



Planning Commission

Larry Fox, Chairperson	Summer L. McMullen, Trustee
Michael Mitchell, Vice-Chairperson	Michelle LaRose, Secretary
Jim Mayer, Commissioner	Sue Grissim, Commissioner
	Tom Murphy, Commissioner

Planning Commission Work Session Agenda
Hartland Township Hall
Thursday, June 09, 2022
7:00 PM

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Approval of the Agenda
5. Approval of Meeting Minutes
 - a. Planning Commission Meeting Minutes of May 26, 2022
6. Call to Public
7. Old and New Business
 - a. Initiate Ordinance Amendment to Section 5.7 (Dumpster Enclosure), Section 5.11 (Landscaping and Screening), and Section 5.26 (Signs)
8. Call to Public
9. Planner's Report
10. Committee Reports
11. Adjournment

HARTLAND TOWNSHIP PLANNING COMMISSION **DRAFT** MEETING MINUTES

May 26, 2022– 7:00 PM

1. **Call to Order:** Chair Fox called the meeting to order at 7:00 p.m.
2. **Pledge of Allegiance:**
3. **Roll Call and Recognition of Visitors:**
Present – Commissioners Fox, Grissim, LaRose, Mayer, McMullen, Mitchell, Murphy
Absent – None
4. **Approval of the Meeting Agenda:**
A Motion to approve the May 26, 2022 Planning Commission Meeting Agenda was made by Commissioner Mitchell and seconded by Commissioner Grissim. Motion carried unanimously.
5. **Approval of Meeting Minutes:**
 - a. Planning Commission Meeting Minutes of April 14, 2022
A Motion to approve the Meeting Minutes of April 14, 2022 was made by Commissioner Grissim and seconded by Commissioner Murphy. Motion carried unanimously.
6. **Call to the Public:**
None
7. **Public Hearing:**
 - a. **Site Plan Application #20-011 Villas of Hartland Planned Development (PD) – REVISED Preliminary Site Plan (PD)** – a request for Preliminary Planned Development Site Plan approval for a fifty-seven (57) unit single-family residential site condominium planned development, to be completed in two (2) phases.

Chair Fox opened the Public Hearing at 7:03 PM stating all public notice requirements for the Public Hearing have been met.

Director Langer gave an overview of the location and scope of the request stating the following:

- Located east of Hacker Road, north of Highland Road (M-59), and west of the single-family, residential planned development commonly known as Walnut Ridge Estates (Planned Development), and Grumlaw Church (8457 Highland Road).
- Explained the three-step process for a Planned Development (PD); Conceptual, Preliminary, Final. All are heard before both the Planning Commission which makes a recommendation, and the Township Board which makes the final decision.
- In 2019, the Applicant submitted a Concept Plan and in 2020 a Preliminary Plan which did not progress primarily due to the considerable concerns with the connection to Walnut Ridge.
- The Applicant has revised the Preliminary Plan, relocated the secondary access, and this is the review of that submission.
- As the plan was changed, a second Public Hearing is being held to allow residents to participate in the process.

- Changes include requesting 57 units instead of 55, and a secondary emergency access to Hacker Road rather than connecting to Walnut Ridge.

Wayne Perry, Desine Inc., representing the Applicant Joe Rotundo, introduced himself and stated the following:

- Connection to the east was unsuccessful.
- Reconfigured the road by adding a cul-de-sac and secondary access to Hacker Road.
- Revised the stormwater management to accommodate the new design.
- Utility connections to the east are similar but modified to accommodate the new road configuration.
- Proposed entrance is the same.

Call to the Public:

Henry Nykiel, N Hacker Road, Oceola Township; concerned this project will impact wetlands and his pond; requests removal of drainage pipe. Feels the developer must be responsible for any negative effects caused by water runoff.

Steven Cotter, N Hacker Road, Oceola Township; has concerns about the impact of this development on his property value and enjoyment of his property, construction noise, increased traffic, light pollution, vehicle lights shining into his windows, runoff into his pond and wetlands. He requested the Planning Commission require a buffer with a berm and evergreens; consider requiring the developer to pave Hacker Road farther to the north to the edge of the property to give people along the road some benefit from the project.

Jim Jablonski, N Hacker Road, Oceola Township; expressed concerns about runoff negatively impacting existing wetlands and ponds; concerned about the design of the retention pond and the culvert, believes the water flows east to west and could flood his home and yard; does not feel there are enough outstanding attributes to award the density bonus.

Mike Foley, N Hacker Road, Hartland Township; concerned about density, wildlife, privacy, light pollution, construction noise, regular noise, traffic, Section 8 housing and crime. Would like higher berms, fencing, lower density, a pet waste remediation process, a Home Owners Association (HOA), controlled lighting, and provide entrance or exit onto a road other than Hacker.

William J. Bamber, E Clyde Road, Oceola Township; concerned about water leaving the site, Hacker Road paving, lights from cars exiting the site shining across the road and requested extra screening.

James Quigley, Hacker Road, Hartland Township; expressed concerns about increased vehicle traffic, noise, feels this development is not needed.

Chair Fox closed the Public Hearing at 7:35 PM

**Requirements for Preliminary Review (Section 3.1.18.E.ii)
Stormwater and Drainage Systems.**

Director Langer stated the following:

- Stormwater calculations are not typically required at this point in the review; generally, that review happens during the construction phase.
- System is required to meet certain standards; designed to manage two one-hundred year flood events.
- Applicant's engineer has stated they believe the design can meet that standard.
- Township Engineer will review at the construction phase.

Commissioner LaRose expressed concern about the following:

- Requesting bonus density and should offer more recognizable benefits.
- Would like the Impact Assessment to look farther downstream to address where the water would go in an overflow event, current drainage pattern versus future, impact on the pond to the west.
- Understands concerns of the residents.
- Would like to see a soil boring within the proposed detention area.

The Applicant stated the following in response:

- Existing topography shows the property currently drains to the west, under the road, into the pond on the west side of Hacker Road.
- Proposal is not to construct a detention basin, but to construct a retention basin; a retention basin has no outlet, LCDC requirements for this site state it must manage the entire runoff of a two-inch rainfall event and infiltrate it 100% into the ground.
- Typical detention basin requirements are to temporarily hold back water, infiltrate some of that water but most often not, discharge the stormwater downstream onto the neighboring property.
- This basin is a 100% retention basin and does not discharge anything. All of the stormwater from this development, fully developed, infiltrates into the ground.
- Contrary to the previous discussion, the soil boring has been done, they did not have clay, through the clay there is a lot of sand below. This is a very sandy substrate on the bottom, there will be a filtration gallery in the bottom to ensure proper filtration.
- LCDC has also required three feet of additional free-board, additional capacity if it is needed for some larger storm event.
- On top of that, they went even further and added capacity for two back to back 100-year storm events without discharging anything from the property. It all infiltrates into the ground.
- There is zero runoff going toward Hacker Road. Currently, all of the runoff goes toward Hacker Road.
- The emergency overland overflow pipe is a requirement of Livingston County and EGLE. Every stormwater management system in Livingston County, regardless of what it is, is required to provide an emergency overflow. With two 100-year storm event capacity it will never be used, and he, being an engineer, does not say "never" very often.
- This retention pond is so far over designed it exceeds the requirements of both the Township and the County by a factor of two.

Chair Fox stated all projects approved in Hartland must comply with any requirements of the Township Engineering Consultant, Department of Public Works Director, Hartland Deerfield Fire

Authority, and all other government agencies, as applicable. If the Township approves a project and it cannot meet the requirements of all of those and other government agencies, it will not happen. The design engineer, the Township Engineer, the County will have to work out any issues prior to construction.

The Applicant stated all of those calculations have been provided in the submitted site plan; they have not been reviewed as it is not the Township Engineer's policy to review drainage calculations at this level of the review process, but they have been provided.

Chair Fox explained the reason the review is not required at this level is it would be a tremendous burden to place on any developer to ask that they cover the expense of such a review before they even know if they have a project.

Commissioner LaRose stated she thinks she has been told she is wrong, but she still has concerns and still feels the project does not meet the requirements for the bonus density.

Commissioner Grissim asked about the list of recognizable benefits; one had to be removed as the connection to the east for vehicles or pedestrians did not happen. She is not seeing items that are recognizable benefits to the community. There are many waivers being requested.

Chair Fox suggested the Planning Commission complete the review of what is there and discuss the 57 units at the end.

Internal Vehicular Circulation

Director Langer gave an overview of the plan stating the following:

- Pavement of Hacker Road would be extended from the southern property boundary just north of the entrance to the development.
- There is an island and gates are proposed.
- Previously when gates were discussed, they were planned to have an electronic eye system and would automatically open to any approaching vehicle. In the event of a power failure, the gates could be manually opened.
- Inside there are two cul-de-sacs with sidewalks on both sides.
- Fire Department is requesting a key system for the emergency access gates.

Landscaping

The Planning Commission discussed the following regarding Landscaping:

- Divider median has a variety of elements but there is room for 3 trees to be added before the gates, the rest can be lawn.
- Try to stay as close to the Ordinance as possible.
- When paved with acceleration and deceleration lanes, per the County, strongly recommend keeping as many of the existing trees as possible to calm traffic on Hacker Road and provide the country feel; if the trees are too far away from the road it will feel like a highway.
- Keep the screening on the site.
- Trees cannot be planted in the right-of-way, but they can be retained if existing.

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- Right-of-way is approximately forty feet with the water main located within eight to ten feet from the edge.
- Internally the street trees are shown outside the right-of-way near the homes due to the location of the utilities, but the distance between the road and the trees is too great.
- May be possible to plant certain type of tree with a particular root system that could be planted closer to the utilities.
- Concern was expressed that street trees would not be planted until each house is constructed and it would be a challenge to monitor compliance.
- Applicant will put the required trees wherever the Township desires but the Township Street Tree Ordinance requirement conflicts with the Township Design Standards for utilities.

Director Langer suggested to add the street trees as a condition with the caveat the DPW accepts the location.

- Screening works along the property line.
- Additional screening for vehicular lights as a recognizable benefit.
- Trees to remain should be identified and shown on the plans.
- Paving the road to the northern property line would cause several of the existing trees to be removed affecting the character of the road more than is currently proposed.

