



**City of Rochester Hills
AGENDA SUMMARY
NON-FINANCIAL ITEMS**

**1000 Rochester Hills Dr.
Rochester Hills, MI 48309
248.656.4630
www.rochesterhills.org**

Legislative File No: 2005-0497 V2

TO: Mayor and City Council Members
FROM: Ed Anzek, Director of Planning and Development, ext. 2572
DATE: August 3, 2005
SUBJECT: Acceptance for First Reading – Amendment to Chapter 138, Zoning, regarding Conditional Rezoning

REQUEST:

Mr. John Staran, the City Attorney, has submitted a proposed Ordinance Amendment for first reading to amend Section 138-7 of Chapter 138, Zoning, of the Code of Ordinances to prescribe a procedure for processing Conditional Rezoning requests, to repeal conflicting ordinances and to prescribe a penalty for violations. Included in the packet are the proposed amendment and a Resolution.

BACKGROUND:

In December of 2004, the State passed enabling legislation that allowed communities the choice of offering a new tool called Conditional Rezoning, whereby a landowner may propose conditions concerning use and development of the land as a condition of the proposed rezoning. The City Council and Planning Commission held a joint workshop on June 14, 2005 to discuss whether the City should use the tool and in what form it would be regulated. The general opinion was that an ordinance, rather than a policy, was acceptable, provided it supported flexibility. Mr. Staran also recommended an ordinance, due to the litigious nature of Zoning. The City has received several applications regarding this process, and assuming all are in support, we would like to move quickly to adopt the ordinance. At its August 2, 2005 meeting, the Planning Commission recommended approval of the Ordinance Amendment.

RECOMMENDATION:

Acceptance for First Reading - Ordinance Amendment to Section 138-7 of the Zoning Ordinance to prescribe a procedure for processing Conditional Rezoning requests.

RESOLUTION

NEXT AGENDA ITEM

RETURN TO AGENDA

APPROVALS:	SIGNATURE	DATE
Department Review		
Department Director		
Mayor		
City Council Liaison		

Document4