

ORDINANCE NO. 1641

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF SOUTHFIELD BY AMENDING THE FOLLOWING SECTIONS: ARTICLE 4 GENERAL PROVISIONS, SECTION 5.29 OFF-STREET PARKING PROVISIONS, SECTION 5.30 OFF-STREET PARKING REQUIREMENTS, SECTION 5.31 OFF-STREET PARKING SPACE LAYOUT, STANDARDS, CONSTRUCTION, AND MAINTENANCE; ARTICLE 7 MULTIPLE FAMILY RESIDENTIAL, SECTION 5.84 USES PERMITTED SUBJECT TO SPECIAL APPROVAL; ARTICLE 8 MULTIPLE FAMILY MEDIUM AND HIGH RISE, SECTION 5.94 USES PERMITTED SUBJECT TO SPECIAL APPROVAL; ARTICLE 14 REGIONAL SHOPPING, SECTION 5.134 USES PERMITTED SUBJECT TO SPECIAL APPROVAL AND SECTION 5.137 PARKING REQUIREMENTS FOR REGIONAL SHOPPING CENTERS; ARTICLE 15 REGIONAL CENTER, SECTION 5.140 USES PERMITTED SUBJECT TO SPECIAL APPROVAL; ARTICLE 18 GENERAL BUSINESS, SECTION 5.169 USES PERMITTED SUBJECT TO SPECIAL APPROVAL, CHAPTER 45, ZONING OF SUCH CODE.

THE CITY OF SOUTHFIELD ORDAINS:

THE CODE OF THE CITY OF SOUTHFIELD IS HEREBY AMENDED WITH THE FOLLOWING AMENDMENTS: ARTICLE 4 GENERAL PROVISIONS, SECTION 5.29 OFF-STREET PARKING PROVISIONS, SECTION 5.30 OFF-STREET PARKING REQUIREMENTS, SECTION 5.31 OFF-STREET PARKING SPACE LAYOUT, STANDARDS, CONSTRUCTION, AND MAINTENANCE; ARTICLE 7 MULTIPLE FAMILY RESIDENTIAL, SECTION 5.84 USES PERMITTED SUBJECT TO SPECIAL APPROVAL; ARTICLE 8 MULTIPLE FAMILY MEDIUM AND HIGH RISE, SECTION 5.94 USES PERMITTED SUBJECT TO SPECIAL APPROVAL; ARTICLE 14 REGIONAL SHOPPING, SECTION 5.134 USES PERMITTED SUBJECT TO SPECIAL APPROVAL AND SECTION 5.137 PARKING REQUIREMENTS FOR REGIONAL SHOPPING CENTERS; ARTICLE 15 REGIONAL CENTER, SECTION 5.140 USES PERMITTED SUBJECT TO SPECIAL APPROVAL; ARTICLE 18 GENERAL BUSINESS, SECTION 5.169 USES PERMITTED SUBJECT TO SPECIAL APPROVAL, CHAPTER 45, ZONING, WHICH SHALL READ AS FOLLOWS:

SECTION 1. Article 4 – GENERAL PROVISIONS

5.29 Off-Street Parking Provisions

Parking and Loading. Off-street vehicular parking, in conjunction with the requirements for all land or building uses, shall be provided in accordance with the provisions of this Chapter, prior to the issuance of a certificate of occupancy as herein prescribed:

- (1) The required off-street parking area shall be for occupants, employees, visitors, patrons and shall be limited in use to passenger vehicles not exceeding a net weight of three (3) tons (2.7210 metric tons) and shall be for periods of less than forty-eight (48) hours. The storage of merchandise, motor vehicles for sale, or the repair of vehicles is prohibited in said area.
- (2) Whenever a building or use requiring off-street parking is increased in floor area or any other determining unit of measure and such building or use does exist on the effective date of this Chapter, the minimum number of parking spaces required shall be based upon the entire building or use, including the addition.

- (3) Required off-street parking for other than residential use shall be either on the same lot or within three hundred (300') feet (91.5 meters) of the building or use it is intended to serve, measured without crossing a major thoroughfare, from the nearest point of the building or use to the nearest point of the required off-street parking facility. The principal use shall be permitted to continue only so long as the off-street requirements of this Chapter are complied with as set forth in Section 5.30. HOWEVER, IN THE DDA AND CITY CENTRE DISTRICTS THIS DISTANCE MAY BE INCREASED TO FIVE HUNDRED (500') FEET.
- (4) Residential off-street parking spaces shall consist of a parking strip, driveway, garage, or combination thereof and shall be located on the premises they are intended to serve.
- (5) For those uses not specifically mentioned, the requirements for off-street parking facilities shall be in accord with a use which the Board of Appeals considers as being similar in nature.
- (6) Any area once designated as required off-street parking shall never be changed to any other use unless and until equal facilities are provided elsewhere.
- (7) Off-street parking existing at the effective date of this Chapter, in connection with the operation of an existing building or use, shall not be reduced to an amount less than hereinafter required for a similar new building or new use, WITHOUT ADMINISTRATIVE OR SITE PLAN APPROVAL.
- (8) Two (2) or more buildings or uses may collectively provide the required off-street parking, in which case, the required number of parking spaces shall not be less than the sum of the requirements for each individual use, computed separately.
- (9) In cases of dual functioning of off-street parking where operating hours do not overlap, the Board of Appeals may grant a temporary modification of the requirements.
- (10) Where lighting facilities are provided, they shall be so arranged as to reflect the light away from the adjacent residential districts.
- (11) For buildings or land containing more than one (1) use as designated in Section 5.30, the total parking requirement shall be determined to be the sum of the requirements for each use.
- (12) Bike Racks and Bike Parking Credit: To promote non-motorized transit and to reduce impervious surfaces, the City is encouraging alternate means of transportation. The lack of a secure bike parking space keeps many people from using their bikes, thus a minimum of 4 bicycle parking spaces shall be provided for each non-residential and multi-family development.

For every bike rack which accommodates four (4) bicycles, one off-street parking space, up to a maximum of five (5%) percent of the total required parking may be credited by the City Planner. Bicycle parking racks shall be located close to the building entrance, and shall be separated from vehicle parking areas to minimize motor vehicle damage to bicycles. Bicycle racks shall be securely anchored to the supporting surface, and shall be at least three (3) feet in height and able to support a locked bicycle in an upright position. Additional accommodations for bicyclists that may be considered & include, but are not limited to: bicycle lockers, employee shower facilities and dressing areas for employees. (Amended: Ordinance No. 1587- 11/6/2011)

- (13) A PEDESTRIAN CONNECTION/PATHWAY SHALL BE INSTALLED FROM THE PUBLIC SIDEWALK OR PATHWAY SYSTEM TO THE MAIN ENTRANCE OF A BUILDING.
- (14) ALL ADJACENT TRANSIT STOPS SHALL BE DESIGNED AS AN INTEGRAL PART OF THE DEVELOPMENT PROJECT, WITH DIRECT ACCESS TO THE BUS STOP/SHELTER OR WAITING AREA FROM THE DEVELOPMENT SITE, INCLUDING PUBLIC PATHWAYS. ADDITIONAL PEDESTRIAN AMENITIES, INCLUDING BENCHES, TRASH RECEPTACLES, SHELTERS, ETC. MAY BE REQUIRED DEPENDING ON TRANSIT USAGE OF EACH STOP. THE TRANSIT STOP SHALL BE MAINTAINED BY THE DEVELOPER FOR THE LIFE OF THE DEVELOPMENT PROJECT.
- (15) SNOW STORAGE: A SNOW REMOVAL PLAN SHALL BE SUBMITTED OR ADEQUATE ON-SITE SNOW STORAGE SHALL BE PROVIDED THAT DOES NOT IMPEDE ON THE MINIMUM REQUIRED PARKING SPACES. STORAGE OF ACCUMULATED SNOW SHALL NOT OBSCURE SITE LINES OR CAUSE TRAFFIC BLIND SPOTS.
- (16) IT IS THE INTENT OF THIS SECTION TO MEET THE REASONABLE PARKING NEEDS OF EACH DEVELOPMENT WHILE INCREASING GREEN SPACE AND MINIMIZING EXCESSIVE AREAS OF PAVEMENT, WHICH REDUCES AESTHETIC STANDARDS AND CONTRIBUTES TO HIGH RATES OF STORM WATER RUNOFF. THUS, EXCEEDING THE MINIMUM PARKING SPACE REQUIREMENTS BY MORE THAN TWENTY PERCENT (20%) SHALL ONLY BE ALLOWED WITH APPROVAL BY THE CITY. IN GRANTING SUCH ADDITIONAL PARKING SPACE, THE CITY SHALL DETERMINE THAT SUCH PARKING WILL BE REQUIRED BASED ON A PARKING STUDY OR OTHER DOCUMENTED EVIDENCE TO ACCOMMODATE THE USE ON A TYPICAL DAY.