Street Lighting

Chair Fox confirmed there are a couple of decorative light fixtures at the entrance which are not fully shielded but that is not a requirement for residential developments.

The Applicant stated they are downward directed with LED lighting which allows for directional design.

Other

Commissioner Murphy asked about a walkway connected to the development to the east. The Applicant stated there is no pedestrian connection; the lot was used for a building site by Walnut Ridge. The only connection is the two utility easements which are within the setbacks.

Commission McMullen stated she has a problem with the gates; she feels they are exclusionary.

Commissioner Mitchell confirmed that the gates open automatically to any vehicle, so he does not have a problem with the gates. They are a device to slow traffic.

Commissioner Murphy asked if they would stay open during busy times, and he has concerns about the maintenance.

The Planning Commission briefly discussed gates in other developments and if they stay open.

Director Langer pointed out one unit that did not meet the front setback, unit 15 on the cul-de-sac is twelve (12) feet in the front; usually it is 25 feet. The driveway is long enough it is just the way the unit intersects with the configuration of the cul-de-sac. The Planning Commission has the ability to accept this as it is a PD.

Density

Commissioner Mitchell stated Fiddler Grove is about the same density, they have approved others with a higher density, this is a rural area, he has no problem with the requested density.

Commissioner LaRose stated she does not see the required amenities to warrant giving the density bonus.

Director Langer explained the density bonus option for Planned Developments.

- Future Land Use Map determines the underlying density for a PD; 49 units would be allowed by right, 69 would be allowed with the bonus density, 57 is in between.
- Planning Commission may award a 40% density bonus if the developer offers amenities.
- Amenities proposed include increased open space, 40% rather than 25%; possible screening on the other side of Hacker Road which was mentioned but not agreed to.

Commissioner Murphy stated he does not have a problem with the density. He likes that it is not as dense as Fiddler Grove. Appreciates the sidewalks on both sides of the road.

Chair Fox stated he does not have a problem with the density, there is market for this product. It is good to offer a variety of housing in the community, smaller homes provide an opportunity for existing residents to downsize and remain in the community allowing younger families to move in which helps the schools and keeps the community vibrant. The density is within the realm of other successful projects such as Fiddler Grove. This is just a different type of housing.

Commissioner Grissim stated the following about recognizable benefits:

- Open space, when joined with others, create corridors that support wildlife.
- Low to no maintenance community could be viewed as a benefit when there is a need for that product in the community, but it is also a selling attribute.
- Water and sewer extension is required for the project and not really a recognizable benefit to the community.
- What do we look for as a recognizable benefit for the community? How do we judge?

Commissioner McMullen reiterated she is not comfortable with the higher density.

Director Langer suggested the Planning Commission ask the Applicant if they are willing to add another recognizable benefit or change something that might change the mind of a Planning Commissioner.

The Planning Commission, Applicant and a member of the public discussed light from cars entering or leaving and the actual location of the property in question.

The Applicant agreed to add a second row of trees for screening on the western curve of the proposed Pastir Lane.

Commissioner Mayer asked about the soil balancing on the site and the height of the berm along Hacker Road.

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The Applicant replied the site balances completely. The berm at the entrance is approximately four feet; near the retention pond, it is three feet.

Chair Fox suggested the extra screening might be better utilized in the area near the wetland. Trees on the development property is better than having them on the neighbor's property.

Commissioner Mayer asked about the proposed landscaping in between the rear of the units.

The Applicant stated those areas are lawn and usable open space.

Director Langer asked the Planning Commission to keep in mind the houses may not be precisely as shown on the site plan but would be within the building envelopes.

Commissioner Mayer stated the list of recognizable benefits to the community is not impressive. If the Applicant is willing to add the second row of evergreen for additional screening; and, as another benefit, add a variety of trees in the common area, those would be beneficial. The high density is to each his own; some people prefer the higher density and less maintenance.

The Applicant stated they would gladly add a variety of trees in the park area and a second row of pine trees for screening.

Commissioner Mayer stated he thinks that would make the neighbors happier. If the water retention is approved by the engineers and governing agencies as stated, no stormwater is going to leave the retention basin based on it holding two 100-year flood events, and there would be no overflow onto neighboring properties, he could support this project. He was concerned initially that the neighbors would experience flooding; they may even end up in a situation where that pond runs dry. He is not an engineer, but they get a lot of water from that area. If they are willing to add the screening and trees in the common area he will agree to the higher density.

Chair Fox stated they are going to have to meet or exceed the standards. The Applicant stated they do.

The Applicant stated Commissioner Mayer raised a good point; he does not believe in that area of the Township, with what he knows after developing here for thirty-five years, that they are going to run out of water in the existing pond. It sits low enough that he is not worried about it in this location. He does not believe the pond is surface-fed but spring-fed. They will not have an issue of running out of water and this project will eliminate all of the current run-off from this site.

[A brief discussion about the County required drainage pipe occurred between the Applicant and members of the public.]

Chair Fox stated they have to meet or exceed the standards of the Township, and the County; the Township has an engineer, the Applicant has engineers, the County has many engineers. If it does not meet or exceed the standards, it will not happen. It is that simple. He continued the property is listed on the Future Land Use Map for something like this; many do not know the difference between current Zoning and Future Land Use Categories. They are not asking for anything out of the ordinary of what could be. It has been that way for a long time.

Commissioner Mitchell answered an earlier question about Section 8 low income housing by stating the following:

- Average square footage of the single-story houses is 1800 square feet.
- Two-story is 2100 square feet.
- Will be using luxury materials.
- By that you can imagine that would leave out low income type of housing.
- He does not have a concern in that area.

Commissioner Mitchell asked about the traffic calculation.

The Applicant stated for a single-family development, it is approximately ten trips per day per household. There are 57 units planned.

Chair Fox suggested the Planning Commissioners think of a neighborhood they have lived in and image the traffic.

Commissioner Mitchell offered the following Motion:

Move to recommend approval of Site Plan Application #20-011, the Preliminary Planned Development Site Plan for the Villas of Hartland, subject to the following:

- 1. The Preliminary Planned Development Site Plan for the Villas of Hartland, SP #20-011, is subject to the approval of the Township Board.**
- 2. Waiver request for substitution of evergreen trees for 50% of the required canopy trees in the greenbelt area (Hacker Road), is approved.**
- 3. Waiver request to plant street trees within the Unit Envelope, behind the 12-foot-wide public utility easement, is approved.**
- 4. Waiver request to use existing deciduous and evergreen trees, in combination with new trees, along the north and south boundaries of the site, to fulfill the screening and buffering requirements of the Ordinance, is approved.**
- 5. The applicant shall adequately address the outstanding items noted in the Planning Department's memorandum, dated May 19, 2022, on the Construction Plan set, subject to an administrative review by Planning staff prior to the issuance of a land use permit.**
- 6. Applicant complies with any requirements of the Township Engineering Consultant, Department of Public Works Director, Hartland Deerfield Fire Authority, and all other government agencies, as applicable.**

Seconded by Commissioner Murphy. The Seconder proposed the following conditions:

- 7. The applicant shall install a second row of evergreen trees along Hacker Road between the existing wetland and Hacker Road, to act as a screen.**

8. **The applicant shall install a variety of trees in the open space area south of Pastir Lane and north of Morelli Court.**
9. **The applicant shall identify existing trees along Hacker Road that can be saved and shall make attempts to save those existing trees.**

The Maker and Seconder agreed.

RESULT:	RECOMMENDED APPROVAL
MOVER:	Commissioner Mitchell
SECONDER:	Commissioner Murphy
AYES:	Commissioners Fox, Grissim, Mayer, Mitchell, Murphy
NAYS:	Commissioners LaRose, McMullen

8. Call to the Public:

Jim Jablonski, N Hacker Road, Oceola Township; feels the Applicant's dismissal of their stormwater concerns is alarming. The materials contain a letter from Spaulding DeDecker on page 27 that states the ultimate destination for the water is the pond. He also would like the Planning Commission to reconsider what would make the neighbors happy relative to the density; he is here with his neighbors, and no one is happy. Comparing it to Fiddler Grove is not the same thing. It does not belong on Hacker Road. It does not fit.

Henry Nykiel, N Hacker Road, Oceola Township; wants to know if water does leave the property, what can be done. Dams fail all the time, and this is an earthen dam.

Steven Cotter, N Hacker Road, Oceola Township; asked for the four foot berm to be continued to the emergency access, and have the road paved to the emergency access as a benefit since he believes his property value will fall.

Chair Fox thanked the members of the public attending the meeting for taking the time to come and share their views; the Planning Commission does hear the thoughts expressed by the public and those thoughts do have an impact on this and other projects.

9. Planner Report:

None

10. Committee Reports:

None

11. Adjournment:

A Motion to adjourn was made by Commissioner Grissim and seconded by Commissioner LaRose. Motion carried unanimously. The meeting was adjourned at approximately 9:07 PM.

Hartland Township Planning Commission Meeting Agenda Memorandum

Submitted By: Troy Langer, Planning Director

Subject: Initiate Ordinance Amendment to Section 5.7 (Dumpster Enclosure), Section 5.11 (Landscaping and Screening), and Section 5.26 (Signs)

Date: June 2, 2022

Recommended Action

Move to initiate an Ordinance Amendment to Section 5.7 (Dumpster Enclosure); Section 5.11 (Landscaping and Screening; and Section 5.26 (Signs) of the Zoning Ordinance

Discussion

The Ordinance Review Committee (ORC) and has been working on an ordinance amendment regarding landscaping and screening requirements in the Zoning Ordinance as outlined in Section 5.11 (Landscaping and Screening). Section 5.7 (Dumpster Enclosure) provides standards for dumpster enclosures, including landscaping requirements for monument signs in Section 5.7.5, and is part of the discussion as well. Similarly, landscaping requirements associated with monument signs are found in Section 5.26.8.M.ii.b., thus this is also part of the amended language.

