



City of Rochester Hills
AGENDA SUMMARY
NON-FINANCIAL ITEMS

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Legislative File No: 2023-0239 V3

TO: Mayor and City Council Members

FROM: Chris McLeod, Planning Manager, ext. 2572

DATE: June 19, 2023

SUBJECT: Acceptance for Second Reading – An Ordinance to Amend Article 4 - Zoning District and Permitted Uses, Article 5 - Schedule of Regulations, Article 6 - Supplemental District Standards, Article 8 - Flex Business Overlay District, Article 11 - Off-street Parking and Loading, Article 12 - Landscaping and Screening, and Article 13 - Definitions 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

REQUEST:

Acceptance for Second Reading – An Ordinance to Amend to Article 4 - Zoning District and Permitted Uses, Article 5 - Schedule of Regulations, Article 6 - Supplemental District Standards, Article 8 - Flex Business Overlay District, Article 11 - Off-street Parking and Loading, Article 12 - Landscaping and Screening, and Article 13 - Definitions 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.

BACKGROUND:

Last year, the City completed an extensive review of the City's Flex Business Overlay Zoning Districts. That process led to a consolidation of the FB Districts and substantial changes to the requirements to better reflect the desires of the community. During the process of refining and amending the FB districts in 2021 and 2022, it was revealed that there were some inconsistencies, unnecessary complexity, and confusion regarding the underlying nonresidential zoning districts that should be addressed. Since the adoption of the revised FB District amendments, a similar comprehensive review effort has been undertaken for the City's remaining non-residential zoning districts. The comprehensive review of these sections of the City's zoning ordinance has been completed to simplify, modernize and consolidate the City's remaining non-residential uses, districts and associated requirements.

The proposed changes to the ordinances include the rezoning of properties due to a district being removed (since the district was either not utilized or underutilized), the renaming of some districts (to better identify their intent), and refining the permissible and conditional uses of districts to better align with the City's goals and policies. These changes also prompted additional modifications to other related sections of the ordinance including the City's parking, landscaping, definitions sections, etc. to ensure consistency.

The City discussed the proposed amendments at the 2022 and 2023 Joint Meetings between the City Council and Planning Commission. In addition, as Staff and the City’s planning consultant, Giffels Webster, developed the draft amendments, the drafts were discussed at the Planning Commission study sessions during this past fall and spring. City Staff developed a specific City website that includes an executive summary of the changes, the draft language and the proposed properties to be rezoned along with an interactive map that is parcel-specific to the proposed changes. Finally, City Staff held an open house on May 2, 2023, which was noticed to thousands of property owners, to answer questions and provide additional insight on the proposed amendments, prior to conducting the required public hearing on May 16, 2023.

At the public hearing, the Planning Commission forwarded a unanimous recommendation to City Council, with revisions to the ordinance text regarding the inclusion of existing recreational uses in the Business Districts, the allowance of the reduction of setbacks in the proposed CB District provided the site abuts nonresidential uses. At the June 5, 2023 City Council meeting, the City Council unanimously approved the first reading of the proposed amendments with no requested modifications.

RECOMMENDATION:

Staff and the Planning Commission recommend that City Council accepts for Second Reading – An Ordinance to Amend to Article 4 - Zoning District and Permitted Uses, Article 5 - Schedule of Regulations, Article 6 - Supplemental District Standards, Article 8 - Flex Business Overlay District, Article 11 - Off-street Parking and Loading, Article 12 - Landscaping and Screening, and Article 13 - Definitions 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.

APPROVALS:	SIGNATURE	DATE
Department Review		
Department Director		
Mayor		
Deputy City Clerk		

Contract Reviewed by City Attorney Yes N/A