Sect. 5.30 Off-Street Parking Requirements

The minimum number of off-street parking spaces shall be determined in accordance with the following table:

Replace the existing Table 5.30 with the proposed Table 5.30

Table 5.30: off-Street parking requirements

USE	# OF PARKING SPACES	PER EACH UNIT OF MEASURE AS FOLLOWS:
ASSEMBLY: (Auditoriums, stadiums, religious institutions, theatres, private clubs, fraternities, exhibition halls, etc.)	1.0	<i>PER 3 SEATS/OCCUPANCY OR 6 FT. OF PEW/BENCH + ACCESSORY USES</i>

USE	# OF PARKING SPACES	PER EACH UNIT OF MEASURE AS FOLLOWS:
BANKS & FINANCIAL INSTITUTIONS:	3.0	<i>PER TELLER WINDOW & ATM (INDOOR & OUT) PLUS</i>
WITH DRIVE THRU	5.0	<i>PER STACKING SPACES FOR FIRST DRIVE THRU STATION (MIN. 160 LINEAR FT. FOR 2 OR MORE)</i>
INDUSTRIAL: STORAGE/WAREHOUSING; Industrial establishments, including manufacturing, research and testing, laboratories, creameries, bottling works, printing, plumbing, or electrical workshops	1.5	<i>PER 1,000 S.F. G.F.A. OR PER EMPLOYEES MAXIMUM SHIFT, WHICHEVER IS GREATER;</i>
OFFICE: (GENERAL) Professional	4.0	<i>PER 1,000 S.F. G.F.A.</i>
Computer Processing	1.0	500 S.F. U.F.A.
MEDICAL (doctors, dentist, or similar)	5.0	<i>PER 1,000 S.F. G.F.A.</i>
Hospitals	1.0	<i>/1 BED</i>
Convalescent	1.0	<i>/2 BEDS</i>
		<i>PLUS 4.0 STACKING SPACES FOR DRIVE THROUGH PHARMACY</i>
PERSONAL SERVICE:		
Barber Shop	2.0	<i>PER CHAIR/STATIONS +</i>
Beauty Parlor	1.0	<i>PER EMPLOYEE</i>
RESIDENTIAL:		
Assisted Living/Elderly/ Congregate	0.5	<i>PER BED/UNIT, PLUS 1 SPACE/2 EMPLOYEES @ MAX. SHIFT</i>
Multi-Family	1.5	<i>DWELLING UNIT (2 BEDS OR LESS); 2.0 D.U. (3 BEDS OR MORE), PLUS 1/EMPLOYEE MAX. SHIFT</i>
Single/Two Family	2.0	<i>PER DWELLING UNIT</i>
Hotel/Motel	1.3	<i>PER UNIT PLUS APPLICABLE ACCESSORY USES</i>
RESTAURANTS:		
Fast Food/High Volume (incl. drive through coffee shops)	1.0 1.0	<i>PER 100 S. F. GLA OR PER 4 SEATS, WHICHEVER IS GREATER</i>
with Drive Thru/Drive-ins		<i>PLUS REQUIRED STACKING (B)</i>

USE	# OF PARKING SPACES	PER EACH UNIT OF MEASURE AS FOLLOWS:
dining room/banquet	1.0	<i>PER 100 S. F. GLA OR PER 4 SEATS, WHICHEVER IS GREATER</i>
bar/lounge	1.0	<i>PER 100 S. F. GLA OR PER 4 SEATS, WHICHEVER IS GREATER</i>
carry out	1.0	<i>PER 100 S. F. GLA OR PER 4 SEATS, WHICHEVER IS GREATER</i>
RETAIL/COMMERCIAL: (incl. A.F.S./ pawn shops, Smoking Lounge) Furniture, Appliance & Similar (household equipment repair shops, showroom of a plumber, decorator, electrician or similar trade, clothing and shoe repair and laundry, motor vehicle sales showroom	4.0 1.0	<i>PER 1,000 S.F. GFA PER 800 S.F. U.F.A.</i>
Convenience Center (less than 30,000 S.F.)	4.0	<i>PER 1,000 S.F. GFA(A)</i>
Neighborhood Center (30,000-250,000 S.F.)	4.0	<i>PER 1,000 S.F. GLA(A)</i>
Community/ Lifestyle Center (250,000-600,000 S.F.)	4.25	<i>PER 1,000 S.F. GLA(A)</i>
Regional Center (600,000-1,000,000+ S.F.)	4.5	<i>PER 1,000 S.F. GLA(A)</i>
Car Wash	6.0	<i>PER STACKING APPROACH LANE (MIN. 140 L.F. FOR 2 OR MORE) + 1/EMPLOYEE</i>
Gas Filling	1.0 2.0	<i>PER PUMP+1/EMPLOYEE +OTHER USES PER SERVICE BAY</i>
Gas Service	1.0 2.0	<i>PER PUMP+1/EMPLOYEE +OTHER USES PER SERVICE BAY</i>
RECREATION: Including the following:	1.0	<i>PER 4 OCCUPANTS/CAPACITY/SEATS + 1/EMPLOYEE (F)</i>
Arcade		“
Bowling Alleys		“
Courts		“
Dance		“
Health & Fitness		“

USE	# OF PARKING SPACES	PER EACH UNIT OF MEASURE AS FOLLOWS:
Indoor Recreation		“
Skating Rink		“
SCHOOLS:		
Child Care Centers	1.0	<i>1.0/EMPLOYEE + SUFFICIENT SPACE FOR PARENT PARKING (1/180 GSF)/DROP-OFF</i>
Elementary & Junior	2.0	PER CLASSROOM + ASSEMBLY(C)
High School	4.0	PER CLASSROOM + ASSEMBLY(D)
Colleges/Universities		<i>1/5 STUDENTS BASED UPON MAX. # OF STUDENTS AT ANY ONE TIME, PLUS 1 PER 2 FACULTY/EMPLOYEES (D & E)</i>
MISC. USES:		<i>PER I.T.E. (G)OR BEST PRACTICE (H)</i>
Outdoor Dining Seating (30 seats or less)		<i>ON “WEATHER PERMITTING BASIS” NO ADDITIONAL PARKING REQUIRED (I)</i>

- (A) Figures are for center w/less than 20% of GLA devoted to restaurants, entertainment and cinema space. If these uses constitute more than 20% of GLA, then shared parking methodology is recommended for computation.
- (B) Measured from the transaction (pay) window. The first transaction window shall have a minimum of 8 spaces and two or more ordering stations shall have a minimum of 240 linear feet of stacking. Stacking spaces shall be a minimum of nine feet wide and twenty feet in length, shall not extend onto any public street, and shall be distinctly separated from on-site parking so as not to interfere with ingress and egress to parking spaces.
- (C) Additional Bike Parking shall be provided for 10% of students
- (D) Additional Bike Parking shall be provided for 6% of students
- (E) Additional parking may be required if determined necessary for assembly & dormitory (2/unit)
- (F) Additional Bike Parking shall be provided for 12% of required vehicular parking Spaces
- (G) Institute of Traffic Engineers (I.T.E.)
- (H) For uses not listed, the City Planner or planning Commission shall make a determination of the minimum required parking or stacking space, based upon review of information submitted by the applicant, city staff, and consultants.
- (I) Outdoor dining areas for more than 30 patrons or those that use awnings, roofs, or similar permanent or temporary structures then the following standards apply:
 - 1) If the outdoor seating is 25% or less of the indoor seating capacity, no additional parking is necessary.
 - 2) If the outdoor seating is 26-50% of the indoor seating capacity, then the restaurant may be required to provide up to 125% of the parking required for the indoor space.
 - 3) If the outdoor seating is over 50% of the indoor seating capacity, then the restaurant may be required to provide up to 150% of the parking required for the indoor space.

5.31 Off-Street Parking Space Layout, Standards, Construction, and Maintenance.

Whenever the off-street parking requirements in Section 5.30 require the building of an off-street parking facility or where Vehicular Parking districts are used for parking purposes, such off-street parking lots shall be designed, constructed, and maintained in accordance with the following standards and regulations:

- (1) No building, structure, or land shall be erected or used for parking or driveway purposes for more than three (3) required parking spaces unless a site plan therefor has been approved by the City Planner or the Traffic Engineer.

(2) No parking lot shall be constructed without a proper permit issued by the Department of Building and Safety Engineering. Application for a permit shall be submitted to the Department of Building and Safety Engineering in such form as may be determined by the Department of Building and Safety Engineering and shall be accompanied by not less than two (2) sets of site plans for the development of the parking lot showing that the provisions of this Chapter will be fully complied with.

(3) The parking facilities shall be not less than the following minimum requirements. For parking angles falling between those given in the chart, dimensions used will be the larger of the two (2) values bracketing the desired angle.

