

City of Rochester Hills Zoning Ordinance

City Council Review

March 2, 2009



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ASSOCIATES
I N C O R P O R A T E D

Zoning Ordinance Update

- **Minor changes**

- Formatting
- Structure
- Procedures
- Past Amendments

- **Major changes**

- New zoning districts (RE, MR and FB Overlays)
- New regulations (landscaping, alternative energy, etc.)
- New zoning map

Update Purpose

- **Implement Master Plan Recommendations**
- **Modernize**
- **Make User-Friendly**
- **Preserve What Works**

Process

- **2-Year Process to-date**

- **12 Review Meetings to-date**
 - Technical Committee
 - Planning Commission
 - Staff review

Ordinance Structure

- **Article 1 – Administration and Enforcement**
- **Article 2 – Administrative Organization and Procedures**
- **Article 3 – Nonconformities**
- **Article 4 – Zoning Districts and Permitted Uses**
- **Article 5 – Schedule of Regulations**
- **Article 6 – Supplemental District Standards**

Ordinance Structure

- **Article 8 - Flex Business Overlay Districts**
- **Article 9 – Natural Features**
- **Article 10 – General Provisions**
- **Article 11 – Off-Street Parking and Loading**
- **Article 12 – Landscaping and Screening**
- **Article 13 – Definitions**

Article 1 – Administration and Enforcement

- **Mostly existing standards**
- **Chapter 2 – Administration**
 - Section 138-1.200: New amendment review procedures and criteria
 - Section 138-1.201: Determination of similar uses
 - Section 138-1.203: Public Hearing Procedures

Article 2 – Administrative Organization and Procedures

• Chapter 2 – Site Plan Review

- Section 138-2.200: Better description of type of review required.
- Section 138-2.202: Better defined site plan review process
 - Staff review
 - Preliminary approval
 - Final approval
- Section 138-2.203: Standards for Site Plan Approval

• Chapter 3 – Conditional Use Review

- Section 138-2.301: Procedures are now spelled out

Article 3 - Nonconformities

• Section 138-3.104

- Existing nonconforming one-family dwellings can be expanded without a variance
- Expansion limited to the extent of the existing nonconformity
- Encourage and facilitate reinvestment in older housing stock

Article 4 – Zoning Districts and Permitted Uses

- **New zoning districts created per Master Plan:**
 - RE – Residential Estates District
 - MR – Mixed Residential Overlay District
 - FB – Flex Business Overlay Districts
- **Chapter 2 – Purpose of Districts**
 - All of the purpose statements for Zoning Districts are now collected in one place

Article 4 – Zoning Districts and Permitted Uses

- **Chapter 3 – Land Use Table**

- All of the zoning districts and uses are now listed in this table, rather than being separated into Chapters by District
- Allow easy comparison between districts, and quick identification of where a use is or is not permitted

- **Chapter 4 – Design Standards for Specific Uses**

- Specific standards for uses that used to be listed under each use are now collected in one place
- Eliminate redundancy, streamline ordinance
- Mostly existing design standards, with a few new ones

Article 4 – Zoning Districts and Permitted Uses

- **Chapter 4 – Design Standards for Specific Uses Continued:**
 - New standards include:
 - Section 138-4.414 – State Licensed Residential Facilities
 - Section 138-4.418 – Pet Boarding Facilities
 - Section 138-4.420 – Heavy Industrial Uses
 - Section 138-4.423 – Nursing Homes, Convalescent Homes & Assisted Living Facilities
 - Section 138-4.424 – Open Air Businesses
 - Section 138-4.426 – Outdoor Dining

Article 5 – Schedule of Regulations

- **This article is mostly unchanged from existing ordinance**
- **Chapter 1 – Schedule of Regulations**
 - Section 138-5.100: Industrial district standards relaxed somewhat to facilitate redevelopment and improvement
 - New RE district standards consistent with Master Plan recommendations

Article 5 – Schedule of Regulations

- **Chapter 2 – Supplemental Provisions and Exceptions**
 - Mostly unchanged
 - Section 138-5.205: standard methods of measurement now defined
 - Section 138-5.206: street frontage now explicitly required
 - Section 138-5.207: new building grade requirements

Article 6 – Supplemental District Standards

- **Specific design standards applicable to overlay districts and zoning districts with complicated dimensional requirements**
 - Multiple Family Districts
 - RCD Districts
 - CI Districts
 - RMH
 - MR Mixed Residential Option

Article 6 – Supplemental District Standards

- **Chapter 1 – Multiple Family Districts**
 - Mostly unchanged from existing ordinance
 - Section 138-6.104: New design standards for buildings require more pedestrian-scale development
- **Chapter 2 - RCD Districts**
 - Unchanged from existing ordinance
- **Chapter 3 - CI District**
 - Mostly unchanged
 - Section 138-6.303(A)(3): clarified that no side yard setback is required

