

memorandum

DATE: March 29, 2023
TO: Rochester Hills Planning Commission
FROM: Jill Bahm & Joe Tangari, Giffels Webster
SUBJECT: Zoning Issue Discussion – New Use Standards

Introduction

As our non-residential districts change, our treatment of uses within them requires adjustment as well. This memo compiles text for new use standards and definitions related to the changes in the district use tables.

Some uses are now permitted or conditionally permitted based on size to better align uses with where they may be permitted. These initially identified items are highlighted in yellow the use matrix, and include the following:

- Places of Assembly
- Places of Worship
- Health, Recreation & Physical Education Facilities
- Single-building retail establishments

Following discussion at the March Planning Commission meeting, some of the uses have been updated and appear in orange highlight. Additionally, the definition for health, recreation and physical education facilities has been updated as noted on page 3.

Proposed Use Standards

Gas Stations

Automotive Gasoline Service Stations and Associated Retail Uses are now conditionally permitted in the NB and CB districts, and permitted in the HB district, where previously they were confined to the B-5 district. Existing gas stations continue to be permitted in the Brooklands district.

Section 138-4.404 Automotive Gasoline Service Stations

- A. Standards Applicable to All Gas Stations
 1. An automotive gasoline service station shall be located only at the intersection of two principal or minor arterials and/or freeways of at least 120-foot right-of-way as defined by the current City master thoroughfare plan, with frontage on both thoroughfares.
 2. Automotive gasoline service stations shall require a minimum site area of one (1) acre. Lot frontage on the principal thoroughfare shall not be less than 100 feet.
 3. The indoor retail component of an automotive gasoline service station shall have a minimum floor area of 2,000 square feet.
 4. All site improvements, including buildings, shall comply with the corner clearance requirements of [Section 138-5.204](#).
 5. Loading spaces may be located in a yard other than a rear yard.
 6. Entrances and exits shall be no less than 35 feet from any two street right-of-way lines.

7. Entrances and exits shall be no less than 50 feet from any residential district.
 8. Sidewalks shall be provided to connect the front door of any building to the public sidewalks along any streets.
 9. Major engine and body repair, steam cleaning, and undercoating are expressly prohibited.
 10. The storage of damaged or wrecked vehicles, or those waiting for minor repair or service, shall comply with the Property Maintenance Code and shall be obscured from public view in an area provided for such purpose on the site, and no vehicle of any kind shall be stored in the open for a period exceeding one week.
 11. In no instance shall more than five vehicles be allowed to accumulate on the site at any one time, and the storage area shall be kept free of trash and debris.
 12. Permanently installed and/or nonportable hoists, ramps or heavy equipment for the repair of vehicles shall be located inside an enclosed building.
 13. Underground storage tanks, gasoline pumps, air and water hose stands, and other appurtenances shall be set back not less than 20 feet from all existing and/or proposed street right-of-way lines.
 14. Whenever a pump island is located such that it will have reasonable visibility from or impact on a nearby residential district, the Planning Commission may require a Type C landscape buffer along the property line facing the residential district. See [Section 138-12.300](#) for buffer requirements.
 15. Fueling positions may be counted as parking spaces for the purpose of determining required parking for the use.
- B. Front Building Gas Stations. Gas stations may be developed according to the following design standards which allow for the building to be closer to the street with the pump islands and canopy located behind the building. The standards of this subsection B shall take precedence over any conflicting design or dimensional requirement contained elsewhere in this ordinance.
1. Principal Building Setbacks. The principal building shall be set back a minimum of 10 feet from the front property line.
 2. Canopy Location and Setbacks. The pump canopy shall be located to the rear of the principal building, and shall comply with all requirements of Footnote S to the Schedule of Regulations ([Section 138-5.101](#)). Additionally, any pump canopy shall be set back a minimum of 100 feet from any residential district. If such a setback cannot be achieved, this design option may not be used.
 3. Site Design
 - a. *Landscaping*.
 - b. *Corner Clearance*.
 4. Building Requirements
 - a. *Transparency*. The building shall have a minimum transparency of 60% on any façade facing a pump island or the front lot line. Transparency shall be measured based on the total wall area of the façade. False windows, spandrel glass or similar shall not be counted towards the transparency requirement.
 - b. *Design*. All sides of the building shall incorporate a consistent architectural style, including horizontal or vertical design elements that have sufficient relief to create shadow lines. The type of element (i.e. horizontal or vertical) will be determined by the intended design aesthetic of the building.
 - c. *Materials*. Building materials for gas stations shall comply with the standards of [Section 138-8.502.B](#).
- C. Freestanding canopies may be permitted within the required front yard and/or within the required side yard adjacent to a public road right-of-way subject to the following conditions:
1. Canopies shall be located not less than ten feet from a right-of-way or side lot line, and not less than 20 feet from a rear lot line. The amount of lot area covered by canopies shall not exceed 40 percent.
 2. Canopies shall not exceed 17 1/2 feet in height, and a minimum clearance of 14 feet from grade shall be maintained.
 3. Canopies shall not be attached to any other building or structure.

4. Canopies shall be of a type readily demountable not requiring unusual demolition procedure.
5. Canopies shall be supported by columns and shall not be supported or enclosed by walls. Canopy columns shall be faced in decorative materials such as brick.

Health, Recreation & Physical Education Facilities

- A. For such facilities, regardless of size, the applicant shall demonstrate that there is safe and adequate circulation and parking for the maximum number of users at any one time.
- B. Outdoor activity areas may be conditionally approved where the principal use is permitted, following the process provided in Chapter 3

Small-Scale Breweries, Wineries and Distilleries

- A. When permitted in the CB and HB districts, an on-site retail component is required that occupies at least 25% of the size of the facility.
- B. When permitted in the NB district, an on-site retail component is required that occupies at least 50% of the size of the facility.

Definitions

Artisan Manufacturing, Limited means the shared or individual use of hand-tools, mechanical tools and electronic tools for the manufacture of finished products or parts including design, processing, fabrication, assembly, treatment, and packaging of products; as well as the incidental storage and distribution of such products. All limited artisan manufacturing uses shall have a storefront for sales, and the size and impact of the use shall be consistent with other retail and offices uses in the district. Typical artisan manufacturing uses include but are not limited to: electronic goods; food and bakery products; non-alcoholic beverages; printmaking; household appliances; glass blowing, leather products; jewelry and clothing/apparel; metal work; furniture; glass or ceramic production; paper manufacturing.

Health, Recreation and Physical Education Facilities means an establishment which is equipped and arranged **for recreational activities and/or** provides **for** instruction or activities which improve or affect a person's physical condition through movement. This may include, but shall not be limited to, personal training facilities; yoga, Pilates and barre studios; martial arts; dance; sports training; bowling alleys, gymnastics centers, laser tag, and the like.

Industry, Light means a use that involves the manufacturing, production, processing, fabrication, assembly, treatment, repair, or packaging of finished products, predominantly from previously prepared or refined materials (or from raw materials that do not need refining). Warehousing, wholesaling, and distribution of the finished products produced at the site is allowed as part of this use. Light industry is capable of operation in such a manner as to control the external effects of the manufacturing process, such as smoke, noise, soot, dirt, vibration, odor, etc.

Industry, General means uses engaged in the basic processing and manufacturing of materials or products predominately from extracted or raw materials, or a use engaged in storage of, or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous conditions. "general industry" shall also mean those uses engaged in the operation, parking, and maintenance of vehicles, cleaning of equipment or work processes involving solvents, solid waste or sanitary waste transfer stations, junkyards and truck terminals.