Angle of Parking Space in Degrees	Aisle Width in Feet		English System				Typical Width of One Tier of Parking Plus Aisle in Feet	
			Typical Width of Two Tiers of Parking Plus Aisle in Feet		Cent. to Cen.		Wall to Wall	Cent. to Cen.
	1-Way	2-Way	1-Way	2-Way	1-Way	2-Way	1-Way	2-Way
90	22*	24*	60	60	62	62	42	42
80	21	22	63.5	64.5	62	63	42.5	41.5
70	20	22	64	66	61	63	42	40.5
60	18	22	61.5	65.5	57	61	40	37.5
50	15	22	57.5	64.5	51.5	58.5	36	33.5
45	15	22	56	63	50	57	35.5	32.5
40	15	22	54.5	61.5	48	55	35	31.5
30	15	22	50.5	57.5	43	50	33	29
20	15	22	45.5	52.5	37	44	30.5	26
Parallel	15	22	33	40	33	40	24	24

Angle of Parking Space in Degrees	Aisle Width in Feet		Metric System				Typical Width of One Tier of Parking Plus Aisle in Feet	
			Typical Width of Two Tiers of Parking Plus Aisle in Feet		Cent. to Cen.		Wall to Wall	Cent. to Cen.
	1-Way	2-Way	1-Way	2-Way	1-Way	2-Way	1-Way	2-Way
90	6.71*	7.3*	18.29	18.29	18.90	18.90	12.80	12.80
80	6.40	6.71	19.35	19.66	18.90	19.20	12.95	12.69
70	6.10	6.71	19.51	20.12	18.59	19.20	12.80	12.34
60	5.49	6.71	18.75	19.96	17.37	18.59	12.19	11.43
50	4.57	6.71	17.53	19.66	15.70	17.83	10.97	10.21
45	4.57	6.71	17.07	19.20	15.24	17.37	10.82	9.91
40	4.57	6.71	16.61	18.75	14.63	16.76	10.67	9.60
30	4.57	6.71	15.39	17.53	13.11	15.24	10.06	8.84
20	4.57	6.71	13.87	16.00	11.28	13.41	9.30	7.92
Parallel	4.57	6.71	10.06	12.19	10.06	12.19	7.32	7.32

*The required aisle width may be reduced by not more than four (4) feet (1.22 meters) provided that the width of each parking space shall be increased by a dimension not less than the reduction of the aisle width for that portion of the parking area so reduced.

(4) Except for parallel parking, all parking spaces shall be clearly striped with double lines twenty-four (24") inches (60.96 centimeters) apart to facilitate movement and to help maintain an orderly parking arrangement.

(5) Where parking abuts a sidewalk or other pavement five (5') foot (1.525 meters) minimum width, two (2') feet (.61 meters) may be credited toward the total required parking space dimension (except for parallel parking).

(6) All parking spaces shall be nine (9') feet (2.745 meters) in width, center to center, and twenty (20') feet (6.1 meters) in length.

- (7) ~~Off-street parking reserved for the handicapped shall be provided in accordance with the following table and identified by signs bearing the international symbol for the handicapped as being reserved for physically handicapped persons. There shall be posted one (1) sign per handicapped space. Signs shall be installed six (6') feet eight (8") inches (2.034 meters) above grade with non-projecting, wall-mounted signs mounted not less than five (5') feet (1.525 meters) above grade, each reserved parking space shall be not less than twelve (12') feet (3.66 meters) wide, center to center, and twenty (20') feet (6.1 meters) in length. Where a curb exists between a parking lot surface and a sidewalk surface, an inclined approach or a curb cut with a gradient of not more than one (1') foot (.305 meters) in twelve (12') feet (3.66 meters) and a width of not less than five (5') feet (1.525 meters) shall be provided for wheelchair access. Parking spaces for the physically handicapped shall be located as close as possible to walkways and entrances. Signs shall be provided when necessary indicating the direction of travel to an accessible entrance. (Amended Ordinance 1264 - 2/27/89)~~

<u>Total Parking in Lot</u>	<u>Required Number of Handicapped Spaces</u>
Up to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	2% of total
Over 1,000	20 plus 1 for each 100 over 1,000

BARRIER FREE PARKING SHALL MEET THE REQUIREMENTS OF THE STATE ADOPTED MICHIGAN BUILDING CODE AND ITS REFERENCED STANDARDS, AS AMENDED. IT IS THE INTENT OF THIS SECTION THAT AN INTEGRATED AND CONNECTED ACCESSIBLE ROUTE BE PROVIDED FROM THE BARRIER FREE PARKING SPACE(S) TO THE ACCESSIBLE BUILDING ENTRANCE, INCLUDING THE ACCESS AISLE(S), ACCESSIBLE ROUTE(S) AND ACCESSIBLE ENTRANCE(S). THUS, ACCESS AISLES SHALL ADJOIN AN ACCESSIBLE ROUTE, WHICH SHALL NOT BE WITHIN THE VEHICULAR DRIVEWAYS, EXCEPTING DESIGNATED CROSS WALKS.

- (8) Parking Space Size Option. The intent of this provision is to allow for a reduction in the hard-surfaced area for the parking of automobiles and an increase in the landscaped open space of a site. To accomplish this goal while still maintaining the required number of parking spaces for the uses on the site, the City may permit a reduction in the size of parking spaces and aisle width to accommodate compact automobiles. While this option may be applied anywhere in the City, its primary use will be in areas where the majority of automobiles are expected to be parked for periods exceeding four (4) hours. (Amended - Ordinance 1072 - 11/9/81)
- (a) The City Council may, after final approval of a site plan, permit a reduction in the standard size of up to twenty-five (25%) percent of the parking spaces provided on a site. These spaces shall be restricted to the parking of compact automobiles and signs designating such parking for the use of compact automobiles only shall be provided and shall be placed at the entrance of each aisle providing compact car parking and at the front of each row in the amount of one (1) sign for each five (5) spaces.
 - (b) The minimum size parking space allowed for compact automobiles shall be seven feet, six (7' 6") inches (2.2875 meters) wide and fifteen (15') feet (4.575 meters) long.
 - (c) The minimum aisle width allowed for compact automobiles shall be fifteen (15') feet (4.575 meters) wide for one-way traffic and twenty (20') feet (6.1 meters) wide for two-way traffic. In instances where compact and full-size automobiles use the same aisle, the minimum aisle width shall be based on the aisle width specified in Section 5.31, Paragraph (3) herein.
 - (d) Parking spaces and aisles for compact automobiles shall be designed in such a way that they may be restriped for larger spaces if the need for such larger spaces is determined by the City and/or the owner of the property.

- (e) Landscaped open area equal in area to the amount of hard-surfaced parking area eliminated by the application of this option must be provided on the site. Suggested plant materials are listed in Section 5.38 and may be utilized in the formation of a landscape plan. This landscaped open space shall be designed in such a way that it may be hard-surfaced and used for parking if the need for such additional parking is determined by the City and/or the owner of the property.
- (f) Review by the City Council shall take into consideration the following items:
 - Traffic and parking layout in the site.
 - Location and distribution of spaces on the site.
 - Improved landscaping potential of the site.
 - Type of business and estimated length of parking.
 - The availability of decks or parking structures.
 - Any other features which may be unique to a particular site.
- (9) Parallel parking spaces shall be twenty (20') feet (6.1 meters) in length with a six (6') foot (1.83 meters) maneuvering space for each two (2) parking spaces.
- (10) All parking lots shall have clearly limited and defined access from roadways and shall not be less than twenty-four (24') feet (7.32 meters) in width at the right-of-way line. Interior driveways shall also be clearly defined and not less than fifteen (15') feet (4.575 meters) wide for one-way and twenty-two **FOUR** (~~22-24~~) feet (~~6.71~~ **7.3** meters) wide for two-way traffic.
- (11) All parking spaces shall have access from an aisle on the site. Backing directly onto a street shall be prohibited.
- (12) Vehicular access to a parking lot shall not be across any zoning district that would not permit the principal use or parking lot.
- (13) The Traffic Engineer or City Planner may require the posting of such traffic control signs as he deems necessary to promote vehicular and pedestrian safety.
- (14) Bumper stops, curbing, or wheel chocks shall be provided to prevent any vehicle from damaging or encroaching upon any required wall, fence or buffer strips, upon any building adjacent to the parking lot, or upon any adjacent property.
- (15) All lighting used to illuminate any off-street parking area shall be so installed, maintained, and directed as to have no adverse effect upon adjacent properties.
- (16) The surface of the parking lot, all drives, and aisles shall be constructed in accordance with Michigan Department of Transportation Standard Specifications, Section 4.11, Aggregate Pavement, Section 4.12, Bituminous Concrete Pavement, or Section 4.13, Concrete Pavement.

