

## **CHAPTER 26**

### **LANDSCAPING**

*(Chapter added in its entirety 05-08)*

**26.01 DESCRIPTION AND PURPOSE.** Landscaping is an important element of the use, development and preservation of land, and a significant factor in conserving the value of land and buildings in the Township. The purpose of this chapter is to promote the public health, safety and general welfare by establishing minimum standards for the design, installation and maintenance of landscaping in front yards, parking lots, as greenbelts between uses and along roadways, with respect to the land uses in which landscaping is required.

The standards and requirements of this chapter are intentionally made flexible, so as to encourage innovative and creative landscape design, consistent with the purposes of this chapter. Applicants are encouraged to provide landscaping in addition to the minimum required, so as to improve the function, appearance and value of properties within the Township.

#### **26.02 APPLICABILITY OF LANDSCAPING PROVISIONS.**

- (a) The standards and requirements specified in this chapter shall apply to any land use for which site plan review is required under the terms of this Ordinance, including, but not limited to, special land uses, planned unit developments and other circumstances or types of land use with respect to which site plan review is required; provided, however, that the provisions of this chapter shall not apply to an individual single family detached dwelling, an individual two-family dwelling or a private street.
- (b) The landscaping requirements of this chapter shall be complied with insofar as they are reasonably feasible. However, in its review of a site plan, the Planning Commission may modify the landscaping, buffering and screening requirements of this chapter, if the purposes of this chapter will nevertheless be achieved. In approving any such modifications, the Planning Commission shall consider the following criteria:
  - (1) The amount of space on the site available for landscaping.
  - (2) Existing landscaping on the site and on adjacent and nearby properties.
  - (3) The type of land use on the site and the size and scope of the development
  - (4) Existing and proposed adjacent and nearby land uses.
  - (5) Existing native vegetation on the site, and the extent to which strict application of the regulations of this chapter may result in less effective screening and landscaping than alternative landscape designs which incorporate the native vegetation on the site.
  - (6) The topographic features of the site which may create conditions such that strict application of the provisions of this chapter will result in less effective screening and landscaping than alternative landscape designs which utilize existing topographic features.
- (c) When requesting any modifications from the provisions of this chapter, the applicant shall provide the Planning Commission with a written statement of justification, identifying the site conditions that are stated to warrant the requested modifications, and

specifying how the modifications would nevertheless carry out the basic intent and purposes of this chapter.

### **26.03 LANDSCAPE PLAN REQUIRED.**

- (a) A landscape plan having a minimum scale of 1"=50', shall be submitted as part of the application for site plan review, as to all land uses requiring site plan review. The plan may be incorporated within a site plan being submitted for site plan review or for other approvals, or it may be a separate plan, but it shall have sufficient detail and clarity so as to enable the Planning Commission fully to evaluate all aspects of the proposed landscaping and to determine whether the plan complies with the provisions of this chapter.
- (b) The landscape plan shall include, but is not necessarily limited to, the following:
  - (1) Existing vegetation on the site and a clear indication of which existing plants, if any, will be retained.
  - (2) Existing and proposed contours of the site, shown at reasonable intervals.
  - (3) Typical straight cross-section, including the slope, height and width of berms.
  - (4) The location, spacing and size of each plant type proposed to be used in all landscaped areas.
  - (5) A list of all plants, showing the required and proposed quantities thereof.
  - (6) Topographic features of the site which will be utilized as a part of the landscaping of the site.
  - (7) Methods and details for protecting during construction activity any existing trees and other existing vegetation that are to be retained on the site.
  - (8) Description of a proposed landscape maintenance program, including a statement that all diseased, damaged or dead plant materials shall be promptly replaced.
- (c) A landscape plan shall be subject to the approval of the Planning Commission. The Commission shall review the plan in its review of a site plan, a PUD plan, or in connection with its consideration of other land uses for which a landscape plan is required. The Planning Commission may approve the landscape plan, reject the plan or approve the plan with terms and conditions and/or with modifications authorized by the terms of this chapter.

