

consideration any changes that may have occurred due to the passage of time.

Reserved.

Section 5.22-3-1 RUDD, Residential Unit Development District (Amended – Ordinance 1702 – 5/30/19)

Art. 5.22-3-1	Required Lot Area	Minimum Lot Width	Maximum Building Heights		Maximum Lot Coverage (%)	Minimum Setback Measurement (in feet)				Minimum Usable Floor Area (sq ft)
			Feet	Stories		Front	Least Side	Total Sides	Rear	
<u>District RUDD</u>	3.75 Acres	(A)	(A)	(A)	75	20	(A)	(A)	(A)	(A)

(A) Per Master Development Plan & Development Agreement

A. Statement of Intent

1. It is the intent of this District to authorize the use of Residential Unit Development District (RUDD) regulations for the purposes of: encouraging the use of land in accordance with its character and adaptability; promoting adaptive reuse and preservation of former school buildings and sites; foster green infrastructure and conserving natural resources, natural features and energy; encouraging innovation in land use planning; providing enhanced housing, employment, traffic circulation and recreational opportunities for the residents of Southfield; ensuring compatibility of design and use between neighboring properties; and, encouraging development that is consistent with *Sustainable Southfield*, as amended, and the City’s Future Land Use Plan.
2. The provisions in this Article are not intended as a device for ignoring the more specific standards of the Zoning Ordinance, or the planning upon which the ordinance is based. To that end, provisions in this Article are intended to result in land development substantially consistent with the zoning standards generally applied to the proposed uses, allowing for modifications and departures from generally applicable standards in accordance with guidelines in this Article to insure appropriate, fair, and consistent decision making.

B. Eligibility Requirements

1. **Recognizable Benefits.** The Residential Unit Development District (RUDD) will result in a recognizable and substantial benefit to the ultimate users of the project and to the community.

2. **Minimum Size.** The minimum size of a Residential Unit Development District (RUDD) shall be 3.75 acres of contiguous land. The site area used to determine eligibility shall be the gross site area exclusive of public rights-of-way, provided that a minimum right-of-way of sixty (60) feet shall be reserved for all adjacent roads.
3. **Use of Public Services.** The proposed type and density of use shall not result in an unreasonable increase in the use of public services, facilities and utilities, and shall not place an unreasonable burden upon the subject site, surrounding land, property owners and occupants, or the natural environment.
4. **Compatibility with Future Land Use Plan.** The proposed development shall not have an adverse impact upon the Future Land Use Plan of the City, and shall be consistent with the intent and spirit of this Article.
5. **Economic Impact.** The proposed development shall not result in an unreasonable negative economic impact upon surrounding properties.
6. **Usable Open Space.** The proposed development shall provide usable open space, including but not limited to: outdoor patios, seating areas, gazebos, pergolas, gardens, playgrounds, internal walking paths, art installations, recreational facilities, etc.
7. **Unified Control.** The proposed development shall be under single ownership or control such that there is a single person or entity having responsibility for completing the project in conformity with this Ordinance.
8. **Legal Documentation.** The applicant shall provide legal documentation of single ownership or control in the form of agreements, contracts, covenants, and deed restrictions which indicate that the development can be completed as shown on the plans, and further that all portions of the development that are not to be maintained or operated at public expense will continue to be operated and maintained by the developers or their successors. These legal documents shall bind all development successors in title to any commitments made as a part of the documents. This provision shall not prohibit a transfer of ownership or control, provided notice of such transfer is given to the City Clerk & City Attorney.

- C. **Project Design Standards:** Proposed Residential Unit Development District (RUDD)s shall comply with the following project design standards:
1. **Location.** A residential unit development may be approved in any eligible RUDD overlay zone location in the City, as identified on the City of Southfield Zoning Districts map.
 2. **Permitted Uses.** Any residential land use authorized in this Ordinance may be included in a Residential Unit Development District (RUDD) as a principal or accessory use, provided that public health, safety and welfare are not impaired. The following additional permitted and accessory uses may also be permitted in the RUDD:
 1. Rental or management offices and club rooms accessory to the RUD.
 2. Public, parochial, and private elementary and/or high schools offering courses in general education and not operated for profit.
 3. Non-commercial golf courses.
 4. Publicly owned buildings and buildings located on publicly owned land.
 5. Public libraries, parks, nature preserves, parkways and recreational facilities.
 6. Private parks and recreation areas for use of the residents of the RUD.
 7. Community buildings.
 8. Accessory uses and accessory buildings.
 3. **Residential Density.** The permitted density of residential uses within a Residential Unit Development District (RUDD) shall be determined by the Planning Commission. The density established by the Planning Commission shall be consistent with the Future Land Use Plan and the standards contained in this Ordinance, and upon determination by the Commission that such density will not adversely affect water and sewer services, storm water drainage, road capacity, traffic, parks and recreation, fire and police services, schools, character of the area, and any planned public and private improvements in the area.
 4. **Applicable Base Regulations.** Unless waived or modified in accordance with the procedures and standards set forth in this Article, the yard and bulk, parking, loading, landscaping, lighting,

and other standards set forth in the districts listed below shall generally be applicable for uses proposed as part of a Residential Unit Development District (RUDD):