- (17) In order to insure pedestrian safety, sidewalks, of not less than five (5') feet (1.525 meters) in width, may be required to separate any driveway or parking area from a building.
- (18) Sidewalks, not less than five (5') feet (1.525 meters) in width, shall be constructed one (1') foot (.305 meters) inside the right-of-way line of all abutting streets. HOWEVER, A WIDER PATHWAY (I.E. 8-10 FT. WIDE) MAY BE REQUIRED ALONG DESIGNATED ROUTES PURSUANT TO THE SOUTHFIELD NON-MOTORIZED PATHWAY & PUBLIC TRANSIT PLAN (AND SUB-AREA PLANS), AS AMENDED.
- (19) All interior and abutting streets shall have rights-of-way of a sufficient width to accommodate the vehicular traffic generated by the uses permitted in the district or adequate provision shall be made at the time of the approval of the traffic plan for such sufficient width of rights-of-way. The right-of-way provided to satisfy this condition shall conform with the right-of-way standards as provided in Chapter 47 of the City Code.
- (20) Where access to the off-street parking facility is onto an unpaved street, provisions shall be made for paving one-half (1/2) of the street abutting the length of the property in accordance with the standards set by Chapter 47 of the City Code. Such provisions shall consist of a cash deposit, letter of credit, or corporate surety bond in an amount equal to the estimated assessable cost of said improvement in accordance with the standard policy of the City of Southfield. Said money, letter of credit, or corporate surety bond shall be returned after three (3) years if the improvement is not carried out.
- (21) Landscaping:
 - (a) Landscaping Requirements. For those uses requiring greater than twenty (20) parking spaces, there must be a minimum of twenty-five (25) square feet (2.325 square meters) of landscaping for each space in excess of twenty (20) spaces required. For those parking lots with between twenty-one (21) and twenty-nine (29) spaces, a minimum of two hundred (200) square feet (18.6 square meters) of landscaping must be provided.

With the exception of the RC, Regional Center District which has detailed landscaping provisions, this parking lot requirement is exclusive of any yard and other landscaping requirement within a given zone.

Parking lot landscaping shall be no less than five (5') feet (1.525 meters) in any single dimension and no less than one hundred and fifty (150) square feet (13.95 square meters) in any single area and shall be protected from parking areas with curbing, fencing, or other permanent means to prevent automobile encroachment onto the landscape areas. Areas less than these minimum requirements will not be considered as part of the landscaping requirements.

- (b) Landscape Plan Required. Whenever a use requires more than twenty (20) parking spaces and landscaping is required under the terms of this Chapter, a landscaping plan shall be submitted to the City Planner or his designated representative. The landscape plan shall include an itemized plant materials schedule with botanical and common names of materials, sizes, and quantities. The arrangement of this landscaping is to be done in such a manner as to contribute significantly to safe circulation, visual orientation, STORM WATER MANAGEMENT, LOW IMPACT DESIGN, and other positive environmental factors.

FURTHER, IT IS THE INTENT OF THIS SECTION TO PHYSICALLY SEPARATE PEDESTRIAN AND VEHICULAR TRAFFIC AND TO VISUALLY SCREEN THE FRONT BUMPERS OF CARS FROM VIEWS OF THE PUBLIC RIGHTS-OF-WAY. THUS, A 30 INCH HIGH HEDGE, SHRUBS, ORNAMENTAL FENCE, OR COMBINATION THEREOF WITH ADEQUATE PEDESTRIAN ACCESS SHALL BE INSTALLED BETWEEN PARKING SPACES AND RIGHTS-OF-WAY.

THE PRINCIPALS OF CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED) SHALL BE FOLLOWED.

Buffer strip requirements and suggested plant materials are listed in Section 5.38 and may be utilized in the formulation of landscape plans.

- (c) Maintenance. The owner of landscaping required by this Section shall perpetually maintain such landscaping in good condition so as to present a healthy, neat, and orderly appearance, free from refuse and debris. All diseased and/or dead material shall be removed within sixty (60) days following notification and shall be replaced within the next appropriate planting season or within one (1) year, whichever comes first.

In the event the owner fails to maintain the landscape area in a neat and orderly manner, free from debris, the City of Southfield may mail to the owner a written notice setting forth the manner in which there has been failure to maintain said property and require that the deficiencies of maintenance be cured within thirty (30) days from date of said notice. If the deficiencies set forth in the notice shall not be cured within thirty (30) days, or any extension thereof granted by the City of Southfield, the City of Southfield shall have a right to enter upon such property and correct such deficiencies and the cost thereof shall be charged, assessed, and collected pursuant to Section 1.13 of the Southfield City Code.

- (d) Existing Plant Materials. In instances where healthy plant materials exist on a site prior to its development, the City Planner, or his designated representative, may adjust the application of the above standards to allow credit for such plant material if such an adjustment is in keeping with, and will preserve, the intent of this Section.

SECTION 2. ARTICLE 7 MULTIPLE FAMILY RESIDENTIAL DISTRICTS-LOW RISE (RM)

5.84 Uses Permitted Subject to Special Approval

The following use (uses) may be permitted upon the review and approval of the City Council only after a recommendation by the Planning Commission. The use, or uses, may only be approved when the following general standards have been satisfied and subject to the conditions hereinafter imposed.

(1) STANDARDS

(a) The proposed use or uses must be of such size and character that it will be in harmony with the appropriate and orderly development of the Multiple Family Residential District-Low Rise.

(b) The proposed use must be in accord with the spirit and purpose of this Chapter and not be inconsistent with, or contrary to, the objectives sought to be accomplished by this Chapter and principles of sound planning.

(c) The proposed use is of such character that the vehicular traffic generated will not have an adverse effect upon, or be detrimental to, the surrounding land uses or the adjacent thoroughfares.

(d) Failure to begin construction within twelve (12) months of approval of the City Council shall make the approval null and void unless an extension is requested, in writing, by the applicant and the request is granted by the City Council.

(e) In approving a special use, the City Council may attach reasonable conditions regarding the location, character and other features of the proposed use as they may deem reasonable in the furtherance of the intent of this Section.

(2) Uses

(a) Housing for the elderly upon review and report from the Southfield Housing Commission concerning the suitability and appropriateness so as to not isolate the development either socially or physically from the balance of the community; in relation to accessibility to convenience services such as shopping, banking, health care, community facilities, and transportation. In addition, the Housing Commission shall review and report on the design of the project and the amenities of the project such as, but not limited to, recreational, social and other support facilities) and further that:

1. All dwelling units shall consist of at least a living room, bedroom, kitchen, and private bath and toilet and each unit shall contain not less than five hundred and twenty-five (525) square feet (48.825 square meters) for a one (1) bedroom unit and seven hundred (700) square feet (65.1 square meters) for a two (2) bedroom unit except that not more than twenty-five (25%) percent of the units may be of an efficiency type of not less than four hundred and twenty-five (425) square feet (39.525 square meters). The floor area shall be measured from the interior faces of all walls. This requirement of unit sizes for housing for the elderly has been established to reflect economy as well as efficiency recognizing the absence of children, the lack of need for large entertaining areas within units, and the provision of common areas located within the project.

2. Parking shall be established PER SECTION 5.30, OFF-STREET PARKING REQUIREMENTS ~~at the rate of not less than one (1) space for each unit of housing for the~~ ASSISTED LIVING/elderly. The City Council may permit the reduction of parking spaces provided in a landscaped parking bank which will allow the conversion of landscaped areas into additional parking at the request of the Planning Department. Such landscaped parking banks shall not be computed in minimum landscape requirements. All required parking shall be ten (10') feet (3.05 meters) in width, center to center, and twenty (20') feet (6.1 meters) in length with a minimum aisle width of twenty-two (22') feet (6.71 meters).

3. The site shall be so developed as to create a land-to-building ratio on the lot or parcel in accordance with the following schedule:

	Required Land	Density DU/Acre
<u>Stories</u>	<u>Area Per Unit</u>	<u>(.405 Hectares)</u>
2	1,500 Sq. Ft. (139.50 Sq. M.)	29.0

4. The owner shall file with the Oakland County Register of Deeds a covenant, approved as to form by the City Attorney, in which said owner shall covenant on behalf of himself, his heirs, executors, and assigns not to use the property for any other use than housing for the elderly unless the use complies with all requirements of the Zoning Ordinance. Required compliance includes, but is not limited to, density, unit sizes, parking, and setbacks.

SECTION 3. ARTICLE 8 MULTIPLE FAMILY RESIDENTIAL DISTRICTS -
MEDIUM RISE (RMM) AND HIGH RISE (RMU)

5.94 Uses Permitted Subject to Special Approval

The following use (uses) may be permitted upon the review and approval of the City Council only after a recommendation by the Planning Commission. The use, or uses, may only be approved when the following general standards have been satisfied and subject to the conditions hereinafter imposed.