The ORC examined landscape standards and ordinances from many other communities, including the following communities:

Ann Arbor
Ann Arbor Township
Brighton Township
Commerce Township
Genoa Township
Green Oak Township
Howell
Novi
Troy
West Bloomfield Township

The ORC met on several occasions to discuss potential revisions to various sections of the current landscape ordinance and offer guidance to Planning staff in their efforts to prepare a draft version of the amended ordinance. The intent of the modifications to the ordinance is to both simplify and update the current landscape requirements where necessary and to make it “user friendly” for staff, applicants, and the general public. Additionally, the goal is to reduce planting requirements where possible and allow for flexibility in the landscape standards and overall design.

Planning staff worked with Planning Commissioner Grissim, a member of the ORC, on the project. Several draft versions of the ordinance were presented to the ORC for their input. Memorandums were sent to the Planning Commission in 2018 and 2020 which provided updates on the project.

A draft version of the amended ordinance was recently presented to the ORC, which is provided as an attachment with this memorandum. The amended language applies primarily to Section 5.11 (Landscaping and Screening), with minor changes to Section 5.7.5 (Dumpster Enclosure) and Section 5.26 (Signs), where landscape requirements apply to monument signs. The proposed changes are too numerous to list individually in this memorandum thus a general summary of the revisions is provided below.

The first section lists landscape standards that are proposed to be eliminated or reduced regarding plant material. The remaining sections list proposed updates and reorganization of the Landscape and Screening Ordinance. Please note that the section references below are based on the current Zoning Ordinance designations.

Modifications to plant material requirements:

1. Eliminate landscaping requirement around a dumpster enclosure (Section 5.7.5.).
2. Simplify landscaping requirement for a divider median-eliminate shrub requirement and only require trees and lawn/live plantings to meet required 80% ground coverage (Section 5.11.2.A.vii.)
3. Eliminate landscaping requirement around base of a monument sign (Section 5.11.2.A.ix and 5.26.8.M.ii.b.-Signs). This reduces the number of general landscaping categories from 6 to 5 categories.
4. Eliminate the requirement to provide an extra 25% trees and shrubs, above and beyond the minimum required plants (Section 5.11.2.B.i.).
5. Reduce foundation planting area width from 10 feet to 8 feet. Allow lawn to be a portion of the foundation planting requirement (Section 5.11.2.D.).
6. Eliminate shrub requirement in interior parking lot islands and require lawn and typical number of shade/canopy trees. Require typical number of shrubs/ground coverage/canopy trees in the first row of parking islands closest to the commercial building and/or parking islands located on the perimeter of a parking lot (Section 5.11.2.E.i.d.).
7. Eliminate plantings around a masonry screen wall that is located adjacent to a parking lot (Section 5.11.2.E.ii.a.(3)).

Revise and/or add tables, lists, or drawings

1. Update Figure 5.11.2.B.i (Site Landscaping) and provide additional drawings to denote the following areas:
 - End cap
 - Landscape island in parking row (also called landscaped area in parking lot)
 - 15-foot wide landscape area along the length of an internal roadway
 - Perimeter area visible from a public or private road
 - Perimeter area not visible from a public road
 - Buffering and screening
 - Detention basin
2. Provide drawing for detention/retention pond grading and landscaping requirements.
3. Provide drawing of tree protection fencing.
4. Revise berm slopes from 1:4 to over 1:3 with a flatter crest. Revise berm drawing (Section 5.11.2.F.ii.).
5. Update/simplify the plant list in Section 5.11.3.C.ii:
 - Require large or small shrubs and eliminate the “medium” shrub category. Revise other sections as necessary where medium shrubs are stated as part of a formula for required landscaping.
 - Update plant chart (“Suggested Plant Materials”) for large and small shrubs-shrub names, shrub height/spread at time of planting. Update tree list as necessary (Section 5.11.3.C.ii.). Add an expanded plant list as found in other ordinances.
 - Update Section 5.11.3.C.iv. accordingly, to match plant chart.

Updates and reorganization of Landscape Ordinance

1. Reorganize order of some sub-sections, for instance, move the sub-section “Treatment of Existing Plant Material” to “General Site Landscaping”, in order to consider existing plants as part of the required plantings where applicable.
2. Re-write parking lot landscaping section. (Section 5.11.2.E.).
3. Add language to Tree Preservation section. Add requirement for a tree survey by a professional where existing trees are to be preserved and be used to meet tree requirements. Provide a drawing of tree protection fencing, for landscaping to be preserved.
4. Require landscape plans to be prepared by a Registered Landscape Architect (RLA), signed and sealed, unless waived by the Planning Commission or Planning Department. Waiver options are provided. This is in place of the current requirement that states the “Planning Commission may require sealed plans when the project is over five (5) acres in size, or part of a Planned Development, or contains unique or natural features that would benefit from that level of expertise”. The recommended change would provide a professional level of expertise; reduce the number of mistakes in plant selection and design principals; and make the review process much easier for staff and the applicant (Section 5.11.1.D.).
5. Update irrigation standards-irrigation may be waived if the project incorporates landscaping that will contribute points towards LEED certification or equivalent rating system (Section 5.11.2.A.viii.).
6. Add requirement to increase the massing of foundation landscaping/plantings proportionately where the building is taller than 1-story or longer than 70 feet (Section 5.11.2.D.i.g.)
7. Reduce parking lot berm screening from 3 feet to minimum of 2 feet in height (Section 5.11.2.E.ii.a.(1)).
8. Define the percentage of (tree) heights required for an evergreen tree screen/buffer (Section 5.11.2.G.i.a.).
9. Add language to allow “greenbelt” shrubs to count as “parking lot screen shrubs” or plantings for a detention area, where those areas are adjacent to one another, in order to decrease the number of required plants in overlapping areas.
10. Revise detention requirements-plantings to be integrated into the overall site design; new planting formula; clarify side slope of basin; and add language that Planning Commission could modify detention requirements (plantings) if stormwater collection systems include bioswales, rain gardens and other features that are in place to filter stormwater. Provide drawing of detention pond planting scheme. (Section 5.11.2.H.)
11. Clarify depth of mulch. Clarify that rock, stone, or gravel can only be used in a narrow maintenance strip along building foundations and cannot be used as mulch (Section 5.11.3.C.iv.j.).
12. Add section on subdivision planting requirements to require street trees.
13. State throughout the ordinance as applicable that landscaped areas must provide 80% bed coverage with plant material at the ground level within 2 years. This includes parking islands, foundation landscape beds around a building, and any mulched planting beds. The intent is to avoid large mulched areas with few plants and the potential for weeds.
14. Additional language/ revised language as applicable to clarify and simplify the standards as currently stated.

Other comments

Draft drawings are provided as attachments, for General Site Landscaping, Detention/Retention Pond Grading and Landscaping, and Tree Protection Fencing. Other revisions will be necessary for various charts and other drawings currently provided in Section 5.11 (Landscaping and Screening). The details on those items will be addressed at a future time.

Process

Zoning Ordinance Text Amendments are outlined in Section 7.4.4 of the Zoning Ordinance, as follows:

4. Zoning Ordinance Text Amendment Criteria. The Planning Commission and Township Board shall consider the following criteria for initiating amendments to the zoning ordinance text or responding

to a petitioner's request to amend the ordinance text.

- A. The proposed amendment would correct an error in the Ordinance.
- B. The proposed amendment would clarify the intent of the Ordinance.
- C. Documentation has been provided from Township staff or the Zoning Board of Appeals indicating problems or conflicts in implementation or interpretation of specific sections of the ordinance.
- D. The proposed amendment would address changes to state legislation.
- E. The proposed amendment would address potential legal issues or administrative problems with the Zoning Ordinance based on recent case law or opinions rendered by the Attorney General of the State of Michigan.
- F. The proposed amendment would promote compliance with changes in other Township ordinances and county, state or federal regulations.
- G. The proposed amendment is supported by the findings of reports, studies, or other documentation on functional requirements, contemporary building practices, environmental requirements and similar technical items.
- H. Other criteria as determined by the Planning Commission or Township Board which would protect the health and safety of the public, protect public and private investment in the Township, promote implementation of the goals and policies of the Comprehensive Plan and enhance the overall quality of life in Hartland Township.

Based on Section 7.4.4 of the Zoning Ordinance, either the Planning Commission or the Township Board may initiate a Zoning Ordinance Text Amendment. As a result, the ORC only makes a recommendation to the Planning Commission to initiate a text amendment; and the Planning Commission must actually initiate the text amendment.

Attachments:

- 1. Draft Landscape Ordinance with strikeouts dated 06.02.2022 – PDF version
- 2. Draft drawing – General Site Landscaping – PDF version
- 3. Draft drawing – Detention/Retention Pond Grading and Landscaping Requirements – PDF version
- 4. Draft drawing – Tree Protection Fencing – PDF version

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5.7 DUMPSTER ENCLOSURE

All dumpster enclosures shall comply with the following requirements:

1. Dumpsters shall be completely enclosed and secured by a decorative masonry screen wall on three sides, and steel reinforced, opaque and lockable wooden gates.
2. The type, color, and pattern of the enclosure materials shall match or complement the exterior façade materials of the building and meet the architectural standards in Section 5.24 if applicable.
3. The height of the enclosure shall be sufficient to completely screen all dumpsters and materials, a minimum of six (6) feet in height.
4. The bottom surface within the enclosure shall be constructed of concrete and shall extend a minimum of ten (10) feet in front of the enclosure.
- ~~5. The enclosure shall be screened with plant materials to the satisfaction of the Planning Commission. Such screening shall also meet the requirements of Section 5.11.1., Section 5.11.3., and Section 5.11.4. contained herein unless superseded by the Planning Commission.~~

5.11 LANDSCAPING AND SCREENING

1. Intent and Scope of Requirements

A. Intent. Landscaping enhances the visual image of the Township, preserving natural features, improving property values, and alleviating the impact of noise, traffic, and visual distraction associated with certain uses. Screening is important to protect less intensive uses from the noise, light, traffic, litter and other impacts of more intensive, nonresidential uses. Lighting and sidewalks create, where appropriate, an important part of the Township's visual image. These provisions are intended to set minimum standards for the design and use of landscaping, greenbelts, screening, lighting, and walkways, and for the protection and enhancement of the Township's environment. More specifically, the intent of these provisions is to:

- i. Improve the appearance of off-street parking areas, vehicular use areas, and property abutting public rights-of-way,
- ii. Protect and preserve the appearance, character, and value of the neighborhoods that abut non-residential areas, parking areas, and other intensive use areas, thereby protecting the public health, safety and welfare,
- iii. Create a safe and efficient means of pedestrian circulation,
- iv. Reduce soil erosion and depletion, and v. Increase soil water retention, thereby helping to prevent flooding.