- (a) Single family residential uses shall comply with the regulations applicable in the (R-A, R-1, R-2, R-3, R-4, R-E, R-T) Single Family Residential District, Article 5.
- (b) Multiple family residential uses shall comply with the regulations applicable in the (RM & RMM), Multiple Family Residential District, Article 7.

- 5. **Regulatory Flexibility.** To encourage flexibility and creativity in development consistent with the Residential Unit Development District (RUDD) concept, departures from compliance with the regulations in paragraph 4, above, may be granted as a part of the approval of the Residential Unit Development District (RUDD). For example, such departures may include modifications of lot dimensional standards; floor area standards; setback requirements; density standards; parking, loading and landscaping requirements; and similar requirements. Such departures may be approved only on the condition that they will result in a higher quality of development than would be possible using conventional zoning standards.
- 6. **Open Space Requirements.** Residential Unit Development District (RUDD)s shall provide and maintain twenty five percent (25%) of the gross area of the portion of the site that is designated for residential use as open space. Any pervious land area within the boundaries of the site may be included as required open space except for land contained in public or private street rights-of-way. The required open space shall be set aside by the developer through an irrevocable conveyance, such as deed restrictions or covenants that run with the land, assuring that the open space will be developed according to the site plan and never changed to another use. Such conveyance shall:
 - (a) Provide for the privately-owned open space to be maintained by private property owners with an interest in the open space,
 - (b) Provide maintenance standards and a maintenance schedule,
 - (c) Provide for assessment of the private property owners by the City of Southfield for the cost of maintenance of the

open space in the event that it is inadequately maintained and becomes a public nuisance.

7. **Frontage and Access.** The subject property must be located on a public thoroughfare, with direct access to the thoroughfare. Construction of private drives or secondary access drives as a means of providing indirect access to a public road shall be permitted in accordance with Article II Curb Cuts, Chapter 33, Title IV Streets and Sidewalks, of the Southfield City Code.
 8. **Natural Features.** The development shall be designed to promote preservation of natural animal or plant habitats of significant value that exist on the site, the Planning Commission or City Council may require that the Residential Unit Development District (RUDD) plan preserve the areas in a natural state and adequately protect them as open space preserves or passive recreation areas. One hundred percent (100%) of any preserved natural area may be counted toward meeting the requirements for open space.
 9. **Utilities.** All utility lines serving the Residential Unit Development District (RUDD), whether designed for primary service from main lines or for distribution of services throughout the site, shall be placed underground at all points within the boundaries of the site.
 10. **Additional Considerations.** The Planning Commission shall take into account the following considerations, which may be relevant to a particular project: perimeter setbacks and screening; thoroughfare, drainage and utility design; underground installation of utilities; insulating the pedestrian circulation system from vehicular thoroughfares and ways; achievement of an integrated development with respect to signage, lighting, stormwater management, green infrastructure, landscaping and building materials; and noise reduction and visual screening mechanisms from vehicular thoroughfares and ways.
- D. **Procedures and Requirements.** The approval of a Residential Unit Development District (RUDD) application shall require an amendment to the Zoning Ordinance to revise the zoning map and designate the subject property as “Residential Unit Development District (RUDD # YR-####, i.e. RUDD 19-0001)”. Approval of a Residential Unit Development District (RUDD), including all aspects of the final plan and conditions imposed on it, shall constitute an inseparable part of the zoning amendments. Residential Unit Development District (RUDD) applications shall be submitted in accordance with the procedures and requirements set forth in Section 5.22-3 C, Rezoning Procedure and the following:

