



Planning and Economic Development

Sara Roediger, AICP, Director

From: Chris McLeod, AICP, Planning Manager
Sara Roediger, AICP, Director
To: Planning Commission
Date: 3/11/2026
Re: Proposed Administrative Ordinance Amendments – Public Hearing

After discussion and review with the Planning Commission at the December and January meetings, the purpose of tonight's meeting is to conduct the required public hearing for the proposed administrative ordinance amendments to the City's Zoning Ordinance and Land Division Ordinance that have been reviewed by the Planning Commission over the course of the last several months. Once the public hearing has been held and the Planning Commission feels appropriate, a recommendation to City Council can be made. Staff has not received any public comments relative to the proposed amendments and is recommending approval as provided herein. Below please find a description of each proposed amendment, the proposed Ordinance language is attached.

SITE CONDOMINIUM PRELIMINARY PLAN APPROVAL

Last year, the Planning Commission and City Council extended the length of site plan approval from one (1) year to two (2) years for typical site plans. Staff is suggesting extending the length of approval for a preliminary site condominium plan to match typical site plans.

SCHEDULE OF REGULATIONS – RESIDENTIAL DISTRICTS

Staff has determined there is a typographical error in the front yard setback footnotes within the R-4 District that makes reference to industrial yards.

PERMITTED USES BY DISTRICT

With the updated uses noted in other amendments included herein, the use table was updated to reflect modified or expanded use names.

SPECIFIC DESIGN STANDARDS FOR USES

There are multiple items to be addressed as follows:

- Amend the current **Automotive Gasoline Service Station** provision to address all fueling stations, gasoline or EV in the same manner.
- Delete the current **Automotive Service Center** provision since the design standards would require a use such as a Belle Tire to be attached to a shopping center in the CB District, and the I Industrial provision appears to conflict with the definition of **Automotive Repair Garages**.
- Amend the **Golf Courses** provision to allow for a reduction in the 200-foot setback for all buildings/structures when it can be shown no impacts will be created or that any impacts can be mitigated.
- **Places of Worship** and **Places of Assembly** are permissible in different districts within the City, the specific design standards notes that these uses are located in any zoning district which is not the case.

- Expanding the **Utilities** provision to include **Community Facilities**. Further, nonprofit organizations could be added to the **Community Facilities** provision and require a locational requirement that such a use be located only on a major roadway.

R-4 ONE FAMILY RESIDENTIAL DISTRICT REDUCED MINIMUM LOT WIDTH

Currently, the City's Zoning Ordinance includes a provision that allows for the reduction of a lot width within the R-4 One Family Residential District from the normally required 80 feet to 60 feet and allows lot area to be reduced from 9,600 square feet to 7,000 square feet (the minimum width and area of a lot needed to construct a home). This allowance is based on a review by City staff of the existing character of the neighborhood. The issue that has been occurring is a lack of definition of what is the defined neighborhood contributing to the character, whether the neighborhood should be the "block" that the lot is located, a certain distance in each direction or a general area of the City, such as the Brooklands (which is one of the areas where this issue arises on a somewhat regular basis) as a whole. The context of such reviews is more often as part of Staff's review of land division applications.

City staff is suggesting the elimination of this provision in its entirety. This will eliminate the need for defining the extent of neighborhood that is included in the review, and will eliminate what may be perceived as ambiguity in the ordinance and would lead to more consistent reviews over time. This would also limit the number of new homes that would be permitted within the existing neighborhood fabric of many of the city's older neighborhoods. Existing lots that are substandard would not be impacted as they already exist, however, the elimination of this provision could impact anyone wishing to further divide an existing lot that has a lot between 120-160 feet depending on their surrounding context. However, those property owners would always have the right to seek recourse by applying to the Zoning Board of Appeals for a variance.

LANDSCAPING PERFORMANCE GUARANTEE

Currently, the City requires a performance guarantee for the installation of required landscape. In addition, after all plantings have been planted, the city requires a 2-year maintenance bond. The city has seen several bonds that have expired due to time limit placed on the bonds by the issuer. To help with ensuring bonds remain valid, Staff is suggesting an amendment clearly noting the responsibility for ensuring the validity of the bond is the applicants.

SCREENING OF PUBLIC AND PRIVATE ROADS

Currently the City does not have a specific requirement for screening a public or private road, which may be proposed to be constructed as a part of a development when the road abuts or is otherwise adjacent to a property that not included within the proposed development. This can lead to significant negative impacts to adjoining properties if they have a road constructed directly adjacent to their property line.

As noted, Staff desires to increase screening required of a public or private road that is proposed to be developed proximate to a property that is not otherwise within the proposed development property. The buffer level proposed is a Level C that would require a 20-foot greenbelt and a series of plantings per 100 feet.

FOUNDATION PLANTINGS and LANDSCAPE ISLAND PLANTINGS

Currently the City does not require plantings alongside a building/building façade and does not require additional plantings (other than a singular tree) within required parking islands. Staff desires to upgrade landscaping requirements to require foundation plantings along building foundations, in order to provide a more harmonious setting, especially with new construction.