B. Scope of Requirements. A detailed landscape plan shall be submitted as part of the site plan review process in accordance with the provisions set forth in Section 6.1, Site Plan Review. No site plan shall be approved unless it shows landscaping, screening, buffering, berming grading, walls, fencing, lighting and

sidewalks consistent with the requirements of this Ordinance. Landscaping shall include plant materials such as trees, shrubs, ground covers, perennial and annual plants; landscape elements such as rocks, water features, fences, walls, paving materials, and site lighting; and site furnishings such as benches, drinking fountains, trash receptacles, and planters. All graphics, contained in this Section, are for illustrative purposes only. The requirements in this Section shall not apply to single family detached homes, unless otherwise specifically noted.

C. Minimum Requirements. The requirements in this Section are minimum requirements, and under no circumstances shall they preclude the developer and the Township from agreeing to more extensive standards.

D. Design Creativity for Landscaping. Creativity in landscape design is encouraged. Accordingly, required trees and shrubs may be planted at uniform intervals, at random, or in groupings, depending on the designer's desired visual effect. The developer and landscape professional shall work with the Township to ensure consistency with the character of the area, providing the massing and visual interest to enhance the architecture and ensure coordination of the proposed landscaping with adjoining properties and throughout the community.

~~A landscape professional shall be professionally trained and have expertise in the area of landscape architecture, horticulture, landscape design or a similar field. Expertise in types of plant material, growth patterns, durability, installation and maintenance is required. The Planning Commission may require sealed plans from a Licensed Landscape Architect when the project is over five (5) acres in size, part of a Planned Development or contains unique or natural features that would benefit from that level of design expertise.~~

Whenever a landscape plan is required under the provisions of the Ordinance a detailed planting plan of said improvements shall be submitted and approved with the site plan prior to the issuance of a building permit. Unless waived by the Planning Commission, or the Planning Department reviewing the plan, the plan shall be prepared by a landscape architect, registered in the State of Michigan. A waiver could include the following:

i. Minor site plan amendment as outline in Section 6.1.10 of the Zoning Ordinance.

ii. Agricultural operation

iii. Adding a drive-through window in an existing building.

iv. Building addition less than ten percent (10%) of the overall existing building size.

v. Addition of parking spaces that include screening consistent with previously approved landscape plan.

vi. Any other site improvement where the Planning Commission deems such improvements does not require a plan prepared by a registered landscape architect.

2. General Landscaping Requirements

A. General Requirements

i. Standards. All developed portions of the site shall conform to the following general landscaping standards, except where specific landscape elements, such as a greenbelt, berm, or screening are required. All unpaved portions of the site shall be planted with grass, ground cover, shrubbery, or other suitable live plant material, which shall extend to any abutting street pavement edge, unless an alternate material is approved by the Planning Commission.

ii. All planting beds with shrub or groundcover requirements shall provide a minimum eighty percent (80%) ground coverage within two (2) years of planting.

iii. Units of Measurement. For purposes of determining the minimum number of live plant materials required for a site, when the calculation results in a fractional number, any fraction of less than one-half (1/2) may be disregarded, while a fraction of one-half (1/2) or more shall be counted as a requirement for one plant.

iv. Lot Frontage Measurement. For purposes of determining the minimum number of live plant materials required for a site, lot frontage shall mean the distance between the two side lot lines of a lot or parcel of land as measured at the road and shall include any openings for driveways, sidewalk, or easements.

~~iv. Lawn Areas. Grass areas in the front yard of all non-residential uses shall be planted with sod or hydro-seeded.~~

v. Maintenance of Unobstructed Visibility. No landscaping shall be established or maintained on any parcel or in any parking lot that will obstruct the view of drivers. Accordingly, all landscaping shall comply with the provisions concerning clear vision area set forth in Section 5.1, Clear Vision Area.

vi. Utility Clearance. In no case shall landscaping material be planted in a way that will interfere with or cause damage to underground utility lines, public roads, or other public facilities. Species of trees whose roots are known to cause damage to public roadways, sewers, or other utilities shall not be planted closer than fifteen (15) feet from any such roadways, sewers, or utilities. Trees shall be setback from overhead utility lines as indicated in Table 5.11.2.A.vi, Utility Clearance.

vii. Landscaping of Divider Medians. Where traffic on driveways, maneuvering lanes, private roads, or similar vehicle access ways are separated by a divider median, the median shall be curbed and have a minimum width of ten (10) feet. A minimum of one (1) canopy or evergreen tree ~~and six (6) medium shrubs~~ shall be planted for the initial twenty five (25) lineal feet or portion thereof plus one (1) additional canopy or evergreen tree ~~and four (4) additional medium shrubs~~ for every increment of twenty five (25) lineal feet. Trees may be planted at uniform intervals, at random, or in groupings, but in no instance shall the center-to-center distance between trees exceed sixty (60) feet. The ground surface

shall be covered with grass, groundcover, shrubbery or other live plant material to meet ground coverage in Section 5.11.2.A.ii.

viii. Irrigation. ~~The site plan shall indicate the proposed method of watering landscaped areas. For all new developments, requiring site plan approval, an in-ground irrigation/sprinkler system is required. The Planning Commission may permit an alternate method of irrigation in accordance with Section 5.11.7, Modification to Landscape Requirements. To assist in maintaining plant materials in a healthy condition, all landscaped areas (including lawns) shall be provided with an automatic, underground, or drip irrigation system, subject to the following:~~

a. All automatic irrigation systems shall be designed to minimize water usage, have rain sensors, and shall be shut off during water emergencies, periods of protracted rainfall, or water rationing periods.

b. The irrigation requirement may be waived by the reviewing authority if the project incorporates landscaping that will contribute points towards LEED certification or an equivalent rating system.

~~ix. Landscaping around the base of monument signs. Landscaping shall be provided at the base of the monument sign. The landscape area shall be a minimum width of five (5) feet on each of the longest sign faces and be defined by a landscape edge to maintain a finished appearance. Plantings shall include a mix of evergreen/deciduous shrubs or ornamental trees. Landscaping should provide year-round interest. Perennials, annuals and mulch may be used as in-fill but shall not exceed thirty percent 30% of the planting area. Landscaping should be in scale with the sign height and length to create a substantial base.~~

B. General Site Landscaping

i. Site landscaping is required by this Section in ~~six-five~~ general areas: greenbelt; foundation; parking lot interior and perimeter; retention/detention facilities; ~~monument signs~~; and, screening and buffering. As part of site plan review, the applicant shall identify the minimum number of trees and shrubs required to meet the general areas described in this Section. ~~In addition to these minimum requirements, the applicant shall provide additional trees and shrubs comprising twenty five percent 25% of the minimum required for each Plant Material Category. Additional plantings shall be used to further enhance the site's overall landscape plan and may be used in existing planting beds or to provide continuity between landscape areas.~~

The Planning Commission may allow substitutions to Section 5.11.3.C, Plant Material Specifications when it finds that the intent of this Ordinance would be met, and the landscape plan enhanced through the modification.

ii. Landscaping may include the preservation of existing trees and shrubs along with new trees, shrubs, grass, ground cover, and other living plant material. ~~No more than one third (33%) of the area being comprised of grass or ground covers. The one third (33%) shall be calculated within each required~~

~~landscape area, i.e. greenbelt, screening, foundation, etc.~~ Preserved landscaping shall meet the intent and quality as required by this Section.

[TEXT MOVED FROM SEC 5.11. ~~4.E.5~~]

5iii. Treatment of Existing Plant Material. The following regulations shall apply to existing plant material:

Aa. Consideration of Existing Elements in the Landscape Design.

i.(1) In instances where healthy plant material exists on a site prior to its development, the Planning Commission may permit substitution of such plant material in place of the requirements set forth ~~previously~~ in this Section, provided such substitution is in keeping with the spirit and intent of this Ordinance. In order to satisfy the landscape requirements the preserved trees shall be of high quality and a minimum of four (4) inch caliper measured twelve (12) inches above grade and located within the developed portion of the site.

ii.(2) In no case shall the minimum number of required trees be reduced by more than fifty percent (50%) through the use of the preserved trees.

iii.(3) Existing trees, berms, walls, or other landscape elements may be used to satisfy the requirements set forth ~~previously~~, provided that such landscaping is in conformance with the requirements of this Section.

Bb. Preservation of Existing Plant Material

(1) Trees

i.(a) ~~Site~~ The plans shall show all existing trees which are located in the portions of the site that will be built upon or otherwise altered, and are ~~eight (8)~~ four (4) inches or greater in caliper, ~~measured four and one-half (4.5) feet above grade.~~

(b) ~~If existing trees are proposed to remain and be used to meet tree requirements a tree survey, prepared by a professional land surveyor, shall be submitted showing all trees to be preserved. Tree size (height or trunk diameter), species and condition of the tree shall be provided on the survey.~~

(2) Trees and Other Plantings

ii.(a) Trees and plantings shall be labeled "To Be Removed" or "To Be Saved" on the site plan. If existing plant material is labeled "To Be Saved" on the site plan, protective measures should be implemented, such as the placement of fencing ~~or stakes~~ at the drip line around each tree or planting bed. No vehicle or other construction equipment or materials shall be parked or stored within the drip line of any tree or other plant material intended to be saved. Refer to Figure _____.

(b) ~~If existing tree(s) and plant material to be saved are not being watered by an irrigation system currently, they are not required to received irrigation.~~

.iii.(b) In the event that healthy plant materials which are intended to meet the requirements of the Ordinance are cut down, damaged or destroyed during construction, said plant material shall be replaced with ~~the same species as the damaged or removed tree~~plantings to meet all other requirements. A modified landscape plan shall be submitted to the Township showing the replacement of the damaged or removed ~~tree plantings~~ and the proposed replacement to the Zoning Administrator for review and approval. The Zoning Administrator, at his/her discretion, may require Planning Commission review and approval.

