

AN ORDINANCE TO AMEND SECTION 122-367 OF CHAPTER 122, LAND DIVISION, OF THE CODE OF ORDINANCES OF THE CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN TO EXTEND THE LENGTH OF PRELIMINARY CONDOMINIUM APPROVAL BEFORE EXPIRATION TO TWO YEARS FROM ONE YEAR, AND TO REPEAL CONFLICTING OR INCONSISTENT ORDINANCES, AND PRESCRIBE A PENALTY FOR VIOLATIONS.

THE CITY OF ROCHESTER HILLS ORDAINS:

AMEND CHAPTER 122 – LAND DIVISION, BY AMENDING ARTICLE IV. – ONE FAMILY RESIDENTIAL DETACHED CONDOMINIUMS, BY AMENDING DIVISION 2 – PLAN REVIEW, BY AMENDING SECTION 122-367 PRELIMINARY PLAN, AS FOLLOWS:

Sec. 122-367. - Preliminary plan.

- (a) *Contents.* The preliminary plan for one-family residential detached condominiums shall include the plans, survey, sketches, drawings, statements and additional information and documentation containing all the information required in the subdivisions ordinance for tentative approval of a preliminary subdivision plat. The preliminary plan shall assign a number to each building envelope and shall describe the nature, location, and size of common elements.
- (b) *Review and approval.* The preliminary plan shall conform to and be governed by the preparation, filing, technical review, and planning commission and city council initial review and approval requirements and procedures applicable to tentative approval of a preliminary subdivision plat under [sections 122-152](#) through [122-156](#) of the subdivisions ordinance.
- (c) *Rights conferred with approval.* Preliminary plan approval by the city council shall confer upon the developer, for ~~one~~ **two** years, the right to submit a final plan.

SECTION 5. 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.

SECTION 6. 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, or as otherwise prescribed herein.

SECTION 7. 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provisions contained in other City ordinances, which are inconsistent with the provisions of this ordinance, are hereby repealed.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 _____, 2026, following its publication in the *Oakland Press* on _____, 2026.
- (3) **Adoption.** This ordinance was adopted by the City Council of the City of Rochester Hills at a meeting thereof held on _____, 2026.

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 _____, 2026.

Leanne Scott, Clerk

City of Rochester Hills