### **26.04 GENERAL LANDSCAPE REGULATIONS.**

- (a) All required landscaping shall be planted prior to the issuance of a certificate of occupancy; provided, however, that if a certificate of occupancy is ready to be issued, but inclement weather prevents the completion of required landscaping, the certificate may nevertheless be issued, but upon the specific condition that the remaining required landscaping shall then be installed as soon as weather conditions permit, or not later than a date to be specified in the certificate. As a condition of the issuance of the certificate of occupancy in such circumstances, a financial guarantee shall be provided in accordance with subsection (e) of this Section 26.04.
- (b) For the purpose of applying the landscape requirements of this chapter, a corner lot shall be considered as having a front yard along each intersecting street, and accordingly, the required front yard landscaping shall be provided for both street frontages.

- (c) Plant materials shall be planted and maintained so as not to create any site obstruction near street intersections. In addition, applicants shall give consideration to utilizing plant materials to assist in storm water management on the site, including the establishing of rain gardens and other bio-retention measures as noted in Section 26.13.
- (d) Landscaping shall be provided adjacent to buildings if such landscaping serves to enhance the general appearance of the building.
- (e) If required by the Township, the applicant shall provide a financial guarantee sufficient to assure the installation of all required landscaping. The financial guarantee may be included with any other such financial guarantee required by the Township with respect to the land use being approved. The financial guarantee may be in the form of a cash deposit, an irrevocable bank letter of credit or a performance bond, with a surety acceptable to the Township.

## **26.05 PRESERVATION OF EXISTING TREES AND OTHER LANDSCAPE ELEMENTS.**

- (a) A landscape plan shall provide for the preservation of existing trees of reasonable quality whenever such preservation is feasible, particularly in greenbelt areas. Relocation of existing trees within the site is also encouraged.
- (b) Existing trees may be utilized for the purpose of complying with landscape requirements, if the trees are in healthy growing condition and if they comply with minimum size requirements.
- (c) If a tree which is designated for preservation and for which landscaping credit is given, should die, then the applicant shall replace the tree with a tree of the same or equivalent species, or with a tree which will in approximately the same time attain the same height, spread and growth of the tree which is being replaced.

Any replacement tree shall be a minimum of two and one- half inch caliper.

- (d) Existing trees and other vegetation that are to be preserved shall be labeled "to remain," or with some comparable legend, on the landscape plan. During construction, protective measures shall be taken so as to protect all plants that are to be preserved, including the installation of temporary fencing or other barriers.

## **26.06 INSTALLATION AND MAINTENANCE OF PLANT MATERIALS.**

- (a) All landscaping shall consist of hardy plant materials, which shall be maintained thereafter in a healthy condition. Withered and/or dead plant materials shall be replaced within one growing season.
- (b) All landscaping and landscape elements shall be planted, and all earth moving or grading shall be performed, in a sound manner and according to generally accepted planting, grading and other landscaping practices.
- (c) All landscaped areas shall be provided with a readily available water supply, sufficient in quantity and reasonably convenient, so as to assure adequate water for maintaining plant materials in a healthy growing condition.

## **26.07 GREENBELTS.**

- (a) A greenbelt, defined as a landscaped strip of land and as otherwise described in this section, shall be provided along the lot line when any of the following uses or districts

abut a residential use, a residential zoning district, a residential planned unit development, or an area planned for residential uses according to the Township Master Plan:

- (1) Multi-family uses.
  - (2) Uses permitted in the C-1 General Business District.
  - (3) Uses permitted in the I-1
  - (4) Institutional, religious and governmental uses
- (b) A greenbelt shall have a minimum width of 20 feet.
- (c) Unless otherwise required, a greenbelt shall consist of two staggered rows of evergreen trees planted eight to ten feet apart, center to center. The minimum height of the trees shall be 5 feet. For reasons of conflicting uses, unfavorable topography or other unique or extenuating physical circumstances the Planning Commission may increase required landscape plantings and or require more intensive screening if an increase is found to be necessary to reasonably achieve screening and aesthetic objectives(ref. Sec. 26.12).
- (d) Berms, walls and fences may be included within a greenbelt. In its discretion, the Planning Commission may reduce or increase the amount of required plantings and may revise the required placement of such plantings, if the berm, fence or wall assists in achieving the intent and purposes of this section.
- (e) Access ways from public or private streets may be located through required greenbelts, if approved by the Planning Commission.

