

2026-0120

Public Hearing and Request for Recommendation for Proposed Administrative Regulatory Ordinance Amendments

(Staff Report dated 3/11/26, Proposed Amendments - Chapter 122, Public Hearing Notice, Draft PC Minutes 01-13-26, PC Minutes 12-09-25 and PC Minutes 10-21-25 had been placed on file and by reference became a part of the record hereof.)

Chairperson Hooper introduced the next item, a public hearing and request for recommendation regarding the proposed administrative regulatory ordinance amendments. He noted that Mr. McLeod had already touched upon this topic earlier in the meeting and asked if he had further comments. Mr. McLeod reiterated that the amendment's purpose is to bring the site review process in line with the standards for regular site plans, allowing developers two years to break ground.

Chairperson Hooper then opened the public hearing.

John Przybysz - 3120 Primrose, Rochester Hills - expressed strong opposition to the proposal to extend the application timeframe from one year to two years. He said that the original one-year stipulation exists for a "very good reason" and stated that developers should be required to reapply after one year because "things change". He concluded by requesting that the commission maintain the existing one-year requirement rather than eliminating it in favor of the two-year extension.

Chairperson Hooper sought clarification on whether the request for more time was driven by the permitting process, which Mr. McLeod confirmed. Mr. McLeod explained that while the current ordinance is set at one year, it is realistically impossible for developers to complete the engineering review and obtain necessary final approvals within that timeframe. He noted that obtaining a single water permit from the state can take eight to nine months, effectively exhausting the allotted time before other requirements are met.

Chairperson Hooper clarified that the delays are caused by state and other regulatory permits rather than city-level permitting. Mr. McLeod added that while city reviews for site plans are relatively fast - typically 15 business days for the first review and 10 for the second - outside agencies for road, wetland, and water permits move much slower. He cited an example of a storage facility on Hamlin that took nearly 10 months just to secure a water permit.

Mr. McLeod acknowledged that while some delays can be attributed to developers and their engineers not moving as quickly as they should, many are working steadily toward completion. He argued that it is a poor situation for a developer to expend significant money and effort only to lose the ability to proceed because of a one-year limit. Rather than requiring a formal extension for almost every project, the administration determined that a two-year allotment is more appropriate. He further noted that if a project was approved once, the city would likely approve it again upon reapplication anyway.

Chairperson Hooper concluded that this change would save the commission

from making repetitive motions for individual extensions. He then officially closed the public hearing and called for further discussion among the commissioners.

Commissioner Dettloff inquired about how other municipalities handle application timeframes. Mr. McLeod responded that practices vary; while one-year terms are common, some communities allow unlimited extensions or have already moved to longer initial periods due to regulatory delays from the state. He specifically noted that interactions with state agencies can take months, often leading to a total delay of six to 12 months for projects like Pine Trace.

Mr. Dettloff agreed that the extension made sense, clarifying that the delays were largely due to "extracurricular entities" rather than the city or the developers. He observed that recent cutbacks have made these agency reviews even slower. Mr. McLeod added that moving to a two-year timeframe prevents the unnecessary public expense and administrative burden of bringing developers back for a "two-minute decision" on an extension. Commissioner Weaver moved to recommend approval of the administrative regulatory ordinance amendments, and the motion was supported by Commissioner Neubauer. The motion passed unanimously.

A motion was made by Weaver, seconded by Neubauer, that this matter be Recommended for Approval to the City Council. The motion carried by the following vote:

Aye 8 - Denstaedt, Dettloff, Gallina, Hooper, Neubauer, Hetrick, Struzik and Weaver

Excused 1 - Brnabic

Resolved, that the Rochester Hills Planning Commission hereby recommends to City Council approval of 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.