As noted, Staff desires to increase foundation plantings along most side of a building. This would include greenery and pervious surface onsite. The planting area as proposed would allow portions of the building to not have foundation plantings to allow for entrance doors, additional sidewalk area, loading areas, etc. A provision of this nature could reduce the overall building size allowable by requiring additional planting areas. The additional plantings in parking islands would not require additional land area, rather it would just increase number of plantings. Proper plant types would need to be provided due to harsh conditions in these areas.

DEFINITIONS

Based on the constant evolution of uses and how certain uses may be regulated at the county or state level, definitions require updating.

Current proposed definition amendments include **Automotive Gasoline Service Station** to include EV charging stations (that are a primary use); **Automotive Repair Garage** and **Automotive Service Centers** to ensure compatibility with the City's permissible use table as they also relate to general and light industrial uses; **Community Facilities** to include non-profit organizations since the City's Zoning Ordinance does not clearly define where these uses may be permitted; **General Industrial** uses, to coordinate with **Automobile Repair Garages** (see above) and also include Data Centers; **State Licensed Residential Facility** to update references to Section #'s within the Zoning Ordinance and eliminate regulatory provisions contained in the definition.

Motion to Recommend Approval of Zoning Ordinance Amendments

MOTION by _____, seconded by _____, that the Planning Commission **recommends** to City Council **approval** of ordinances to amend SECTIONS 138-4.300, 138-4.404, 138-4.405, 138-4.410, 138-4.427, 138-4.437, 138-5.100, 138-5.101, 138-12.108, 138-12.300, 138-12.301, 138-12.307, 138-12.308, 138-13.101 OF CHAPTER 138, ZONING, OF THE CODE OF ORDINANCES OF THE CITY OF ROCHESTER HILLS, OAKLAND COUNTY, MICHIGAN TO REFLECT OTHER PROPOSED CHANGES TO USE STANDARDS AS LISTED IN OTHER AMENDMENTS, TO INCLUDE EV FUELING STATIONS WITH AUTOMOTIVE GASOLINE SERVICE STATIONS, TO ADD DESIGN REQUIREMENTS AND TO DELETE THE CURRENT AUTOMOTIVE SERVICE CENTER PROVISION, TO REPLACE AUTOMOTIVE SERVICE CENTERS WITH ANIMAL CAFES AND TO ADD REQUIREMENTS FOR ANIMAL CAFES, TO ALLOW FOR A POTENTIAL REDUCTION IN THE REQUIRED SETBACK FOR BUILDINGS/STRUCTURES IF CERTAIN CONDITIONS ARE MET, TO REFLECT THAT PLACES OF WORSHIP OR ASSEMBLY MAY BE PERMITTED SUBJECT TO CERTAIN REQUIREMENTS, TO EXPAND A UTILITIES PROVISION TO INCLUDE COMMUNITY FACILITIES AND TO ADD A PROVISION TO NONPROFIT ORGANIZATIONS, TO REMOVE A CAVEAT FOR FRONT YARD SETBACKS IN THE R-4 ONE FAMILY RESIDENTIAL ZONING DISTRICT, TO REMOVE THE OPTION FOR A REDUCED MINIMUM LOT WIDTH AND AREA IN THE R-4 ONE FAMILY RESIDENTIAL ZONING DISTRICT, TO REQUIRE THE DEVELOPER TO ENSURE A LANDSCAPE BOND REMAINS VALID THROUGHOUT THE DEVELOPMENT PROCESS, TO ADD A PROVISION TO REQUIRE A LANDSCAPE BUFFER WHEN A PUBLIC OR PRIVATE ROAD IS PROPOSED TO BE CONSTRUCTED PARALLEL OR GENERALLY PARALLEL AND WITHIN TWENTY (20) FEET OF AN EXTERIOR PROPERTY LINE OF A DEVELOPMENT, TO ADD A LANDSCAPE REQUIREMENT FOR LANDSCAPE ISLANDS AND PARKING LOT DIVIDER MEDIANS, TO ADD A SECTION FOUNDATION PLANTINGS AND RENUMBER CURRENT AND SUBSEQUENT SECTIONS TO ADD A REQUIREMENTS FOR FOUNDATION PLANTINGS, AND TO ADD AND/OR AMEND THE FOLLOWING DEFINITIONS: AUTOMOTIVE GASOLINE SERVICE STATION; AUTOMOTIVE REPAIR GARAGE; AUTOMOTIVE SERVICE CENTER; COMMUNITY FACILITY; INDUSTRY, GENERAL; AND STATE LICENSED RESIDENTIAL FACILITY; of Chapter 138, Zoning, of the Code of Ordinances of the City of Rochester Hills, Oakland County, Michigan, and to ensure consistency across various ordinance sections; to repeal conflicting or inconsistent ordinances, and prescribe a penalty for violations.

Motion to Recommend Approval of Regulatory Ordinance Amendments

MOTION by _____, seconded by _____, 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.