Schroeder advised that he had given Mr. Delacourt a copy of a Public Act regarding page 4, item 2(a) and advised that the words "civil engineer" had to be removed because civil engineers could not do a boundary survey. He referred to page 3, item (b) and said he thought it was a little confusing in the use of the words "permit" and "permitted." Mr. Hooper suggested dropping the first three words and beginning the sentence with "Principal uses permitted and Special Land Uses Permitted in the Zoning."

Ms. Brnabic questioned page 3, item 2, which read in part, "to protect existing or future uses from the impact of a proposed use," and asked for clarification. Mr. Delacourt explained that it allowed a public improvement (roads, sewers, etc.) that would not normally be required. Ms. Brnabic said the words protecting existing or future "uses" were somewhat confusing, and Mr. Delacourt said it meant the City would be able to request additional improvements. Ms. Hill suggested limiting the impact of a proposed use for existing or future uses. Mr. Staran thought it might be clearer to change future to "nearby" or "surrounding" uses. Mr. Anzek explained it was the intent that for proposed development, the City should make sure there would be adequate easements, accesses or infrastructure (public facilities, roads, sidewalks) planned that would take care of adjacent or surrounding properties.

Ms. Hill referred to page 2, Section 138-1003, Criteria for Qualification, and

read in part, "it must be demonstrated that all of the following criteria will be met." Regarding (a), she suggested changing "Any permission given for an activity" to "The proposed activity." Regarding (b), she thought it sounded very negative and she found it hard to find a positive statement in that paragraph. She suggested changing "problems" to "difficulties" in the third sentence of (b).

Mr. Delacourt noted that Mr. Rosen and Ms. Hill had brought the issue of using financial problems as criteria previously and Staff wanted that discussed further. There were situations where applicants had tried to assert financial reasons to justify the use of a PUD development. Staff felt it should not be the only reason an applicant could use, but it would allow the Planning Commission the right to consider finances and to require the applicant to demonstrate that need. Ms. Hill indicated that the first paragraph in the Section asked an applicant to meet all of the criteria listed, and it was questionable whether financial difficulty must be included. She felt that needed more specification. Mr. Hooper indicated that it was only one component and that the applicant would have to meet all the other criteria. Mr. Delacourt advised that the applicant would have to assert the reason. Ms. Hill said that was the problem; the applicant had to demonstrate that need.

Ms. Hill referred to (c) and suggested dropping the word "If" and rewording the sentence: "The applicant must demonstrate to the satisfaction of the City that any added loads will be accommodated or mitigated by the applicant as part of the PUD."

Ms. Hill made the following suggestions to page 4, Section 138-1005(a)2c.i.: drop the word "and" and add "their" before the word proposed; 2c.ii., drop "shall be made" at the end of the sentence; 2c.iii., after the word setbacks, change "from" to "between" and drop the word "between" before the word "different:" 2c.iv. and v. should be combined or reworked if the items listed in each would apply to both residential and nonresidential units.

Mr. Hooper referred to Section 138-1003 and asked Ms. Hill if an applicant should show financial difficulties for the property as zoned and for the proposed zoning. Ms. Hill said she was concerned that it was listed as criteria to be met. She suggested that the first paragraph not require meeting "all following criteria," but specifically listing the criteria that needed to be met in order for an approval or denial. She felt the Section was too open to interpretation. Mr. Hooper pondered what financial criteria the applicant would have to provide to qualify for a PUD.

Mr. Delacourt indicated that he interpreted paragraph (b) differently and stressed the first sentence, "The PUD Option shall not be utilized in situations where the same land use objectives can be accomplished by the application of conventional zoning provisions or standards." The balance of the paragraph clarified that problems presented by applicable zoning had to

be presented in the application. Ms. Hill said that was not clear in the paragraph. She suggested that it read, "the applicant must identify problems or constraints." Mr. Delacourt noted that the applicant had to fill out an application and that was where problems were identified. Ms. Hill stated that was in the existing PUD Ordinance and it was a problem. Mr. Delacourt advised that a lot of applicants said they could not develop a property as zoned due to financial considerations. Staff wanted something in the Ordinance that obligated the applicant, if that were the case, to demonstrate that criteria. The criteria did not include asserting financial problems; it was a requirement of the applicant to demonstrate they had met that criteria.

Mr. Staran suggested that to eliminate the confusion, the sentences related to problems or constraints and providing financial information should be moved from Criteria for Qualification to Section 138-1005, Submittal Procedures. Ms. Hill agreed that would make sense.