C. Greenbelt

i. A greenbelt shall be planted along any public or private road right-of-way within the first thirty (30) feet of the property, see 5.11.2.B.i, General Site Landscaping. Plantings may occur within the right-of-way, private property or a combination of both. If the plantings are not permitted within the first thirty (30) feet of the property, due to conflicts with utilities, sight lines or other right-of-way encumbrances, the Planning Commission may allow the planting elsewhere within the required front yard setback if it finds the intent of the greenbelt is still met. The greenbelt shall meet the following standards:

a. The greenbelt shall be a minimum of twenty (20) feet wide and shall generally run parallel to the public or private right-of-way, excluding regulated wetlands. The greenbelt should be arranged to simulate a natural setting with staggered or clustered plantings, except where a more traditional or formal design is appropriate for the development and surrounding area and will meet the intent of this Section.

b. The greenbelt shall include one (1) canopy tree for every thirty (30) linear feet or portion thereof of lot frontage. For example, eighty (80) feet of frontage shall require three (3) canopy trees. The Planning Commission may approve a substitution of evergreen trees for up to fifty percent (50%) ~~percent~~ of the canopy trees.

c. The greenbelt shall include three (3) small deciduous ornamental trees or large deciduous or evergreen shrubs for the initial forty (40) linear feet or portion thereof of lot frontage. Thereafter, one (1) additional small deciduous ornamental tree or large deciduous or evergreen shrub shall be required for every twenty (20) feet or portion thereof of lot frontage. For example, eighty (80) feet of frontage shall require five (5) ornamental trees or large shrubs.

d. The greenbelt shall be planted with grass, groundcover, shrubbery or other live plant material, other than those areas used as drives, sidewalks or other approved structures and areas where live plant material would not survive.

e. Public rights-of-way located adjacent to required landscaped areas and greenbelts shall be maintained by the owner or occupant of the adjacent property as if the rights-of-way were part of the required landscaped areas or greenbelts. No plantings except grass or ground cover shall be permitted closer than three (3) feet from the edge of the road pavement.

f. The Planning Commission may determine that existing trees which are preserved within the road right-of-way, easement or determined greenbelt area may meet all or part of the requirement based on their location, species, size and integration into the overall landscape plan. Preservation of the trees located within the right-of-way must be confirmed in writing by all agencies having an easement over said right-of-way prior to site plan review.

g. In instances where the greenbelt is adjacent to a parking area, the greenbelt shrubs may be used to provide the required screening as outlined in Section 5.11.2.E. Perimeter Parking Lot Landscaping.

ii. A minimum fifteen (15) foot wide landscape area shall be provided along the length of internal roadways providing shared public access to the site. The landscape area shall be planted with a minimum of one (1) canopy or evergreen tree for every thirty (30) feet or portion thereof. Where an internal roadway abuts a parking area, screening shall be provided per Section 5.11.2.E.ii.

D. Foundation Landscaping

i. Foundation ~~plantings landscaping~~ shall be required to visually break up the mass of buildings ~~and enhance the traffic flow~~ in accordance with the following requirements and as illustrated in Figure 5.11.2.B.i., General Site Landscaping. Foundation landscape areas can be a combination of lawn and plantings.

a. The length of this planting area must equal at least sixty percent (60%) of front and sides of the building length along the front and sides of buildings which face a public or private road, is adjacent to a parking lot or other areas which provide access to the building(s) or adjacent to a developable site or area.

b. Planting Landscape areas shall be a minimum of eight (8) feet in width ~~when and be~~ located adjacent to the building ~~or ten (10) feet in width when located between the building and a parking area or drive aisle to prevent vehicle encroachment.~~

c. Plantings shall contain a minimum of one (1) deciduous ornamental tree or columnar tree and six (6) ~~medium large~~ shrubs or eight (8) small shrubs for every thirty (30) lineal feet of building length or portion thereof. ~~The Planning Commission may permit a mixture of small and medium size shrubs when the ratio of plantings is consistent with the intent of this Section.~~ Landscape areas shall meet minimum coverage per Section 5.11.2.A.ii.

~~d. Planting areas shall be integral with the pedestrian walkways and parking areas and associated driveways.~~

~~ed.~~ Permanent raised landscape planters which are designed as an integral part of the pedestrian walkway may be used to satisfy the foundation landscape requirement. ~~A minimum of one (1) ornamental tree and eight (8) small shrubs per thirty (30) lineal feet of building frontage or portion thereof is required for raised planters as long as all plant material coverage requirements are met, and planter dimensions provide appropriate growing conditions.~~

~~fe.~~ Where arcades are used across a building's façade, trees may be used in lieu of shrub plantings and satisfy the requirements for foundation plantings. A minimum of one (1) canopy or evergreen tree per thirty (30) lineal feet of building frontage is required

~~gf.~~ Buildings ~~with a greater mass in length or height that are taller than on story or are longer than seventy (70) feet~~ shall be required to increase the massing of the foundation landscaping proportionately through modification in the required number of plants, size of the plants at time of planting and/or a change to a larger tree or shrub species.

E. Parking Lot Landscaping. Off-street parking areas containing ten (10) or more parking spaces shall provide landscaping in accordance with the following requirements and as illustrated in Figure 5.11.2.B.i., General Site Landscaping:

i. Interior Areas. Each separate landscape area within a parking lot shall be adequately planted and maintained and shall be located in such a manner as to divide and breakup the expanse of pavement and define parking areas and circulation paths. The following specific standards apply:

a. ~~Where a row of parking spaces exceed ten (10) parking spaces, a Unless otherwise approved by the Planning Commission,~~ landscaped endcaps shall be installed at each terminus of the row of parking. Endcaps shall also be used to direct vehicles into the drive aisle and further define the designated parking area.

b. ~~Where a parking row contains twenty (20) or more continuous spaces, one landscape island shall be required at or about the midpoint of the row or as determined by the Planning Commission as part of the overall design.~~ A landscape island shall be required at intervals, not to exceed, fifteen (15) continuous parking spaces.

c. Landscaped areas in parking lots shall be no less than ten (10) feet in any single dimension and no less than one hundred eighty (180) square feet. To improve visibility and maneuvering, the length of the landscaped areas shall be two (2) feet less than the adjacent parking stalls. Landscaped areas in or adjacent to parking lots shall be protected with curbing or other means to prevent encroachment of vehicles.

d. Requirements for plant material shall be based on the location, size, and shape of the parking lot landscaped area. ~~A minimum of one (1) canopy tree shall be planted per one hundred eighty (180) square feet or fraction thereof of interior landscaped endcaps, islands or medians. A minimum of fifty (50) percent of each interior landscaped area shall be covered with a combination of small and medium evergreen and deciduous shrubs. The remaining landscape area may include a combination of groundcover, perennials, annuals and mulch.~~ to achieve the following goals:

(1) Mitigate heat from parking lot pavement:

(a) All parking lot islands shall be planted with canopy trees at a minimum rate of one (1) tree per one hundred eighty (180) square feet or a fraction thereof.

(b) All parking lot islands shall be crowned and covered with lawn or live plant material to meet minimum ground coverage requirements per Section 5.11.2.A.i.

(2) Screening large expanses of parking lot pavement. Islands located on the perimeter of parking areas shall be planted to provide a twenty four (24) to thirty (30) inch in height screen to meet minimum ground coverage requirements per Section 5.11.2.A.i.
Refer to figures 5.11.2.B.i and 5.11.2.E.i for additional clarification.

e. Plantings within parking lots shall comply with the requirements for clear vision set forth in Section 5.1, Clear Vision Area. The landscape plan shall indicate the type, size, and quantity of plant material proposed for such areas.

f. Where the installation of interior parking lot landscaping would impede circulation or prevent routine maintenance, the Planning Commission may approve alternative landscaping ~~along the perimeter of the parking lot.~~

g. The Planning Commission may require evergreen trees where visibility is not an issue and screening or buffering would be beneficial.

ii. Perimeter Areas. For purposes of this ~~S~~section the perimeter area measures fifteen (15) feet in width from the edge of the parking lot or drive aisle measured from the back of curb and the length of the abutting parking aisle. To minimize the conflict between parking lots and public or private roads and neighboring uses, the perimeter of the parking lot shall be screened in accordance with the following standards:

a. Parking lots shall be effectively screened or buffered from the public right of way, ~~or a private road, or~~ internal roadway with one or more of the following landscaping designs:

(1) Landscape berm ~~between a minimum of~~ two (2) ~~and three (3)~~ feet in height and planted with a combination of evergreen and deciduous shrubs to effectively screen vehicles and associated headlights all year long.

(2) Evergreen hedge row a minimum of three (3) feet in height within two (2) years of planting, planted in a row or staggered to create continuous screening. In no case shall an evergreen hedge be less than thirty (30) inches at the time of planting.

(3) A decorative screening wall a minimum of three (3) feet in height located adjacent to the parking lot ~~with a combination of evergreen and deciduous shrubs planted between the parking area and roadway. The Planning Commission may require similar planting materials on the development/building side of the screening wall.~~

(4) The Planning Commission may permit modifications to the screening requirement including the use of ~~metal ornamental~~ fencing or other decorative elements where a greater setback, natural landscaping or topography, or unique site layout would allow for a lesser or modified screening requirement.

b. Perimeter areas not visible from a public road ~~that do not have other screening requirements such as screening between properties,~~ shall be landscaped with a minimum of one (1) canopy ~~tree with four (4) large shrubs or one (1) or~~ evergreen tree for every thirty (30) lineal feet or portion thereof. ~~When canopy trees are used, understory shrubs are required to buffer/screen the parking lot.~~ The Planning Commission may require additional plantings where the proposed intensity of land uses deviate from the existing adjacent land uses or zoning district.

iii. Cart Corrals. Shopping cart corrals provided in parking areas shall be designed as an integral part of a parking lot landscape island(s). The cart corral area shall be a maximum of ten (10) feet in width and ~~up to forty (40) feet in depth (standard island width for back-to-back parking stalls)~~ two (2) feet less in depth than the adjacent parking stalls. The cart corral area shall be flanked on each side by a crowned landscape area a minimum of eight (8) feet in width and extending the full depth of the cart corral, and have a minimum six (6) inch concrete curb to contain the carts between the landscape areas. ~~Raised or depressed pavement may be used at the openings of the cart corral and at the center to contain the carts within.~~ Plantings shall be provided within the landscape areas ~~and shall include canopy trees and medium evergreen or deciduous shrubs~~ sufficient to obscure view of stored carts all year long to a height of three (3) feet. The landscape areas may count towards the interior parking lot landscape requirements. ~~No additional structures shall be permitted for storage of shopping carts in parking areas.~~

F. Berms. Where berms are used they shall conform to the following standards:

i. General Requirements. Berms used for screening between land uses shall be landscaped in accordance with Section 5.11.2.G, Buffering or Screening Requirements.