1. The applicant shall first submit a Preliminary Development Plan which shall be reviewed in accordance with normal zoning amendment procedures. The Planning Department & Planning Commission shall review the Preliminary Development Plan, hold a public hearing, and make a recommendation to the City Council. The City Council shall have the final authority to act on a Preliminary Development Plan, and grant the requested Residential Unit Development District (RUDD) zoning, subject to the Master Development Plan, (including phase one site plan if applicable), & Development Agreement.
 2. Following approval of the Preliminary Plan and rezoning to Residential Unit Development District (RUDD), the applicant shall submit a Site Plan for each subsequent phase of development, if required, in accordance with the Master Development Plan and normal site plan review procedures.
- E. **Development Standards and Requirements with respect to Review and Approval.** In considering any application for approval of any Residential Unit Development District (RUDD) proposal, the Planning Commission and City Council shall make their determinations on the basis of the standards for site plan approval set forth in Section 5.22, Article 4, as well as the following standards and requirements:
1. **Conformance with the Residential Unit Development District (RUDD) Concept.** The overall design and all uses proposed in connection with a Residential Unit Development District (RUDD) shall be consistent with and promote the intent of the Residential Unit Development District (RUDD) concept as described in Section 5.22-3-1(A), as well as with specific project design standards set forth herein.
 2. **Compatibility with Adjacent Uses.** The proposed Residential Unit Development District (RUDD) shall set forth specifications with respect to architectural integrity, height, setbacks, density, parking, circulation, green infrastructure, landscaping, views, and other design and layout features which exhibit due regard for the relationship of the development to surrounding properties and the uses thereon. In determining whether this requirement has been met, consideration shall be given to:
 - (a) Access to major thoroughfares.
 - (b) Estimated traffic to be generated by the proposed development.
 - (c) Proximity and relation to intersections.

- (d) Adequacy of driver sight distances.
- (e) Location of and access to off-street parking.
- (f) Required vehicular turning movements.
- (g) Provisions for pedestrian circulation.
- (h) Access and connection to non-motorized pathways & public transit.

- 3. **Protection of Natural Environment.** The proposed Residential Unit Development District (RUDD) shall be protective of the natural environment, and shall be in compliance with all applicable environmental protection laws and regulations.
- 4. **Compatibility with the Future Land Use Plan.** The proposed Residential Unit Development District (RUDD) shall be consistent with the general principles and objectives of *Sustainable Southfield*, as amended, and the City’s Future Land Use Plan.
- 5. **Compliance with Applicable Regulations.** The proposed Residential Unit Development District (RUDD) shall be in compliance with all applicable Federal, state, and local laws and regulations.

F. Phasing and Commencement of Construction

- 1. **Phasing.** Where a project is proposed for construction in phases, the project shall be so designed that each phase, when completed, shall be capable of standing on its own in terms of the presence of services, facilities, and open space, and shall contain the necessary component to insure protection of natural resources and the health, safety, and welfare of the users of the Residential Unit Development District (RUDD) and the residents of the surrounding area. Each phase of the project shall be commenced within eighteen (18) months of the schedule set forth on the approved plan for the Residential Unit Development District (RUDD). If construction is not commenced within the required time period, approval of the plan shall become null and void, subject to the guidelines in Article 4, Section 5.22-3

G. **Area, Height, Bulk, and Placement Requirements.** Buildings and uses in the Residential Unit Development District (RUDD) District are subject to the area, height, bulk, and placement requirements in Article 22, Schedule of Regulations, unless specifically modified in the Master Development Plan & Development Agreement.

H. **General Development Standards.** Buildings and uses in the Residential Unit Development District (RUDD) District shall be subject to all applicable standards and requirements set forth in this Ordinance, unless specifically modified in the Master Development Plan & Development Agreement, including the following:

Section/Article	Topic
Article 4	General Provisions
Section 5.22-5	Public Art Requirement
Section 5.29	Off-Street Parking Provisions
Section 5.30	Off-Street Parking Requirements
Section 5.31	Off-Street Parking Layout, Standards, Construction and Maintenance
Section 5.37-1,	Fence Regulations
Section 5.33,	Wall Requirements and Screening Devices
Section 5.38	Landscape Requirements and Plan Materials, Buffer Strip, Parking Lot and Right-of-Way Planting
Section 5.55	Wetland and Watercourse Protection
Section 5.56	Woodlands and Tree Preservation
Article 22	Schedule of Regulations
N/A	Performance Standards

5.22-4 Signs and Lighting (Amended – Ordinance 1635 – 3/5/15)

- (1) Necessary directional or regulatory traffic signs of not more than two (2) square feet (.186 square meters) each shall be permitted.
- (2) No moving or flashing parts or lights or devices, or stationary light bands, shall be permitted to surround windows or doors on either the interior or exterior of the building. All incandescent light sources shall be shielded from view from residentially zoned property. No lighting fixture shall be located or directed as to be a hazard to traffic safety.
- (3) Lighting that has motion either constantly or at intervals, or gives the impression of motion, characteristics of running, blinking, scintillating, or expanding, contracting or changing light patterns, shall be prohibited.
- (4) Nonconforming lighting: Any lighting which was unlawfully installed and maintained prior to the effective date of this Section and which fails to conform to all applicable regulations and restrictions of this Section must be removed or a variance sought from the Zoning Board of Appeals.
- (5) Accent lighting on buildings:
 - (a) Subdued accent lighting on buildings, such as indirect wall lighting, up