

**NOTICE**

At a Regular Rochester Hills City Council Meeting held at the City of Rochester Hills Municipal Offices, 1000 Rochester Hills Drive, Oakland County, Michigan on Monday, December 14, 2020:

Present: President Ryan Deel, Members David Blair, Susan Bowyer, Ph.D., Dale Hetrick, Theresa Munglioli, Stephanie Morita and David Walker

Absent:

**QUORUM PRESENT**

**MOTION BY** Hetrick, seconded by Blair that **Ordinance No. 189**, an Ordinance to amend Sections 138-8.600.A, 138-8.604, 138-11.204, Table 14, and 138-11.302 of Chapter 138 Zoning of the Code of Rochester Hills, Oakland County, Michigan; to replace the reduced FB Minimum Parking Requirements with a reference to the Article 11 Minimum Parking Requirements, to delete minimum parking requirements as a modifiable standard in the FB District, to increase the Multiple Family Visitor Space Requirement and to exclude Garage, Carport and Driveway Spaces from Counting as Required Visitor Spaces, to copy Standards for Tandem Parking Spaces from Section 138-6.406 to apply to all residential districts and to ensure consistency across various ordinance sections; to repeal conflicting or inconsistent ordinances, and prescribe a penalty for violations.

**BE AND IS HEREBY ADOPTED** and shall become effective on Monday, December 21, 2020, following its publication in the Oakland Press.

Ayes: Blair, Bowyer, Deel, Hetrick, Morita, Munglioli and Walker

Nays: None

Absent: None

**MOTION CARRIED**

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**ORDINANCE NO. 189**

THE CITY OF ROCHESTER HILLS ORDAINS:

**PART 1.** Section 138-8.600 of Chapter 138 of the Code of Ordinances of the City of Rochester Hills is hereby modified as follows:

**Section 138-8.600 Parking**

The following parking requirements are applicable in the form-based districts, and replace similar requirements set forth in Article 11. Any requirement of Article 11 that is not superseded by one of the following parking requirements shall remain in effect in the form-based districts.

A. Minimum Parking Required.

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1. ~~1.5 parking spaces per residential dwelling unit.~~ Residential Uses. Off-street parking shall be provided in accordance with the minimum requirements of Section 138-11.204. The Planning Commission may reduce the number of required spaces as described in Section 138-11.202. Modification of Standards.

2. 1 parking space per 400 square feet of nonresidential building space.

B. through G. [Unchanged]

**PART 2.** Section 138-8.604 of Chapter 138 of the Code of Ordinances of the City of Rochester Hills is hereby modified as follows:

**Section 138-8.604 Modification of Dimension and Design Standards**

A. and B. [Unchanged]

C. Modifiable Standards. Only the standards and regulations specifically identified below may be modified. If the reference refers to a subsection, on the identified standards of that subsection may be modified. If the reference refers to an entire section, any standard in the entire section may be modified.

1. - 5. [Unchanged]

6. ~~Minimum and m~~Maximum parking requirements (~~Section 138-8.600. A and~~ Section 138-8.600.B)

7. - 9. [Unchanged]

**PART 3.** Section 138-11.204 of Chapter 138 of the Code of Ordinances of the City of Rochester Hills is hereby modified as follows:

**Section 138-11.204 Parking Requirements**

Table 14. Minimum Parking Requirements

RESIDENTIAL USES	
Elderly housing, independent and senior housing	0.8 spaces per dwelling unit
Elderly housing, dependent (including nursing homes and assisted living)	0.5 spaces per resident sleeping room
Foster care small or large group home	0.25 spaces per resident
Congregate care facility	0.25 spaces per resident
State licensed residential facility	0.25 spaces per resident
Group child day care home	0.25 spaces per resident
Manufactured Housing Park	2 spaces per dwelling unit

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Multiple Family	<ul style="list-style-type: none"><li>1.5 spaces per dwelling unit with 2 or fewer bedrooms + <del>0.2</del> <b>0.5</b> visitor spaces* per dwelling unit</li><li>2 spaces per dwelling unit with 3 or more bedrooms + <del>0.25</del> <b>0.5</b> visitor spaces* per dwelling unit</li></ul> <p><i>*Spaces located within garages, carports, or on driveways shall not be counted towards the visitor space minimum parking requirement.</i></p>
One and two-family dwellings	2 for each dwelling unit

**PART 4.** Section 138-11.302 of Chapter 138 of the Code of Ordinances of the City of Rochester Hills is hereby modified as follows:

## **Section 138-11.302 Parking Layout**

A. - I. Unchanged

J. Tandem parking spaces may be permitted for residential uses. The width of tandem spaces shall not be less than 10 feet. Tandem spaces shall not be counted towards the visitor space minimum parking requirement for multiple family uses.

1. Surface tandem spaces. The combined length of surface spaces shall not be less than 40 feet.

2. Garage tandem spaces. The combined length of tandem spaces that include one space within a garage and one space on a driveway shall not be less than 50 feet as measured from the house-side edge of the sidewalk, where sidewalks are present, or the end of the driveway pavement, where no sidewalks are present, to the front interior building wall of the garage.

**SECTION 9. 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 10. 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 11. 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 December 21, 2020, following its publication in the *Oakland Press* on December 20, 2020.

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(3) Adoption. This ordinance was adopted by the City Council of the City of Rochester Hills at a meeting thereof held on December 14, 2020.

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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 DECEMBER 14, 2020.

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Tina Barton, Clerk  
City of Rochester Hills

Accepted for First Reading: 12/7/2020

CAW: 12/14/2020