Berms used for screening between parking lots and access rights-of-way shall be landscaped in accordance with the Section 5.11.2.E.ii, Perimeter Parking. The height of berms used to screen off-street parking shall be measured from the adjacent parking lot or right-of-way whichever is higher.

Berms shall be integrated into the site's overall landscape design to provide a natural rhythm and flow between all landscape areas and improvements. The Township encourages berms to undulate in height and vary in contours to create a more natural appearance.

ii. Dimensions. Unless otherwise indicated or appropriate, required berms shall be measured from the grade of the parking lot or flat ground adjacent to the berm, and shall be constructed with slopes no steeper than one (1) foot vertical for each ~~four (4)~~ three (3) feet horizontal (~~25 percent slope~~ thirty-three percent (33%) slope), with at least a four (4) foot ~~wide flatter crest area~~ on top. ~~The exterior face of the berm shall be constructed as an earthen slope. The interior face may be constructed as an earthen slope or retained by means of a wall or terrace. A berm shall run the length of the developed site area and shall be a minimum width of twenty (20) feet wide with an average berm height of three (3) feet and a~~

~~minimum berm height of two (2) feet. When additional screening is required, the Planning Commission may require a minimum berm height of four (4) feet.~~

iii. Protection from Erosion. Any required berm shall be planted with ~~sod lawn~~, ground cover, or other suitable live plant material to protect it from erosion so that it retains its height and shape. The Planning Commission may allow the use of hardscape material, including masonry landscape blocks, stones, and other natural and decorative materials to retain the shape and height of a berm.

G. Buffering or Screening Requirements

i. Screening between Land Uses. Upon any improvement or change in use for which a site plan is required, a landscape buffer shall be provided to create a visual screen at least eight (8) feet in height along all adjoining boundaries of a non-residential use or a residential use of higher density and an abutting single family residential zoned property. At the discretion of the Planning Commission, modifications to the required screening may be permitted when alternative screening methods, existing site conditions and/or use of the properties would meet the intent of this Section. The overall height of the visual screen may include the combination of landscape berm and plant material and/or decorative screening walls.

a. When using evergreen trees to meet the screening requirements, plantings shall be spaced no more than twelve (12) feet apart measured on center ~~(depending on their planting size)~~ and shall be planted in a minimum of two (2) rows in a staggered or a clustered pattern with varying tree heights to provide for optimal screening and create a natural looking buffer, see Figure 5.11.2.B.i and 5.11.2.G.i.a. When using a staggered pattern, the minimum spacing between rows shall be ~~six (6)~~ ten (10) feet. When using evergreen trees solely to meet screening requirements and to provide an eight (8) foot in height minimum natural looking buffer, evergreen tree heights shall range from a minimum of eight (8) feet to twelve (12) feet in height or taller. Up to sixty percent (60%) of trees can be eight (8) feet in height, thirty percent (30%) shall be at least ten (10) feet in height and the remaining ten percent (10%) shall be twelve (12) feet in height or taller. In no case shall the trees be less than eight (8) feet in height. Additional deciduous plant materials may be used provided that a complete minimum eight (8) feet in height visual barrier is maintained throughout the year.

b. At the discretion of the Planning Commission, a berm ~~greater than five (5) feet in height may be required and/or a decorative wall or fencing may be required to supplement the plantings.~~ If a decorative wall or fencing is used, landscaping shall be required on the side(s) of the wall facing the residential or agricultural zoned district, visible to the public from the site or adjacent to a developable property. The Planning Commission may require additional plantings adjacent to the wall and development site.

ii. Screening Parking Lots from Public Roads. Parking lots shall be screened from the public roads in accordance with Section 5.11.2.E Perimeter Parking Lot Landscaping.

iii. Screening of Ground Mounted Equipment. Mechanical equipment, such as utility cabinets, transformers, satellite dish antennae a minimum of thirty (30) inches in height, and similar equipment

shall be screened on at least three (3) sides using evergreen plantings. Insofar as practical, said screening shall exceed the vertical height of the equipment being screened by at least six (6) inches within two (2) years of planting. Screening of mechanical equipment may also be provided using decorative fences or walls when landscaping is not permitted due to equipment clearance and easement restrictions.

H. Landscaping Requirements for Detention/ Retention Areas. Detention/retention ponds shall be integrated into the overall design of the property and landscaped to provide a natural setting. The design and construction of the detention/retention systems shall be in accordance with Hartland Township Engineering Design Standards. When the detention/retention area is in the form of a basin, the following requirements shall apply:

i. Basins shall have a natural, free-form shape, following existing natural topography to the greatest extent possible. If the site is generally flat, the basin shall be shaped to emulate a naturally formed depression. The basin should be a natural shape, and not square, rectangle or other geometric shape. Side slopes should be varied and undulating, rather than having a uniform grade.

~~ii. Basins with side slopes that require fencing are prohibited in front and side yards. When a rear yard basin requires a fence, the fence shall be a decorative style. Chain link fence is prohibited in any circumstance. Side slopes shall not exceed one (1) foot vertical for every five (5) feet horizontal. Side slopes of basins shall not exceed one (1) foot vertical for every four (4) feet horizontal. The Planning Commission shall approve perimeter fencing if deemed necessary.~~

~~iii. A combination of natural stone and landscape materials shall be used to replicate the natural environment and~~ integrate the area with the overall landscape design. Where a basin is designed to have permanent water, a fountain or other water feature may be used.

~~iv. A mixture of landscape materials, including evergreen and canopy/ deciduous trees, shrubs and other substantial plant material shall be planted in a random pattern or groupings. At a minimum one (1) canopy or evergreen tree and ten (10) medium deciduous or evergreen shrubs or six (6) large deciduous or evergreen shrubs or ornamental deciduous trees shall be planted for every fifty (50) linear feet of pond perimeter as measured along the top of the bank elevation. Plantings shall be integrated into the overall site design and may be surrounding and within the basin(s). At a minimum, one (1) canopy tree or evergreen tree shall be planted for every fifty (50) lineal feet of basin perimeter as measured along the top of the bank elevation. The required trees shall be planted in a random pattern or in groupings.~~

v. Basins shall be planted with seed mix or other plantings appropriate to site conditions. All areas to meet vegetation coverage per Section 2.A.ii.

vi. If the detention/retention area is located within the greenbelt, the overall number of plantings required for the greenbelt and detention/retention area may be reduced, at the discretion of the Planning Commission. Refer to Figure 5.11.2.H.1.

vii. Where appropriate, the stormwater collection system may include bioswales, rain gardens and other features that allow run-off water to flow through vegetation prior to entering the stormwater management system. Oil and sediment filters, and other best management practices to control the quality of water entering the system are encouraged. If such systems are employed for the stormwater collection system, landscaping requirements around the detention/retention area may be modified at the discretion of the Planning Commission.

3. Standards for Landscape Materials

Unless otherwise specified, all landscape materials shall comply with the following standards:

A. Plant Quality. Plant materials used in compliance with the provisions of this Ordinance shall be nursery grown, free of pests and diseases, hardy in southeastern Michigan, in conformance with the standards of the American Association of Nurserymen, and shall have passed inspections required under state regulations. Plants shall be No. 1 grade with straight unscarred trunk and well developed uniform crown (park grade trees will not be accepted). Plant materials installed in locations in close proximity to areas exhibiting environmental impacts (for example, exhaust fumes, salt runoff) commonly associated with motorized vehicles shall be hardy under such conditions.

B. Non-Living Plant Material. Plastic and other non living plant materials shall not be considered acceptable to meet the landscaping requirements of this Section.

C. Plant Material Specifications

i. Landscaping shall be varied to enhance design creativity and minimize possible landscape loss caused by specie specific disease. Variations to the species shall continue to provide unity in the overall site design. Tree species shall be required to meet the level of diversity noted in the table that follows.

ii. The use of native plant materials to the area and Southeast Michigan and mixture of trees from the same species association is encouraged. Following is a list of suggested plant materials by category:

iii. Use of plant materials that cause disruption to storm drainage or that are susceptible to pests or disease are not encouraged. The following plant materials exhibit such characteristics, and therefore their use is not encouraged in the Township:

- a. Ashes
- b. Elm (American and Siberian)
- c. Box Elder
- d. Tree of Heaven
- e. European Barberry
- f. Northern Catalpa
- g. Poplar
- h. Willow
- i. Maple (Amur, Norway & Silver)
- j. Ginkgo (Female)

- k. Goldenrain tree
- l. Black Locust
- m. Honey Locust (with thorns)
- n. Horse Chestnut (Nut Bearing)
- o. Cottonwood
- p. Mulberry
- q. Amur Cork Tree

iv. The following specifications shall apply to all plant material proposed in accordance with the landscaping requirements of this Ordinance:

a. Canopy Trees. Deciduous canopy trees shall be a minimum of three (3) inches in caliper measured six (6) inches above grade with the first branch a minimum of four (4) feet above grade when planted and not to exceed seven (7) feet above grade when screening is desired.