## **26.08 FRONT YARD LANDSCAPING.**

- (a) Except for necessary driveways, frontage roads, service drives or walkways, the front yard shall be landscaped in accordance with the following minimum requirements:
- (1) Front yard landscaping required by the terms of this section, shall be within a greenbelt that is at least 10 feet wide.
  - (2) One canopy tree, two evergreen trees and one ornamental tree for each 50 feet in length of street frontage, or any combination thereof, shall be planted and maintained as front yard landscaping; provided, however, that the Planning Commission may in its discretion modify this requirement.
  - (3) As an alternative to formal groupings of trees, and in order to provide more variety in landscaping, applicants are encouraged to incorporate natural vegetation, native grasses, wildflower plantings, perennials and other materials which may carry out the purposes of this chapter.
  - (4) Earthen berms may be utilized within the front yard in order to provide variety in the appearance of the site and for the screening of vehicle parking areas.
- (b) In addition, the Planning Commission may require front yard landscaping to be planted and maintained in an area located between the front lot line and the nearest line of front yard vehicle parking areas, for the purpose of obscuring or moderating the view of parked vehicles from the adjacent street. Landscaping in such location, for such purposes, may consist of approved trees and/or shrubs, or other approved plantings. In addition, other screening devices, such as earthen berms or other land contouring, may be required.

**26.09 PARKING AREA LANDSCAPING.** All off-street paved parking areas shall be landscaped according to the following minimum requirements:

- (a) There shall be parking area perimeter landscaping consisting of at least one canopy tree installed and maintained for each ten vehicle parking spaces or fraction thereof in the parking area. Landscaping required for greenbelts and front yard landscaping which abuts parking areas may be applied to not more than 50 percent of required parking lot landscaping. Trees required in landscaped interior islands shall not be applied toward the requirements of this subsection.
- (b) Paved parking lots shall contain individual, curbed landscaped interior islands, in addition to perimeter landscaping, in order to provide shade and to vary the visual monotony of paved parking areas; provided, however, that the Planning Commission may waive this requirement in the case of parking lots of such small size that an interior island is determined to be unnecessary.
  - (1) A landscaped interior island shall be at least ten feet wide and at least 360 square feet in area; provided, however, that the Planning Commission may require that the minimum size of interior islands be 20 feet in width and 720 square feet in area where the size of the parking area is such that larger interior islands would be more effective to moderate visual monotony and to provide the benefits of shade, cooling and rainwater absorption than would likely be accomplished by the use of smaller interior islands.
  - (2) Each interior island shall be planted with at least two canopy trees and six shrubs, or such other equivalent as the Planning Commission may approve. Any shrubs planted within an interior island shall be maintained at a maximum height of three feet. Plantings shall be at least three feet from the edge of the island.
  - (3) Generally, and subject to the approval of the Planning Commission, there shall be one landscaped interior island for every 18 lineally adjacent parking spaces.
- (c) Landscaping in paved parking areas shall be arranged so as not to obscure traffic signs or fire hydrants or obstruct the sight distance of drivers within the parking area or at driveway entrances.
- (d) As stated in subsection 26.08(b), the Planning Commission may require landscaping or other screening measures in areas located between the front lot line and the nearest line of the adjacent off-street vehicle parking area in order to obscure or moderate the view of parked vehicles from the adjacent street.
- (e) Rain gardens and other bio-retention measures may be considered as partial alternatives to interior islands, and applicants are encouraged to consider such measures as elements of parking area landscaping. In its discretion, the Planning Commission may modify parking area landscaping requirements so as to approve rain gardens and other bio-retention measures as noted in Section 26.13.

**26.10 ROADWAYS, ACCESS DRIVES AND WALKWAYS.**

- (a) In its consideration and approval of a landscape plan, the Planning Commission may require that shade trees be planted and that rain gardens be established along one side of existing roadways, access drives and walkways, where these features abut the site, and also along one or both sides of the roadways, access drives and walkways that are proposed to be located within a development or other land use.