(2) Standards

- (a) The proposed use or uses must be of such size and character that it will be in harmony with the appropriate and orderly development of the Multiple Family Residential Districts - Medium Rise (RMM) and High Rise (RMU).
- (b) The proposed use must be in accord with the spirit and purpose of this Chapter and not be inconsistent with, or contrary to, the objectives sought to be accomplished by this Chapter and principles of sound planning.
- (c) The proposed use is of such character that the vehicular traffic generated will not have an adverse effect upon, or be detrimental to, the surrounding land uses or the Adjacent thoroughfares.
- (d) Failure to begin construction within twelve (12) months of approval of the City Council shall make the approval null and void unless an extension is requested, in writing, by the applicant and the request is granted by the City Council.
- (e) In approving a special use, the City Council may attach reasonable conditions regarding the location, character and other features of the proposed use as they may deem reasonable in the furtherance of the intent of this Section.

(2) Uses

- (a) Housing for the elderly upon review and report from the Southfield Housing Commission concerning the suitability and appropriateness so as to not isolate the development either socially or physically from the balance of the community; in relation to accessibility to convenience services such as shopping, banking, health care, community facilities, and transportation. In addition, the Housing Commission shall review and report on the design of the project and the amenities of the project (such as, but not limited to, recreational, social and other support facilities) and further that:

1. All dwelling units shall consist of at least a living room, bedroom, kitchen, and private bath and toilet and each unit shall contain not less than five hundred and twenty-five (525) square feet (48.825 square meters) for a one (1) bedroom unit and seven hundred (700) square feet (65.1 square meters) for a two (2) bedroom unit except that not more than twenty-five (25%) percent of the units may be of an efficiency type of not less than four hundred and twenty-five (425) square feet (39.525 square meters). The floor area shall be measured from the interior faces of all walls. This requirement of unit sizes for housing for the elderly has been established to reflect economy as well as efficiency recognizing the absence of children, the lack of need for large entertaining areas within units, and the provisions of common areas located within the project.

Parking shall be established PER SECTION 5.30, OFF-STREET PARKING REQUIREMENTS ~~at the rate of not less than one (1) space for each unit of housing for the~~ ASSISTED LIVING/elderly. The City Council may permit the reduction of parking spaces installed not to exceed fifty (50%) percent which may be provided in a landscaped parking bank which will allow the conversion of landscaped areas into additional parking at the request of the Planning Department. Such landscaped parking banks shall not be computed in minimum landscape requirements. All required parking shall be ten (10') feet (3.05 meters) in width, center to center, and twenty (20') feet (6.1 meters) in length with a minimum aisle width of twenty-two (22') feet (6.71 meters).

3. The site shall be so developed as to create a land-to-building ratio on the lot or parcel in accordance with the following schedule:

Stories	Required Land Area Per Unit (Square Feet)	Density DU/Acre (.405 Hectares)
6 or more	800 (74.4 sq. m.)	54.5
5	900 (83.7 sq. m.)	48.4
4	1,000 (93.0 sq. m.)	43.6
3	1,100 (102.3 sq. m.)	39.6

4. The owner shall file with the Oakland County Register of Deeds a covenant, approved as to form by the City Attorney, in which said owner shall covenant on behalf of himself, his heirs, executors and assigns not to use the property for any other use than housing for the elderly unless the use complies with all requirements of the Zoning Ordinance. Required compliance includes, but is not limited to, density, unit sizes, parking, and setbacks.

SECTION 4. ARTICLE 14 REGIONAL SHOPPING DISTRICT (RS)

5.134 Uses Permitted Subject to Special Approval

The following uses may be permitted upon the review and approval of the City Council after a recommendation from the Planning Commission. The use or uses shall only be approved when the following general standards have been satisfied and subject to the conditions hereinafter imposed.

(1) Standards

- (a) The proposed use or uses must be of such size and character that it will be in harmony with the appropriate and orderly development of the Regional Shopping District.
- (b) The location, size, intensity and periods of operation of any such proposed use must be designed to eliminate any possible nuisance likely to emanate therefrom which might be adverse to occupants of any other nearby permitted uses.
- (c) The proposed use must be in accord with the spirit and purpose of this Chapter and not be inconsistent with, or contrary to, the objectives sought to be accomplished by this Chapter and principles of sound planning.
- (d) The proposed use is of such character, and the vehicular traffic generated will not have an adverse effect on, or be detrimental to the surrounding land uses or the adjacent thoroughfares.
- (e) The proposed use is of such character and intensity and arranged on the site so as to eliminate any adverse effects resulting from noise, dust, dirt, glare, odor or fumes.
- (f) The proposed use, or change in use, must be designed and operated so as to provide security and safety to the employees and the general public.

(2) Uses

- (a) Recreation centers, similar to bowling alleys, skating rinks, archery ranges, dance studios, amusement areas, arcades with a minimum of one hundred (100) gross square feet (9.3 square meters) of floor area per machine and if located within a building or structure containing other uses, the amusement arcade shall be separated and segregated from such other uses, by the means of approved walls, rails, fences or similar approved means as to specifically delineate the area in which said machines are to be located, the minimum square footage of floor area per machine being measured thereby, and similar forms of commercial recreation or amusement when conducted wholly within a completely enclosed building.

(b) Automobile and truck agency sales and showrooms subject to the following provisions:

1. The automobile and truck sales agency must be located on a site having a frontage of not less than one hundred and fifty (150) feet (45.75 meters) on a major thoroughfare and an area of not less than two (2) acres (.81 hectares).

2. Ingress and egress to the outdoor sales area shall be at least sixty (60) feet (18.3 meters) from the intersection formed by the existing or proposed right-of-way lines, whichever is greater.

3. Major repair and major refinishing shops will be permitted as accessory when located not less than two hundred (200) feet (61 meters) from residentially zoned property and conducted entirely within an enclosed building.

4. No outside display of discarded or salvaged materials, junk vehicles or junk parts shall be permitted on the premises.

5. The outside display of new and used automobiles and trucks shall be permitted, but the outside storage of vehicles shall be limited to new vehicles, and such storage area shall occupy no more than thirty-five (35) percent of a lot, which is used for new vehicle sales.

6. A fifteen (15) foot (4.575 meters) landscaped setback shall be provided between any existing or proposed right-of-way line, whichever is greater, and any outdoor display of new or used automobiles.

7. All lighting shall be shielded from adjacent residential districts and the use of open or base bulbs shall be prohibited.

(c) Automobile repair and service facilities subject to the following provisions:

1. Minor repair and service of automobiles are permitted with prohibited activities including, but not limited to, automobile, truck and trailer renting and leasing, motor vehicle body repair, undercoating, painting, tire recapping, engine and transmission rebuilding, motor vehicle dismantling, upholstery work, and other such activities whose adverse external physical effects would extend beyond the property line.

All activities shall be conducted in an enclosed building.

3. All buildings shall be set back not less than forty (40) feet (12.2 meters) from all existing or proposed street right-of-way lines, whichever is greater.

4. No storage nor display of any kind shall be allowed within the street right-of-way. All display shall be so located as not to obstruct view of vehicles.
 5. There shall be no outside storage or display of any kind except for the display of new merchandise related to the primary use of the facility and for retail sale during the hours of operation of the facility.
 6. There shall be no parking of damaged motor vehicles except on a temporary basis not to exceed seventy-two (72) hours. Junk parts and junk vehicles shall not be kept on the outside of the building.
 7. Parking shall be provided PER SECTION 5.30, OFF-STREET PARKING REQUIREMENTS ~~on the site at a rate of one (1) parking space for each three thousand (3,000) square feet (279 square meters) of site area.~~
 8. The parking of tow trucks shall be permitted only in designated areas and shall not be permitted in the corner clearance areas.
- (d) Freestanding restaurants, including bar/lounge and carry out restaurants.
- (e) Drive-in and free standing fast food restaurants, subject to the following conditions: (Amended - Ordinance 1484 - 2/16/03)
1. A setback of at least sixty (60) feet (18.3 meters) from the right-of-way line of any existing or proposed street must be maintained.

