

NEW BUSINESS

2026-0117

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

(Staff Report dated 3/11/26, Proposed Amendments - Chapter 138, and 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 items and called for the staff report. Mr. McLeod thanked the Chairperson and noted that the proposed ordinance amendments, primarily focused on zoning, should be familiar to the Commission. He explained that these administrative updates have been in development since December of the previous year and include a specific modification to the land division ordinance concerning the overall timeframe for site condominiums. Regarding permissible uses, the amendments would introduce animal cafes as conditional uses within most commercial or business districts. Additionally, the proposal involves extracting automotive repair garages to place them separately within the land use table and modifying the sections for community facilities. Mr. McLeod also highlighted the inclusion of utilities in the land use table, noting that the city currently lacks a technical provision defining where utilities are permissible. Finally, he detailed the modification of automotive fueling station regulations to encompass both gasoline-powered vehicles and electric vehicles, which would include the establishment of additional design and consideration standards.

Mr. McLeod clarified that the proposed standards for electric vehicle (EV) charging stations would remain a conditional use within the city, specifically targeting locations where the chargers serve as a primary use rather than just individual units. He reiterated that animal cafes would also be classified as conditional uses and would now have specific development regulations provided within the ordinance. Regarding golf courses, he explained that the city currently mandates a 200-foot setback from residential districts for any buildings. The proposed amendment would allow the Planning Commission or the Planning Department—depending on the reviewing authority for the application—to modify this standard, provided the applicant demonstrates proper screening and ensures no additional negative impacts occur. Mr. McLeod pointed out that this change is practical, as only one of the city's four golf courses currently meets the existing 200-foot requirement. Finally, he noted that the language for places of worship is being clarified to state they are permissible pursuant to the land use table, moving away from the broader phrasing that they are allowed in any zoning district.

Mr. McLeod explained that the proposed amendments would expand the title of community facilities and utilities to include nonprofit organizations, specifically limiting those uses to sites located on major roadways. He used the example of a church or similar facility to illustrate how a nonprofit organization could be permitted within that framework. Regarding residential districts, he noted a modification to the schedule of regulations to address a footnote that currently

allows for adjustments to lot width and lot area below standard R4 requirements in areas with smaller platted lots. This footnote is slated for complete removal because it has caused significant administrative confusion during lot split reviews, particularly in determining the extent of existing neighborhood character. Following discussions between the administration and the Planning Commission, it was determined that all such lots must simply meet the standard R4 district requirements.

The proposal also includes a clarification for performance bonds, explicitly requiring developers or applicants to ensure that bonds remain valid and funded at the appropriate amount set by the city throughout the entire development process. Mr. McLeod mentioned that the city has encountered issues where a bond was no longer valid when it was needed. Regarding landscaping, the amendments would require a "Buffer C" screening for any new road construction adjacent to properties outside of a proposed development. This measure is intended to protect existing residents from the immediate impact of a road being built right outside their side door, front door, or backyard.

Further landscaping requirements include the addition of more plants and shrubs within parking lots, as well as mandatory foundation plantings at the base of non-residential buildings where the wall meets the sidewalk. Mr. McLeod also noted several amendments to various definitions intended to align the ordinance with current practices and the rest of the zoning code. Finally, he highlighted an administrative change to the land division ordinance that would extend the timeframe for site condominium approval to two years. This change is designed to sync the site condominium process with the timeframe established for other site plans last year.

Chairperson Hooper opened the public hearing for the zoning ordinance amendments, noting that no public comment cards had been submitted for this specific item. Finding no speakers present, he proceeded to close the public hearing.

During the subsequent discussion, Chairperson Hooper sought clarification regarding the maintenance bond language on page seven of the proposed amendments. He specifically questioned the phrasing in Part B, which suggested that an "unused balance" of a maintenance bond would be released after a two-year inspection. Drawing on his professional experience, the Chairperson pointed out that this does not reflect industry reality, as maintenance bonds are typically "one or done" rather than subject to partial releases or reissuances. He explained that bonding authorities require a formal letter from the city to fully release the bond once obligations are met. While he supported placing the responsibility on the applicant to keep bonds valid, he noted that the city's primary recourse is through the bonding company, which holds the funds and maintains accountability over the developer.

Mr. McLeod acknowledged the administrative difficulty in tracking down responsible parties when issues arise, noting it as a significant challenge for staff. Chairperson Hooper reiterated that the city's primary recourse is to the bonding company, as they are the entities "holding the bag" and are typically major companies.

To address the Chairperson's earlier point about industry reality, Mr. McLeod suggested a language correction for Subsection B to state that the maintenance bond will simply be released once inspection issues are addressed. Chairperson Hooper agreed, noting that bonds are not "recut" or partially released in practice. Mr. McLeod confirmed that this correction would be made for the version of the ordinance presented to the City Council, and the Planning Commission raised no objections to the change.

Ms. Neubauer questioned the "industry general" section on page nine regarding data centers, noting she did not see a formal definition for what a data center actually entails. Mr. McLeod clarified that data center regulations were part of a moratorium passed by the City Council and that a comprehensive ordinance amendment addressing data centers in their entirety is expected within the next six months. He explained that while the city does not anticipate large-scale data centers locating in Rochester Hills, staff intends to leave the current language in place for now and integrate the definition adopted during the moratorium into the future full-blown amendment.

Ms. Neubauer sought confirmation on leaving the term in the current document without a definition, to which Mr. McLeod replied that the existing moratorium provides sufficient coverage in the interim. Mr. Dettloff inquired if the city had received requests for data centers, and Mr. McLeod confirmed there have been none. Mr. Dettloff expressed support for being proactive on the issue, noting that data centers are a "hot topic" and that his office has seen significant interest from developers in other areas.

Ms. Neubauer followed up by asking if Rochester Hills already hosts an existing data center, which Mr. McLeod confirmed. She expressed concern regarding how the city would differentiate between small-scale existing operations and the massive, high-acreage "hyperscale" data centers often depicted in the media. Ms. Neubauer emphasized that the second set of ordinance amendments must be highly specific to avoid a "general umbrella" definition that fails to distinguish between ancillary data centers and primary-use facilities.

Mr. McLeod agreed with this assessment, suggesting that the future regulation would likely include three distinct parts: data centers that are ancillary to a primary use, standard standalone data centers, and hyperscale data centers. While the current moratorium provides a basic definition, Ms. Neubauer questioned if it was specific enough given the rapidly evolving nature of the industry. Mr. McLeod reassured the Commission that the upcoming dedicated data center ordinance would include "full-blown" definitions and regulations, noting that the draft is already several pages long to ensure technical accuracy.

Chairperson Hooper called for further discussion or a motion regarding the proposed zoning ordinance amendments. Ms. Neubauer moved to recommend approval of the amendments, specifically incorporating the correction previously stated by Chairperson Hooper regarding the maintenance bond language. The motion was supported by Commissioner Weaver. Chairperson Hooper noted that the motion covered the zoning ordinance amendments as detailed in the meeting packet and called for a roll call vote. The motion passed unanimously.

A motion was made by Neubauer, seconded by Weaver, 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 Planning Commission recommends to City Council approval of the ordinances as presented, with the exception of the revision to the maintenance bond language as discussed, 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.