~~b. Other Deciduous and Columnar Trees. These may be included as part of the overall landscape site design but are generally not considered. At time of planting, the tree height shall be a minimum of twelve (12) feet in height.~~

~~eb.~~ Small Deciduous Ornamental Trees and Large Shrubs. Small deciduous ornamental trees/ shrubs shall be a minimum of two (2) inches in caliper measured six (6) inches above grade ~~with a minimum height of four (4) feet above grade when planted~~ or six (6) feet in height ~~from for~~ clump varieties.

~~dc.~~ Evergreen Trees. Evergreen trees shall be a minimum of eight (8) feet in height when planted, except as otherwise specified in this Ordinance. Furthermore, evergreen trees used for screening shall have a minimum spread of five (5) feet at time of planting. Columnar evergreen trees may be included as part of the overall landscape site design.

~~ed. Deciduous and Evergreen Large~~ Shrubs. Large shrubs shall be a minimum of thirty (30) inches in height and twenty-four (24) inches in spread when planted when used to screen or buffer, unless otherwise specified in this Ordinance.

~~fe. Deciduous and Evergreen Small~~ Shrubs Small ~~deciduous and evergreen~~ shrubs shall be a minimum of eighteen (18) inches in height when planted and shall not be used for screening purposes. Low growing shrubs shall have a minimum spread of twenty-four (24) inches when planted.

~~gf.~~ Ground Cover. Ground cover used in lieu of turf grasses in whole or in part shall be planted in such a manner as to ~~present a finished appearance and reasonably complete coverage after one (1) complete growing season~~ meet coverage requirements per Section 5.11.2.A.ii.

~~hg.~~ Perennials/Annuals/Ornamental Grass. Perennials/Annuals/ Ornamental Grass are to be used as accent plantings in addition to the required trees and shrubs.

ih. Grass. Grass area shall be planted using species normally grown as permanent lawns in southeast Michigan. Grass, sod, and seed shall be clean and free of weeds, pests, and diseases. Grass may be sodded, ~~plugged, sprigged~~ or seeded. When grass is to be established by a method other than complete sodding or seeding, nurse grass seed shall be sown for immediate effect and protection until complete coverage is otherwise achieved. Straw or other mulch shall be used to protect newly seeded areas.

ji. Mulch. Planting beds shall present a finished appearance with shredded hardwood bark mulch or similar natural material ~~at a minimum depth of three (3) inches~~. Mulch used around trees, ~~and shrubs, and vines~~ shall be a maximum of ~~four (4) three (3) inches in depth deep~~ and shall be pulled three (3) inches away from the trunk. Mulch shall be ~~contained within its respective planting areas through the installation of edging material or curbing~~ two (2) inches in depth around perennials, groundcover and ornamental grasses. Rock, stone, or gravel is not allowed as mulch in planting beds but could be used for a narrow maintenance strip along a building foundation, with the maintenance strip a maximum of two (2) feet in width.

4. Installation, Irrigation and Maintenance. The following standards shall be observed where installation and maintenance of landscape materials are required:

A. Minimum Standards

i. Time of planting. Landscaping shall be installed in a sound, workmanlike manner to ensure the continued growth of healthy plant material. Trees, shrubs, and planting beds shall be generously mulched at the time of planting.

ii. Irrigation. All landscaped areas shall be provided with an irrigation system in accordance with Section 5.11.2.A.viii, Irrigation.

iii. Support Material Removal. Where required, tree stakes, guy wires and tree wraps are to be removed after one year.

B. Off-Season Planting Requirements. If development is completed during the off season when plants cannot be installed, the owner shall provide a performance guarantee to ensure installation of required landscaping in the next planting season, in accordance with Section 6.4, Performance Guarantees.

C. Phased Projects. Projects that are developed in phases may construct and install landscaping to coordinate with the development schedule. A phasing landscape plan shall be submitted at time of site plan review. Prior to beginning the initial or any subsequent phase, all screening required along the property boundaries adjacent to residentially zoned or used property shall be installed. Where screening material would be destroyed during construction, interim planting materials may be required.

D. Maintenance. Landscaping required by this Ordinance shall be maintained in a healthy, neat, and orderly appearance, free from refuse, debris and weeds. All unhealthy and dead plant material shall be replaced immediately, unless the season is not appropriate for planting, in which case such plant material shall be replaced at the beginning of the next planting season. The developer or owner(s) shall

insure perpetual and mandatory maintenance and/or replacement of vegetative plantings pursuant to the approved landscape plan.

E. All constructed or manufactured landscape elements, such as but not limited to benches, retaining walls, edging, and so forth, shall be maintained in good condition and neat appearance. Elements approved as part of Site Plan approval shall, when necessary, be replaced pursuant to the approved plan.

[TEXT MOVED TO SEC 5.11.2.B.iii]

65. Specific Landscaping Requirements

A. Requirements for LC, Limited Commercial and STR, Settlement Residential Districts. Because of the typical small lot size and compact character of the settlements in which these two zoning districts are located, site landscaping requirements shall be as follows for non-residential uses:

i. General Site Landscaping. All developed portions of the site shall conform to Section 5.11.2, General Requirements.

ii. Landscaping Adjacent to Road. Street trees shall be provided and maintained ~~where feasible at one (1) tree per thirty-five (35) feet of frontage. Street trees shall be located in five (5) foot minimum width lawn strip between the road and sidewalk. When this is not feasible, trees shall be planted no further than fifteen (15) feet from the edge of pavement or back of curb.~~ Landscaping shall be consistent with the streetscape design as provided by the Township, if applicable.

iii. Screening. Upon any improvement or change in use for which a site plan is required, a landscape buffer shall be provided to create a visual screen at least eight (8) feet in height along all adjoining boundaries of a nonresidential use or a residential use of higher density than an abutting single family residential zoned property. At the discretion of the Planning Commission, modification for screening may be allowed pursuant to Section 5.11.7, Modification to Landscape Requirements.

iv. Utility Clearance. See Section 5.11.2.A.vi.

B. Requirements for Single Family Residential Districts. Single Family Residential properties are encouraged to plant and maintain landscaping which provides a good street side appearance, is a mixture of deciduous and evergreen plantings and is in-keeping with the character of the surrounding area. The following requirements are required for all single family detached residential properties and is in addition to the requirements for residential developments that are approved through the Site Plan Review process.

i. General Site Landscaping. All unpaved portions of the front yard shall be planted with grass, ground cover, shrubbery, or other suitable live plant and landscape bed material, which shall extend to any abutting street pavement edge.

ii. Maintenance of Unobstructed Visibility. No landscaping shall be established or maintained on any parcel that will obstruct the view of drivers. Accordingly, all landscaping shall comply with the provisions set forth in Section 5.1, Clear Vision Area.

iii. Utility Clearance. See Section 5.11.2.A.vi.

C. Subdivision Planting Requirements. In single family platted subdivisions, residential site condominiums or non-residential subdivisions (example: interior streets in industrial subdivisions) street trees, medium or large canopy deciduous trees, shall be planted in front of each lot as follows: one (1) tree shall be planted for every thirty (30) feet of frontage between the sidewalk and curb. The width of the area between the sidewalk and back of curb shall be a minimum of four (4) feet.

~~76.~~ Modifications to Landscape Requirements

In consideration of the overall design and impact of a specific landscape plan, and in consideration of the amount of existing plant material to be retained on the site, the Planning Commission may modify the specific requirements outlined herein, provided that any such adjustment is in keeping with the intent of this Ordinance. In determining whether a modification is appropriate, the Planning Commission shall consider whether the following conditions exist:

A. Topographic features or other unique features of the site create conditions such that strict application of the landscape regulations would result in a less effective screen than an alternative landscape design.

B. Parking, vehicular circulation, or land use are such that required landscaping would not enhance the site or result in the desired screening effect.

C. The public benefit intended by the landscape regulations could be better achieved with a plan that varies from the strict requirements of this Ordinance.

5.26.8.M.ii.b. SIGNS

~~b. All monument signs shall include adequate landscaping in size and quantity of plant material around the base of the sign so as to create a unified and aesthetic appearance with the structure or development in which the sign is promoting.~~

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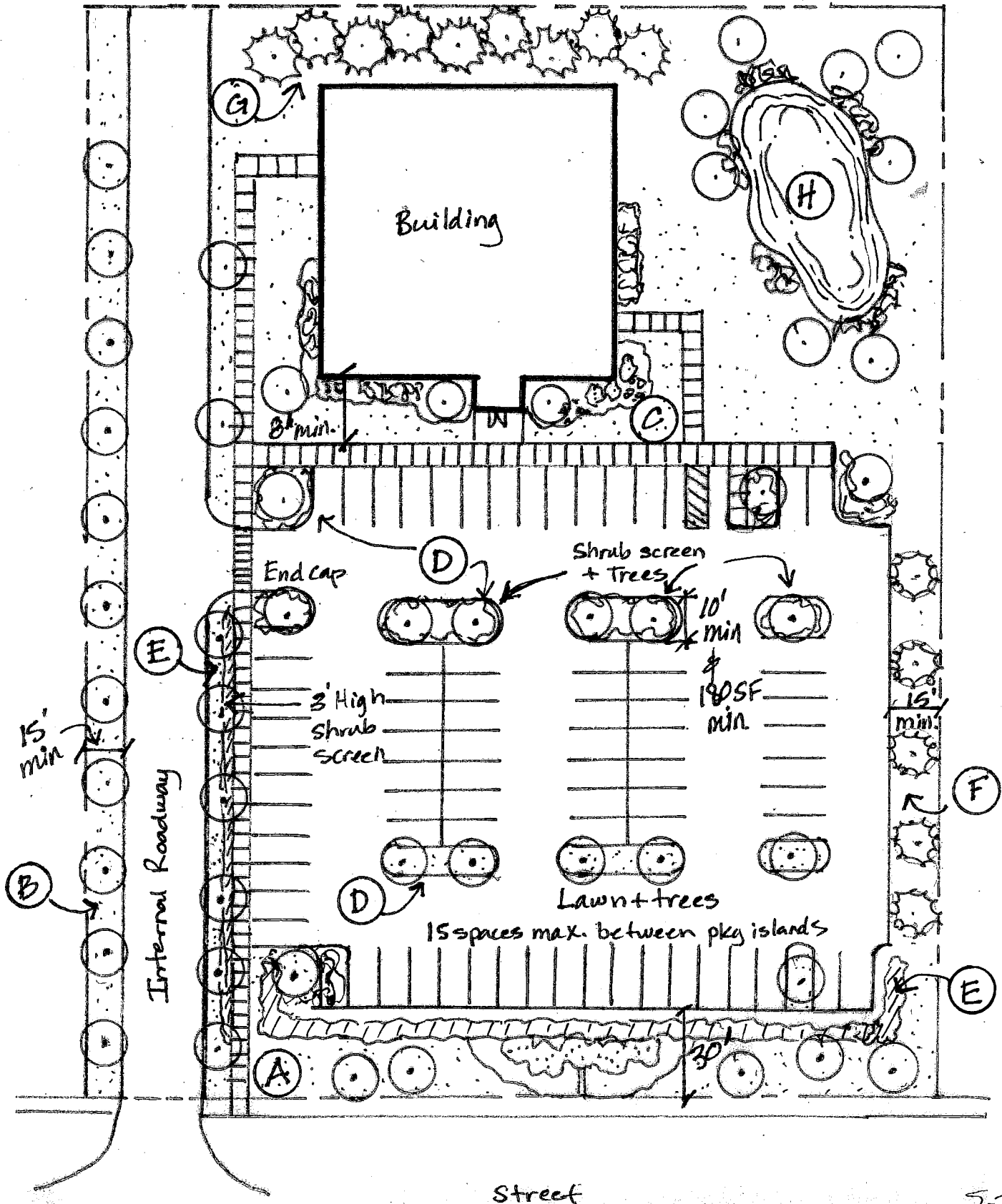
5.11.2.B.i. GENERAL SITE LANDSCAPING