Article 6 – Supplemental District Standards

- **Chapter 4 - RMH Manufactured Housing Park District**
 - A few changes have been made consistent with current Mobile Home Commission rules.
- **Chapter 5 – MR Mixed Residential Option**
 - New chapter implements Master Plan
 - Allows design flexibility without exceeding density permitted by underlying zoning district

Article 7 – Planned Unit Development

- **Unchanged from existing ordinance**

Article 8 – Flex Business Overlay Districts

- **New article that implements the Master Plan**
- **Located over lands that are zoned B-2 or B-3**
- **These regulations are optional**
- **Optional form-based overlay districts**
- **Focus on character and physical design, less on use**
- **Allow by-right walkable development, facilitate future economic development**

Article 8 – Flex Business Overlay Districts

- **Chapter 1 – Administration**

- Sets forth review and approval process for FB developments

- **Chapter 2 – Permitted Uses**

- Broad use guidelines are based on recommendations of the Master Plan

Article 8 – Flex Business Overlay Districts

- **Chapter 3 – Street Design Standards**
 - Streets are very important in creating a walkable environment
 - Chapter 3 establishes street and block design standards

- **Chapter 4 – Dimension and Design Standards**
 - Establishes requirements for where buildings are located on the lot

Article 8 – Flex Business Overlay Districts

• Chapter 5 – Building Standards

- Describes:
 - How buildings should relate to the street
 - How the area between the building and the street should look
- Building height
- Building mass and element standards – not architectural standards

Article 8 – Flex Business Overlay Districts

- **Chapter 6 – General Provisions**
 - Establishes parking standards in FB districts
 - Requires Amenity Space
 - Includes parallel sign standards reflecting the different character intended in the FB districts
- **Chapter 7 – Definitions**
 - Defines terms used in Article 8

Article 9 – Natural Features

- **Existing Zoning Ordinance language**
- **Almost completely unchanged**
 - Natural Features setback
 - Steep Slope requirements

Article 10 – General Provisions

• Chapter 1 - Accessory Structures

- Updated to address new issues – moveable carports and swimming pools, bigfoot garages, etc.
- Section 138-10.103: allow a 16' maximum height for detached buildings with higher roof pitches

Article 10 – General Provisions

• Chapter 2 – Exterior Lighting

- New chapter
- Section 138-10.201: shielding, glare, and lamp type requirements
- Section 138-10.202: standards for pole mounted and decorative light fixtures
- Section 138-10.203: exempt lighting that is not subject to regulation
- Section 138-10.204: exception procedures for special cases

Article 10 – General Provisions

- **Chapter 3 – General Provisions**
 - Mostly unchanged from existing ordinance
 - Section 138-10.310: Performance standards have been modernized and updated

Article 10 – General Provisions

- **Chapter 4 – Sustainable Energy Generation**
 - New chapter
 - Addresses wind and solar energy
 - Section 138-10.400 – Wind Energy
 - Small Wind
 - Utility Wind
 - Section 138-10.401 – Solar Energy

Article 11 – Parking and Loading

- **Article as a whole has been updated**
- **Flexible mechanisms**
- **Minimize unused impervious surface**
- **Modernize and simplify parking standards**
- **Eliminate parking requirements as a roadblock to the reuse of buildings**

Article 11 – Parking and Loading

- **Chapter 1 – Generally**

- Section 138-11.102.E: dedicated pedestrian circulation areas
- Section 138-11.102.F: cross access required

Article 11 – Parking and Loading

• Chapter 2 – Minimum and Maximum Parking

- Section 138-11.200.B: maximum parking requirement
- Section 138-11.200.C: provision for uses not listed
- Section 138-11.201: shared parking requirements and procedures
- Section 138-11.202: modification of parking requirements by PC
- Section 138-11.203: deferred parking
- Section 138-11.204: parking requirements table greatly simplified

Article 12 – Landscaping and Screening

- **Existing landscaping standards have been updated**
- **Reviewed by the City landscape architect**
- **Many administrative and enforcement changes**

Article 12 – Landscaping and Screening

• Chapter 2 – Plant Material Standards

- Section 138-12.204: permits existing vegetation that will be preserved to satisfy landscaping requirements (with City LA approval)
- Section 138-12.205: requires a variety of plant species to be provided to prevent monoculture

Article 12 – Landscaping and Screening

- **Chapter 3 – Landscape Requirements**
 - Section 138-12.300: new “green wall” option has been incorporated into table 17.
 - Section 138-12.301: new parking lot landscaping requirements
 - Section 138-12.303: new stormwater management pond landscaping requirements
 - Section 138-12.304: new right-of-way landscaping requirements

Article 13 – Definitions

- **New terms that are used in the ordinance have been defined**
- **Some existing definitions have been clarified or modernized**
- **Most existing definitions remain unchanged**