Ingress and egress points shall be located at least sixty (60) feet (18.3 meters) from the intersection of any two (2) streets and shall be directly from a major thoroughfare.
 3. There shall be provided a bermed landscaped area of not less than twenty (20) feet (6.1 meters) in width (except for points of ingress and egress) on all sides of the premises. The berm slopes shall be no steeper than one (1) foot (.305 meters) on three (3) feet (.915 meters), and shall be designed and planted with landscape materials that are acceptable to the City of Southfield Planning Department.
 4. Parking Requirements: PER SECTION 5.30, OFF-STREET PARKING REQUIREMENTS. ~~One (1) parking space for each thirty (30) square feet (2.79 square meters) of usable floor area plus ten (10) stacking spaces for each drive-in or drive thru transaction station. Stacking spaces shall be a minimum of nine (9') feet (2.745 meters) wide and twenty (20) feet (6.1 meters) in length, shall not extend onto any public street and shall be distinctly separated from on-site parking so as not to interfere with ingress and egress to parking spaces.~~

5. When a building or portion of building is used for said purposes, it must be located not less than five hundred (500) feet (152.5 meters) from residentially zoned property.
- (f) Full-time or continuing retail sales operations specializing in primarily handcrafted, used merchandise and antiques which are displayed on portable tables in undivided open areas or in booth or stall-like enclosures using arcade as a common entrance and being separated from each other by portable partitions. Said retail sales operations shall include, but shall not be limited to, so-called farmers' markets, flea markets, trading posts and the like.
- (g) Multiple family residential when located within a building containing other uses allowed within the Regional Shopping District and further, provided that:
1. All dwelling units shall consist of at least a living room, bedroom, kitchen and private bath and toilet, and each unit shall contain not less than seven hundred and fifty (750) square feet (69.75 square meters) for a one (1) bedroom unit and eleven hundred and twenty-five (1,125) square feet (104.625 square meters) for a two (2) bedroom unit.
 2. Off-street parking requirements PROVIDED PER SECTION 5.30, OFF-STREET PARKING REQUIREMENTS ~~shall be in accordance with the requirements of Section 5.141, Required Conditions, of Article 15, Regional Center District.~~
- (h) Motels.
- (i) Theaters.
- (j) Additional commercial uses, related to and reasonably necessary or convenient for, the satisfactory and efficient operation of a complete and integrated Regional Shopping Center. (Amended - Ordinance 1484 - 2/16/03)
- (k) Smoking Lounges, subject to the following conditions (Amended – Ordinance 1619 – 3/9/14):
1. Must be approved by the State of Michigan department of Community health as a Tobacco Specialty Retail Store or Cigar Bar and possess a valid exemption of the State of Michigan Smoking Prohibition of section 12603, Public Act 368 of 1978. Smoking Lounges not possessing a valid State Exemption as a Tobacco Specialty retail Store or Cigar Bar are not permitted.
 2. Hours of operation are limited to 10:00 A.M. to 12:00 A.M..
 3. Cannot be located any nearer than 2,640 feet (1 mile) to any other smoking lounges.
 4. Cannot be located any nearer than 500 feet to any residential zoning district, school, religious institution, park, childcare facility, firearm dealer or business selling alcohol.

5. Outdoor patios used for smoking cannot be any closer than 20 feet from any other business entrance or outside dining area.
6. Smoking Lounges shall provide adequate ventilation for the smoke in accordance with all requirements imposed by the Building and Fire Departments. At a minimum, the ventilation system shall also assure that smoke from the smoking lounge is incapable of migrating into any other portion of the building or premises in the vicinity of the smoking lounge.
7. The interior of the smoking lounge shall be maintained with adequate illumination to make the conduct of patrons within the premises readily discernable to persons with normal visual acuity.
8. No window coverings shall prevent visibility of the interior of the smoking lounge from outside the premises during operating hours. Any proposed window tint shall be approved in advance by the police Department.
9. The maximum occupancy level for a smoking lounge shall be established by the Fire Department.

5.137 Parking Requirements for Regional Shopping Centers

For those uses permitted within a Regional Shopping Center, parking shall be provided PER SECTION 5.30, OFF-STREET PARKING REQUIREMENTS. ~~on the site at the following ratio:~~

~~0 to 400,000 square feet~~ Individual uses per
~~(37,200 square meters) of~~ Article 4, Section 5.30
~~gross floor area~~

~~400,001 to 600,000 square feet~~ 1 space per 200 square feet
~~(37,200 to 55,800 square meters)~~ (18.60 square meters) of usable
~~of gross floor area~~ floor area

~~600,001 square feet (55,800 square~~ 1 space per 220 square feet
~~meters) of gross floor area or more~~ (20.46 square meters) of usable
~~floor area~~ floor area

SECTION 5. ARTICLE 15 REGIONAL CENTER DISTRICT (RC)

5.140 Uses Permitted Subject to Special Approval

The following use (uses) may be permitted upon the review and approval of the City Council only after a recommendation by the Planning Commission. The use, or uses, may only be approved when the following general standards have been satisfied and subject to the conditions hereinafter imposed.

(1) Standards

- (a) The proposed use or uses must be of such size and character that it will be in harmony with the appropriate and orderly development of the Regional Center District (RC).

- (b) The proposed use must be in accord with the spirit and purpose of this Chapter and not be inconsistent with, or contrary to, the objectives sought to be accomplished by this Chapter and principles of sound planning.
- (c) The proposed use is of such character that the vehicular traffic generated will not have an adverse effect upon, or be detrimental to, the surrounding land uses or the adjacent thoroughfares.
- (d) Failure to begin construction within twelve (12) months of approval of the City Council shall make the approval null and void unless an extension is requested, in writing, by the applicant and the request is granted by the City Council.
- (e) In approving a special use, the City Council may attach reasonable conditions regarding the location, character and other features of the proposed use as they may deem reasonable in the furtherance of the intent of this Section.

(2) Uses

- (a) Housing for the elderly upon review and report from the Southfield Housing Commission concerning the suitability and appropriateness so as to not isolate the development either socially or physically from the balance of the community; in relation to accessibility to convenience services such as shopping, banking, health care, community facilities, and transportation. In addition, the Housing Commission shall review and report on the design of the project and the amenities of the project (such as, but not limited to, recreational, social and other support facilities) and further that:

1. All dwelling units shall consist of at least a living room, bedroom, kitchen, and private bath and toilet and each unit shall contain not less than five hundred and twenty-five (525) square feet (48.825 square meters) for a one (1) bedroom unit and seven hundred (700) square feet (65.1 square meters) for a two (2) bedroom unit except that not more than twenty-five (25%) percent of the units may be of an efficiency type of not less than four hundred and twenty-five (425) square feet (39.525 square meters). The floor area shall be measured from the interior faces of all walls. This requirement of unit sizes for housing for the elderly has been established to reflect economy as well as efficiency recognizing the absence of children, the lack of need for large entertaining areas within units, and the provision of common areas located within the project.

Parking shall be established PER SECTION 5.30, OFF-STREET PARKING REQUIREMENTS at the rate of not less than one (1) space for each unit of housing for the ASSISTED LIVING/elderly. The City Council may permit the reduction of parking spaces installed not to exceed fifty (50%) percent which may be provided in a landscaped parking bank which will allow the conversion of landscaped areas into additional parking at the request of the Planning Department. Such landscaped parking banks shall not be computed in minimum landscape requirements.

~~All required parking shall be ten (10') feet (3.05 meters) in width, center to center, and twenty (20') feet (6.1 meters) in length with a minimum aisle width of twenty-two (22') feet (6.71 meters).~~

3. The site shall be so developed as to create a land-to-building ratio on the lot or parcel in accordance with the following schedule:

<u>Stories</u>	<u>Required Land Area Per Unit (Square Feet)</u>	<u>Density DU/Acre (.4045 Hectares)</u>
6 or more	800 (74.4 Sq. M.)	54.5
5	900 (83.7 Sq. M.)	48.4
4	1,000 (93.0 Sq. M.)	43.6
3	1,100 (102.3 Sq. M.)	39.6

4. The owner shall file with the Oakland County Register of Deeds a covenant, approved as to form by the City Attorney, in which said owner shall covenant on behalf of himself, his heirs, executors and assigns not to use the property for any other use than housing for the elderly unless the use complies with all requirements of the Zoning Ordinance. Required compliance includes, but is not limited to, density, unit sizes, parking and setbacks.
 - (b) Theaters. (Amended - Ordinance 1284 - 5/22/89)
 - (c) Restaurants, excluding drive-in and fast food restaurants, when not located within a building which contains a primary use. (Amended - Ordinance 1322 -7/25/91)
 - (d) Motels. (Amended - Ordinance 1435 - 9/24/98)
 - (e) Smoking Lounges, subject to the following conditions (Amended – Ordinance 1619 – 3/9/14):
 1. Must be approved by the State of Michigan department of Community health as a Tobacco Specialty Retail Store or Cigar Bar and possess a valid exemption of the State of Michigan Smoking Prohibition of section 12603, Public Act 368 of 1978. Smoking Lounges not possessing a valid State Exemption as a Tobacco Specialty retail Store or Cigar Bar are not permitted.
 2. Hours of operation are limited to 10:00 A.M. to 12:00 A.M..
 3. Cannot be located any nearer than 2,640 feet (1 mile) to any other smoking lounges.
 4. Cannot be located any nearer than 500 feet to any residential zoning district, school, religious institution, park, childcare facility, firearm dealer or business selling alcohol.

5. Outdoor patios used for smoking cannot be any closer than 20 feet from any other business entrance or outside dining area.
6. Smoking Lounges shall provide adequate ventilation for the smoke in accordance with all requirements imposed by the Building and Fire Departments. At a minimum, the ventilation system shall also assure that smoke from the smoking lounge is incapable of migrating into any other portion of the building or premises in the vicinity of the smoking lounge.
7. The interior of the smoking lounge shall be maintained with adequate illumination to make the conduct of patrons within the premises readily discernable to persons with normal visual acuity.
8. No window coverings shall prevent visibility of the interior of the smoking lounge from outside the premises during operating hours. Any proposed window tint shall be approved in advance by the police Department.
9. The maximum occupancy level for a smoking lounge shall be established by the Fire Department.