CATEGORY/AREA

- A. Greenbelt
- B. Internal Roadway
- C. Foundation
- D. Parking Lot-Interior Areas
- E. Parking Lot-Perimeter Areas
- F. Perimeter Areas not visible from public road
- G. Buffering/Screening
- H. Detention/Retention Areas

ORDINANCE SECTION

- 5.11.2.C.
- 5.11.2.C.ii.
- 5.11.2.D.
- 5.11.2.E.i.
- 5.11.2.E.ii.a.
- 5.11.2.E.ii.b.
- 5.11.2.G.
- 5.11.2.H.



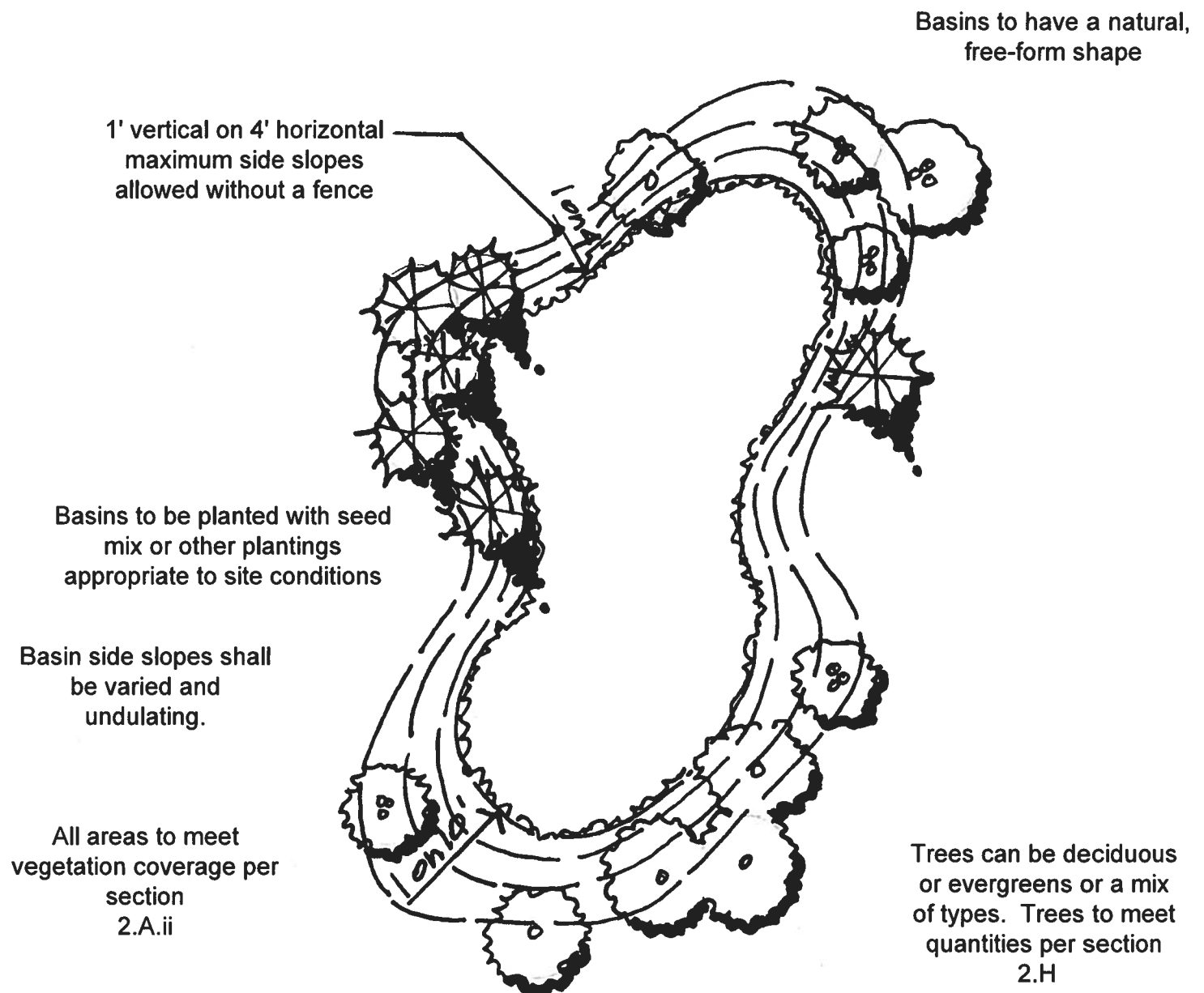
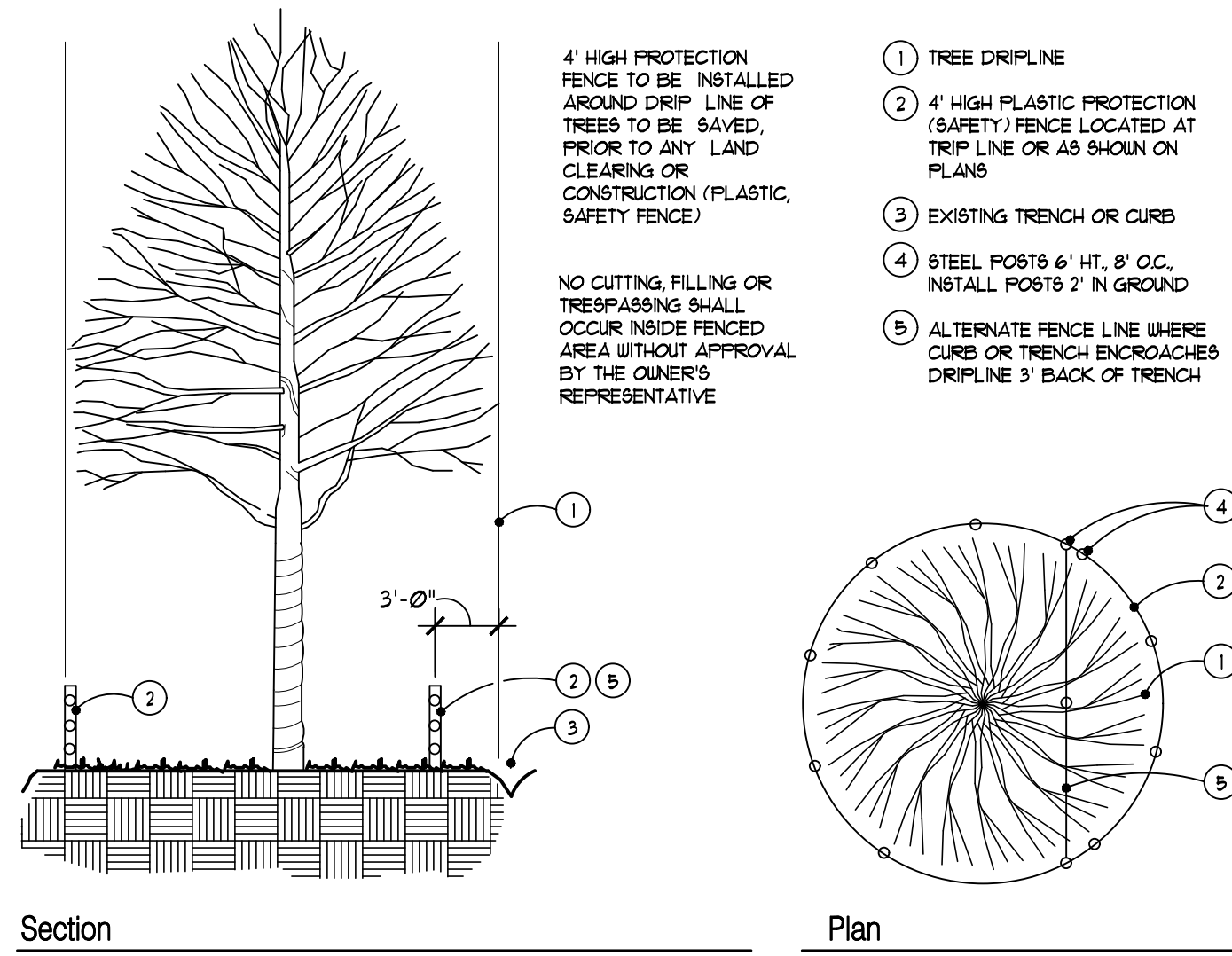


Figure 5.11.2.H
Detention/Retention Pond Grading
and Landscape Requirements

4/20/2022



1 Tree Protection Fence Detail
 - SCALE: 1/8" = 1'-0"