Mr. Rosen stated that relying on using a PUD in any significant way based on financial information was a big mistake. Every company had a fiduciary responsibility to take advantage of every opportunity they could to save money. If there was anything they could assert that could get them a greater return, they were obligated to their stockholders and owners to do so. The applicant could use creative accounting and the City would not be able to tell otherwise. He felt it would be allowable as part of the submittal; but he did not feel it should be, under any circumstances, a criteria the Commission used to judge whether a PUD was appropriate.

Mr. Delacourt explained that the wording was not intended to allow an applicant to go forward based on a demonstrated financial need. It simply allowed the Commission to request information if it chose to consider that. There was nothing in the Ordinance that obligated the Commission to allow the applicant to go forward on a financial basis. It only allowed the Commission to ask for information. Even if the Commission deemed the information to be true, it did not obligate them to approve something.

Ms. Hill referred to 2c.vi. of Section 138-1005, and suggested removing the word "areas" at the end of the sentence because she thought it limited the ways of providing water detention. Regarding c.viii., she suggested removing "to adjoining properties" at the end of the sentence. She questioned if the border/transition areas discussed meant those areas within the PUD and adjoining properties, or only the properties outside the PUD property. Mr. Delacourt stated that it was intended for the property for the proposed PUD and the transition to others' property. The applicant would not be required to show landscaping off the proposed site. Ms. Hill questioned whether it was discussing the external properties or internal and adjoining, because it did not mention transition areas within the PUD itself, which could include open space areas. Mr. Delacourt advised that the landscape treatment for open space areas would be internal to the PUD.

Ms. Hill referenced Section 138-1008, first paragraph, and noted that the word "to" should be deleted. She asked about the next sentence and the word "material" and suggested substituting it with the word "substantial."

Mr. Rosen referred to Section 138-1007, Interpretation of Approval, and asked what obligation the Commission would be under. Mr. Staran replied it was discretionary and that the Commission was not obligated to consider a proposal. Mr. Rosen stated that the City had sole discretion and that it should be stated. Mr. Delacourt pointed out Section 138-1001(b), which stated that the decision to approve the use of a PUD was at the sole discretion of the City Council. Mr. Rosen asked if 138-1007 was, therefore, even needed. Mr. Anzek indicated that it was there because after the process was completed, and changes recommended, both parties had to sign the eventual Agreement before it was recorded, which would make it mutually agreeable. Mr. Staran agreed the Section was not clear and it needed to be cleaned up if that was the intent. He suggested also changing the title.

Mr. Schroeder referred to Section 138-1005, paragraph 3, and asked what it meant by recommending the PUD Option Qualification/Concept Plan to City Council. Mr. Delacourt said that the applicant would be required to demonstrate they had met the criteria for use of the Ordinance. Mr. Schroeder thought someone reading it would not understand what Qualification meant without further explanation. Mr. Delacourt explained that it was detailed in Section 138-1003.

Ms. Brnabic asked for an example of an Ordinance violation. Mr. Delacourt answered that it could occur when someone put a party store use where it was not allowed. Ms. Brnabic noted that the Ordinance was set up as an application process, or submittal process, to see whether someone qualified for a PUD, and she wondered why there would be a penalty. If there was a contract entered into and it was violated, there would be a violation of the PUD contract itself.

Mr. Staran replied that all Ordinances had penalties, but if the applicant did not follow through on what was approved, it not only would be a violation of the PUD Agreement, it would be an Ordinance violation. The contract would simply set forth what was required pursuant to the Ordinance process. Ms. Brnabic clarified that the PUD contract and Ordinance violations would go hand in hand. Mr. Staran advised that there probably would not be one without the other.

Mr. Anzek referred to Section 138-1005 2c.ii, and suggested adding "and walkways" after "major drives" and adding references to non-vehicular and pedestrian access points. He noted that there had always been an emphasis on non-vehicular movement and walkways in the City, and that the Commission had always tried to look for linkage.

MOTION by Kaltsounis, seconded by Schroeder, that the Planning Commission **recommends** that City Council **repeal** sections 138-1001 through 138-1008 of Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, and adopt new sections 138-1001 through 138-1008 governing Planned Unit Developments, as discussed and amended by the Planning Commission on April 19, 2005.

Aye: Boswell, Brnabic, Hardenburg, Hill, Hooper, Kaltsounis, Reece, Rosen and Schroeder

Text of Legislative File 2004-1057

..Title

Acceptance for First Reading - An Ordinance to repeal Sections 138-1001 through 138-1008, of Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, adopt new Sections 138-1001 through 138-1008 governing Planned Unit Developments, repeal conflicting or inconsistent ordinances, and prescribe a penalty for violations

..Body

Resolved, that An Ordinance to repeal Sections 138-1001 through 138-1008, of Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, adopt new Sections 138-1001 through 138-1008 governing Planned Unit Developments, repeal conflicting or inconsistent ordinances, and prescribe a penalty for violations is hereby **accepted for first reading**.