SECTION 6. ARTICLE 18 GENERAL BUSINESS DISTRICT (B-3)

5.169 Uses Permitted Subject to Special Approval

The following uses may be permitted upon the review and approval of the City Council after a recommendation from the Planning Commission. The use or uses shall only be approved when the following general standards have been satisfied and subject to the conditions hereinafter imposed.

- (1) Standards
 - (a) The proposed use or uses must be of such size and character that it will be in harmony with the appropriate and orderly development of the General Business District.
 - (b) The location, size, intensity and periods of operation of any such proposed use may be designed to eliminate any possible nuisance likely to emanate therefrom which might be adverse to occupants of any other nearby permitted uses.
 - (c) The proposed use must be in accord with the spirit and purpose of this Chapter and not be inconsistent with, or contrary to, the objectives sought to be accomplished by this Chapter and principles of sound planning.
 - (d) The proposed use is of such character and the vehicular traffic generated will not have an adverse effect, or be detrimental, to the surrounding land uses or the adjacent thoroughfares.
 - (e) The proposed use is of such character and intensity and arranged on the site so as to eliminate any adverse effects resulting from noise, dust, dirt, glare, odor or fumes.

- (f) The proposed use, or change in use, will not be adverse to the promotion of the health, safety and welfare of the community.
 - (g) The proposed use, or change in use, must be designed and operated so as to provide security and safety to the employees and the general public. (Amended - Ordinance 1501 - 5/30/04)
- (2) Uses
- (a) Recreation centers, similar to bowling alleys, skating rinks, archery ranges, dance studios, amusement areas, arcades with a minimum of one hundred (100) gross square feet (9.3 square meters) of floor area per machine and if located within a building or structure containing other uses, the amusement arcade shall be separated and segregated from such other uses by the means of approved walls, rails, fences or similar approved means as to specifically delineate the area in which said machines are to be located, the minimum square footage of floor area per machine being measured thereby, and similar forms of commercial recreation or amusement when conducted wholly within a completely enclosed building. (Amended - Ordinance 1104 - 10/11/82)
 - (b) Motor vehicle washing, conveyor or non-conveyor type, when completely enclosed in a building excepting points of ingress and egress and subject to the following conditions:
 - (1) All cleaning operations shall be completely enclosed within a building.
 - (2) A hard-surfaced driveway of one (1) or more lanes shall be constructed on the parcel in such a manner as to provide for a continuous movement of cars into the wash rack.
 - (3) The driveway as provided shall be not less than ten (10') feet (3.05 meters) wide for a single lane and not less than (10) additional feet (3.05 meters) in width for each additional lane.
 - (4) Where only a single lane is provided, it shall be used for no other purpose than to provide access to the wash rack. All lanes provided shall be suitable protected from interference by other traffic.
 - (5) The total length of the required lane or lanes so provided for a conveyor type wash rack shall be determined by the overall length of the building, including areas having side walls but not roof. In any building where the washing operation moves in other than a straight line, the length of the building, for the purposes of this Section, shall be the distance measured along the centerline of the conveyor or wash line from the point of entry to the point of exit from the building. The overall length of the required lane or lanes, as measured along the centerline, shall be determined in accordance with the following formula:

Where the building is eighty (80') feet (24.4 meters) or less in overall length, the total required lanes shall be not less than four hundred (400') feet (122 meters) in length. Where the building exceeds eighty (80') feet (24.4 meters) in length, the length of the required lane or lanes shall be increased fifty (50') feet (15.25 meters) for each ten (10') feet (3.05 meters) or fraction thereof by which the building exceeds eighty (80') feet (24.4 meters) in overall length.

- (6) For a non-conveyor type auto wash, five (5) waiting spaces for each twenty (20') feet (6.1 meters) in length, shall be provided for each washing stall on the entrance side of the stall and two (2) spaces per stall shall be provided on the exit side for a drying area.
 - (7) The site shall be designed in such a manner that no operations are conducted off the parcel.
 - (8) A building setback of at least sixty (60') feet (18.3 meters) must be maintained from the proposed or existing street right-of-way, whichever is greater.
 - (9) Ingress and egress points shall be located at least sixty (60') feet (18.3 meters) from the intersection formed by the existing or proposed right-of-way lines, whichever is greater, and shall be directly from a major thoroughfare.
 - (10) The site shall be drained so as to dispose of all surface water in such a way as to preclude drainage of water onto adjacent property.
 - (11) Gasoline sales shall be permitted on the property provided there is compliance with Section 5.169, Paragraph 2 (b-4) and 2 (c) of this Chapter.
- (c) Gasoline stations. Prohibited activities include, but are not limited to, the following: trailer renting and leasing, motor vehicle body repair, undercoating, painting, tire recapping, engine rebuilding, motor vehicle dismantling, upholstery work, and other such activities whose adverse external physical effects would extend beyond the property line.
- City Council review and approval shall be for the purpose of maintaining the health, safety and welfare of the community. The City Council shall approve the use only after finding that the use is so arranged that the gasoline station will not adversely affect the normal development or use of adjacent property and further, that the gasoline station will be constructed in accordance with the following development standards.
- (1) One hundred and twenty (120') feet (36.6 meters) of street frontage on the lot proposed for the gasoline station shall be provided on the principal street serving the station.
 - (2) The lot shall contain not less than twelve thousand (12,000) square feet (1,116 square meters) in area.
 - (3) All buildings shall be set back not less than forty (40') feet (12.2 meters) from all existing or proposed street right-of-way lines, whichever is greater.

- (4) Gasoline pumps, air and water hose stands and other appurtenances shall be set back not less than fifteen (15') feet (4.575 meters) from all street right-of-way lines.
- (5) Driveway widths entering the gasoline station shall have a maximum width of thirty-five (35') feet (10.675 meters). Curb openings for such driveways shall be in accordance with the City of Southfield Standard Deceleration Lane.
- (6) Any driveway approach shall enter the property not less than twenty (20') feet (6.1 meters) from the intersection formed by the existing or proposed right-of-way lines as set forth in the Official Thoroughfare Plan, and not less than fifteen (15') feet (4.575 meters) from any adjoining property line.
- (7) Curbs in accordance with standard City specifications shall be constructed on all streets adjacent to the gasoline station site.
- (8) Lighting shall be shielded from residential property. (Amended - Ordinance 1345 - 6/8/92)
- (9) No storage nor display of any kind shall be allowed within the street right-of-way. All display shall be so located as not to obstruct view of vehicles (Amended - Ordinance 1345 - 6/8/92)
- (10) There shall be no outside storage or display of any kind except for the display of new merchandise related to the primary use of a gasoline station for retail sale during the hours of operation of the gasoline station.
- (11) There shall be no parking of damaged motor vehicles except on a temporary basis for seventy-two (72) hours or less. Junk parts and junk vehicles shall not be kept on the outside of the building.
- (12) Automobile leasing may be permitted in connection with a gasoline service or gasoline filling station upon the special approval of the City Council and subject to the provisions that the number of automobiles on the site that are available for lease shall not exceed one (1) automobile for each one thousand (1,000) square feet (93 square meters) of lot area and shall not be located in areas that are required for parking, aisle ways, service bays, loading, landscaping or sidewalks.
- (13) The landscape requirement for a gasoline station shall be not less than twelve and one-half (12.5) feet (3.81 meters) along a street frontage. The landscape strip need not be provided at points of approved vehicular access. (Amended - Ordinance 1501 - 5/30/04)
- (14) Parking shall be determined by applying the appropriate parking standards based on the category of gasoline station (either gasoline filling station or gasoline service station) according to section 5.30, off-street parking requirements, except for in the case of gasoline filling/service station with ancillary retail sales area, in which case, in addition to said requirement, additional parking SHALL BE PROVIDED PER SECTION 5.30, OFF-STREET PARKING REQUIREMENTS ~~in the amount of one space for each one hundred and fifty (150) square feet (13.95 square meters) of net retail sales area must be provided on site.~~ (Amended - Ordinance 1501 - 5/30/04)