- (b) Shade trees required to be planted and maintained under the terms of this section shall be at least two and one-half caliper when planted and shall be spaced no greater than 40 feet apart along one or both sides of each roadway, access drive or walkway, though such plantings shall not be required for rear access lanes or alleys.

## **26.11 MINIMUM REQUIREMENTS FOR LANDSCAPE PLANTINGS.**

- (a) Plantings shall comply with the following minimum requirements, except that the Planning Commission may in its discretion permit variations in the size of plantings, in order to achieve the intent and purposes of this chapter.

<b>Type of Planting</b>	<b>Minimum Size</b>
Evergreen trees	5 feet height when planted
Deciduous canopy trees	2 inch dbh* when planted
Deciduous ornamental trees	2 inch dbh* when planted
Upright evergreen shrubs	2 feet height when planted
Deciduous shrub	2 feet in height when planted
Spreading evergreen shrubs	18 inch spread when planted

\*dbh = diameter at breast height

- (b) Types of trees to be planted shall include those that are listed on the current Township List of Approved Landscape Trees and Other Plant Materials, maintained in the Township office, or such other types of trees as are approved by the Planning Commission in its approval of a landscape plan.

## **26.12 BERMS, INTENSIVE SCREENING AND OTHER FEATURES: COMPOSITION OF LANDSCAPING.**

- (a) Berms shall be constructed with slopes not to exceed a 1:3 gradient, with side slopes designed, graded and planted so as to prevent erosion. A berm shall have a rounded surface at least two feet in width at the highest point of the berm, extending for the length of the berm. The slopes of berms shall be protected with sod, seed, shrubs or other forms of natural ground cover.
- (b) The Planning Commission may determine that there shall be a landscape screen for the purpose of shielding adjacent lands or uses. In such cases, the landscape screen shall consist of earthen berms and/or plant material designed and installed so as to maintain after two growing seasons a minimum opacity of at least 80 percent for the first 6 feet above average grade and 40% in the area between 6 feet and 10 feet above grade. For purposes of this requirement, opacity shall be measured by the observation of any two square yard area of landscape screen between a point one foot above the established average grade at the foot of the screen and the above referenced heights above average grade, from a point 25 feet off site. Where topographic conditions will preclude the effectiveness of such screen, the Planning Commission may authorize reasonable alternative provisions.

- (c) Where there is a need to provide a greater noise or dust barrier, or to screen more intense development, the Planning Commission may require the installation and maintenance of a solid wall, of such height and materials as the Planning Commission may determine.
- (d) Rain gardens and other bio-retention measures may be included in landscape plans, and their installation and use is encouraged as an effective aid in reducing storm water runoff.
- (e) Plant material shall be free of disease and insect infestation and shall be suitable for planting within the Township, given local climatic conditions. The use of native plant species is encouraged.
- (f) A mixture of plant material is recommended as a protective measure against insect and disease infestation. A limited mixture of hardy species is recommended, rather than a large quantity of many different species.

### **26.13 RAIN GARDENS.**

- (a) Rain gardens are landscaped areas that are designed, planted and maintained to absorb rain water and other storm water runoff, and thereby help to reduce the total storm water runoff from the property on which the garden is located.
- (b) Applicants are encouraged to include rain gardens in landscape plans and in the landscaping for the types of land uses covered by this chapter; provided, however, that rain gardens shall not serve in the place of required landscaping unless approved by the Planning Commission in its approval of a landscape plan.
- (c) The Township also encourages applicants to utilize other bio-retention practices and other storm water control measures in landscape plans and in approved landscaping under the terms of this chapter; provided, however, that other bio-retention practices or measures may not take the place of required landscaping and stormwater management measures unless approved by the Planning Commission and the Allegan County Drain Commission, as applicable. In considering bio-retention measures that are included in a landscape plan, the Planning Commission may obtain the advice and recommendations of the Township Engineer or Drain Commission, as applicable and other Township consultants. Such other bio-retention measures may include grass waterways, vegetated storm water drainage channels and the use of existing or enhanced swales to control and moderate the flow of storm water within landscaped areas.