

CITY OF THE VILLAGE OF CLARKSTON  
ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE TO AMEND THE CITY OF THE VILLAGE OF CLARKSTON  
ZONING ORDINANCE NO. 129 ZONING ORDINANCE TO AMEND SECTION  
17.02 ENTITLED USES REQUIRING SITE PLAN REVIEW

The City of the Village of Clarkston Ordains:

Section 1:01. To amend Section 17.02 entitled "Uses Requiring Site Plan Review" be amended to read as follows:

Except as specifically provided in Section 17.03 and Section 17.04, the development of any new use, the construction of any new structures, any change of an existing use of land or site, and all other building or development activities in R-1, R-2, RM, RC VC, RPDD, and I-1 districts shall require site plan approval by the Planning Commission pursuant to the conditions of Article XVII.

A. Site plan review as provided for in this Ordinance, any other provision notwithstanding, shall apply to:

1. New construction.

2. All additions to existing structures, which will result in an increase of existing floor area, including multiple floors if such exist, in excess of ten percent (10%) or one thousand (1,000) square feet, whichever is the lesser; provided further that changes from one allowable use to another allowable use within the same district shall not require site plan review. In the case of single-family homes, only additions greater than 500 square feet in area shall require site plan approval.

B. Any development for which off-street parking areas are provided as required in Article XX, OFF-STREET PARKING REQUIREMENTS.

C. Any use in VC, I, RM or RPDD district lying contiguous to or across a street from a single-family residential district.

D. Any use which lies contiguous to a major thoroughfare or collector street.

E. Development of any non-single-family use or building in the Residential Districts.

F. Any residential development, excluding the placement of dwelling units in an approved manufactured housing park.

G. Development of any nonresidential use or building.

H. The erection, relocation, conversion or structural alteration to any building, structure or site which results in additional floor space pursuant to Section 1702 A 2.

I. Any development which would establish more than one (1) principal use on a single lot: for example, a single-family site condominium or similar project where a single parcel is to be developed with more than one (1) detached dwelling unit.

J. Special Land Uses in all zoning districts.

K. Cellular phone towers located on municipal property only.

L. Essential public service buildings and storage areas.

M. Any change in the use of land or a building to a different class or type to a more intensive use, as determined by the Code Officer, that may involve significant changes to features such as building appearance, parking needs, traffic flow, traffic volumes, buffering needs, hours of operation, noise, effluent discharge, drainage and similar impacts. Any significant change adjacent to, or across the street from, a Single-Family Residential District shall require site plan review.

N. A change in use on a site which does not conform to the site design standards of this Zoning Ordinance.

Section 2:01. Repealer Clause.

All ordinances or policies of the city in conflict with the provisions herewith are hereby repealed. This ordinance is intended to be in furtherance of and an extension of, but not in conflict with, the provisions of the city charter of the City of the Village of Clarkston, and the laws of the State of Michigan.

Section 3:01. Severability Clause.

Should any section, subdivision, clause or phrase of this Ordinance be declared by the courts to be invalid, the validity of this Ordinance as a whole, or in part, shall not be affected other than the part invalidated.

Section 4:01. Effective Date.

Public Hearing having been held by the Planning Commission for the City of the Village of Clarkston on February 4, 2019, and a First Reading at the City Council meeting on February 25, 2019, the provisions of this Ordinance shall take effect 30 days after publication.

Made and passed by the City Council of the City of the Village of Clarkston this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Eric Haven, Mayor

\_\_\_\_\_  
Sandy Miller, City Clerk

CERTIFICATE OF CLERK

I, Sandy Miller, being the duly appointed and qualified Clerk of the City of the Village of Clarkston, Oakland County, Michigan, do hereby certify and declare that the foregoing is a true and correct copy of an Ordinance adopted by the City Council of the City of the Village of Clarkston at a regular meeting thereof held on the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Sandy Miller, City Clerk