- (d) Automobile repair and service facilities subject to the following provisions:
- (1) Minor repair and service of automobiles are permitted with prohibited activities including, but not limited to, truck and trailer renting and leasing, motor vehicle body repair, undercoating, painting, tire recapping, engine and transmission rebuilding, motor vehicle dismantling, upholstery work, and other such activities whose adverse external physical effects would extend beyond the property line.
 - (2) All activities shall be conducted in an enclosed building.
 - (3) All buildings shall be set back not less than forty (40') feet (12.2 meters) from all existing or proposed street right-of-way lines, whichever is greater.
 - (4) No storage nor display of any kind shall be allowed within the street right-of-way. All display shall be so located as not to obstruct view of vehicles. (Amended - Ordinance 1345 - 6/8/92)
 - (5) There shall be no outside storage or display of any kind except for the display of new merchandise to the primary use of the facility and for retail sale during the hours of operation of the facility.
 - (6) There shall be no parking of damaged motor vehicles except on a temporary basis not to exceed seventy-two (72) hours. Junk parts and junk vehicles shall not be kept on the outside of the building.
 - (7) Parking shall be provided on the site at a ratio of one (1) parking space for each three thousand (3,000) square feet (279 square meters) of site area.
 - (8) Automobile leasing may be permitted subject to the provisions that the number of automobiles on the site that are available for lease shall not exceed one (1) automobile for each one thousand (1,000) square feet (93 square meters) of lot area and shall not be located in areas that are required for parking, aisle ways, service bays, loading, landscaping or sidewalks.
 - (9) The parking of tow trucks shall be permitted only in designated areas and shall not be permitted in the corner clearance areas.
- (e) Automobile and truck agency sales and showrooms subject to the following provisions:
1. The automobile and truck sales agency must be located on a site having a frontage on a major thoroughfare of not less than one hundred and fifty (150') feet (45.75 meters) and an area of not less than two (2) acres (.81 hectares).
Ingress and egress to the outdoor sales area shall be at least sixty (60') feet (18.3 meters) from the intersection formed by the existing or proposed right-of-way lines, whichever is greater.
 3. Major repair and major refinishing shops will be permitted as accessory when located not less than two hundred (200') feet (61 meters) from residentially zoned property and conducted entirely within an enclosed building.
 4. No outside storage of discarded or salvaged materials, junk vehicles or junk parts shall be permitted on the premises.

5. The outside display of new and used automobiles and trucks shall be permitted but the outside storage of vehicles shall be limited to new vehicles and such storage area shall occupy no more than thirty-five (35%) percent of a lot which is used for new vehicle sales.
6. A fifteen (15') foot (4.575 meters) landscaped setback shall be provided between any existing or proposed right-of-way line, whichever is greater, and any outdoor display of new or used automobiles.
7. All lighting shall be shielded from adjacent residential districts and the use of open or base bulbs shall be prohibited.
8. No outside loud speaker or outside public address system shall be used.
- (f) Freestanding restaurants, including bar/lounge and carry out restaurants.
(Amended - Ordinance 1060, 6/8/81; Amended - Ordinance 1282, 5/22/89;
Amended - Ordinance 1427, 9/24/98)
- (g) Drive-in and fast food restaurants, subject to the following conditions:
 1. A setback of at least sixty (60') feet (18.3 meters) from the right-of-way line of any existing or proposed street must be maintained.
Ingress and egress points shall be located at least sixty (60') feet (18.3 meters) from the intersection of any two (2) streets and shall be directly from a major thoroughfare.
 3. There shall be provided an unpierced face brick wall six (6') feet (1.83 meters) in height on all sides of the premises so used except as provided below; provided said wall or fence, if required, shall be protected by means of precast concrete wheel stops or their equivalent, not less than three (3') feet (.915 meters) from said wall.
 - a. On the side of the property adjacent to the major thoroughfare, the above described wall shall be reduced to a height of three (3') feet six (6") inches (1.0675 meters).
 - b. A cyclone fence may be used in lieu of a brick wall on those lot lines not adjacent to a street or alley but contiguous to property zoned in an I-L or I-1, Industrial classification
 - c. No wall shall be required on that portion of a lot line where there is a building or structure serving the purpose of a wall. Any such building or structure located on adjacent property shall be protected from damage by means of precast concrete wheel stops as specified in (3) above.
 4. Parking requirements.
PARKING SHALL BE PROVIDED PER SECTION 5,.30, OFF-STREET PARKING REQUIREMENTS. ~~One (1) parking space for each thirty (30) square feet (2.79 square meters) of usable floor area plus ten (10) stacking spaces for each drive in or drive thru transaction station.~~ Stacking spaces shall be a minimum of nine (9') feet (2.745 meters) wide and twenty (20') feet (6.1 meters) in length, shall not extend onto any public street and shall be distinctly separated from on-site parking so as not to interfere with ingress and egress to parking spaces.

5. When a building or portion of building is used for said purposes, it must be located not less than five hundred (500') feet (152.5 meters) from residentially zoned property.
- (h) Open-air display and sale of motor homes, camping trailers, vehicles other than trucks and automobiles, home owners gardening equipment and etc., provided there is no outside storage and further provided, that there shall be no display in areas that are required for parking, aisle ways, loading or sidewalks.
- (i) Retail sales operations specializing in primarily handcrafted, used merchandise and antiques which are displayed on portable tables in undivided open areas or in booth or stall-like enclosures using an arcade as a common entrance and being separated from each other by portable partitions. Said retail sales operations shall include, but shall not be limited to, so-called farmers' markets, flea markets, trading posts and the like.
- (j) Executive, administrative and professional offices.
- (k) Motels. (Amended - Ordinance 1224 - 2/16/87)
- (l) Theaters. (Amended - Ordinance 1279 - 5/22/89)
- (m) Alternative Financial Services (AFS), subject to the following conditions Pawn shops, subject to the following conditions (Amended – Ordinance 1597 – 11/11/12):
 1. Cannot be located any nearer than 1,500 feet to any other Alternative Financial Services establishment or Pawn Shops.
Cannot be located any nearer than 500 feet to any residential zoning district, schools, religious institutions, parks, or childcare facilities.
 3. Hours of operation are limited to 8:00 A.M. to 8:00 P.M.
 4. Drive-thru transaction stations are prohibited.
 5. The petitioner is to implement the recommendations made by the Southfield Police Department's Crime Prevention Bureau regarding site security.
 6. Note: Other retail establishments where less than 10% of usable floor space is dedicated for AFS services are not subject to items 1-5 above.
- (n) Pawn shops, subject to the following conditions (Amended – Ordinance 1597 – 11/11/12):
 1. Cannot be located any nearer than 1,500 feet to any other Pawn Shops or Alternative Financial Services establishment.
Cannot be located any nearer than 500 feet to any residential zoning district, schools, religious institutions, parks, childcare facilities, firearm dealers or businesses selling alcohol.
 3. Hours of operation are limited to 8:00 A.M. to 8:00 P.M.
 4. Requires unobstructed view of the business from a public street, a security plan (window bars, chains, etc. are prohibited), and other *approved* operating and development standards.

5. At least 30% of a first floor façade that faces a public street shall be windows or doors of clear or lightly tinted glass that allow views into the building at eye level. The business window shall not be obscured in any way, including by temporary or painted window signs. Neon signs are prohibited. The petitioner is to implement the recommendations made by the Southfield Police Department's Crime Prevention Bureau regarding site security.
 6. All receipt, sorting or processing of goods shall occur within a completely enclosed building.
 7. The building shall have lighting to provide illumination for security and safety of parking and access areas.
- (o) Smoking Lounges, subject to the following conditions (Amended – Ordinance 1619 – 3/9/14):
1. Must be approved by the State of Michigan department of Community health as a Tobacco Specialty Retail Store or Cigar Bar and possess a valid exemption of the State of Michigan Smoking Prohibition of section 12603, Public Act 368 of 1978. Smoking Lounges not possessing a valid State Exemption as a Tobacco Specialty retail Store or Cigar Bar are not permitted.
 2. Hours of operation are limited to 10:00 A.M. to 12:00 A.M..
 3. Cannot be located any nearer than 2,640 feet (1 mile) to any other smoking lounges.
 4. Cannot be located any nearer than 500 feet to any residential zoning district, school, religious institution, park, childcare facility, firearm dealer or business selling alcohol.
 5. Outdoor patios used for smoking cannot be any closer than 20 feet from any other business entrance or outside dining area.
 6. Smoking Lounges shall provide adequate ventilation for the smoke in accordance with all requirements imposed by the Building and Fire Departments. At a minimum, the ventilation system shall also assure that smoke from the smoking lounge is incapable of migrating into any other portion of the building or premises in the vicinity of the smoking lounge.
 7. The interior of the smoking lounge shall be maintained with adequate illumination to make the conduct of patrons within the premises readily discernable to persons with normal visual acuity.
 8. No window coverings shall prevent visibility of the interior of the smoking lounge from outside the premises during operating hours. Any proposed window tint shall be approved in advance by the police Department.
 9. The maximum occupancy level for a smoking lounge shall be established by the Fire Department.

SECTION 7.

Should any section, clause, or paragraph of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same will not affect the validity of the Ordinance as a whole or part thereof other than the part declare to be invalid.

SECTION 8.

All ordinances or part of ordinances in conflict herewith are hereby repealed only to the extent necessary to give this Ordinance full force and effect.

DONALD F. FRACASSI, Acting Mayor

NANCY L.M. BANKS, City Clerk

Introduced: 04/27/2015

Enacted: 05/18/2015

Published: 05/31/2015