

FINAL

VILLAGE OF LAWTON

ZONING ORDINANCE REVISIONS

APRIL 2014

Revised June 28, 2014

4.25.10 Expansion and Conversion.

Prior to expansion or conversion of a condominium project to additional land and new phases, it must be reviewed and approved by the Planning Commission.

4.25.11 Master Deed.

The project developer shall furnish the Village with one (1) copy of the proposed consolidated master deed, one (1) copy of the by-laws, and two (2) copies of the proposed plans. The proposed plans shall be reviewed for compliance with this Ordinance to ensure that an assessment mechanism has been included to guarantee adequate maintenance of common elements.

4.25.12 As-Built Plans and Occupancy.

Submission of an as-built plan of a condominium unit is required prior to occupancy. The Building Inspector may allow occupancy of the project before all improvements required are installed provided that an escrow is submitted to the Village, sufficient in amount and type to provide for the installation of improvements before the expiration of the temporary occupancy permit without expense to the Village. The amount and form of the escrow shall be determined by the Village Council.

4.25.13 Final By-Laws, Consolidated Master Deed, and Site Plan.

Upon approval of the development, the applicant shall furnish the Village a copy of the by-laws and consolidated master deed. The development plan shall be provided on a mylar sheet of at least twenty-four (24) inches by thirty-six (36) inches.

4.25.14 Compliance with other Statutes and Ordinances.

All condominium projects shall comply with pertinent federal, state, and local laws, statutes, and ordinances.

4.26 LANDSCAPING STANDARDS

4.26.1 The standards set forth in this Section are intended to preserve quality mature trees, screen headlights to reduce glare, help promote compatibility between land uses, assist in directing safe and efficient traffic flows at driveways, and minimize the negative impacts of storm water runoff.

While considered the minimum necessary to achieve the goal of promoting safe and aesthetic environments, in certain instances, they are intentionally flexible to encourage creative design. Applicants are encouraged to provide landscaping beyond these minimum requirements to improve the function, appearance and the value of their property.

A landscaping plan is required for all developments subject to the site plan review provisions of this ordinance. The plan may be submitted separately or as part of the site plan, just as long as information on planting details and specifications, including planting technique, material installation, mulch and material depth is clear.

- 4.26.2 Landscaping Requirements. For development proposed in the RM-1 District, twenty-five per cent (25%) of the site shall be in landscaped open space. The open space shall be landscaped with one (1) evergreen or shrub for every one thousand (1000) square feet or portion thereof, plus one (1) small or large deciduous tree for every two thousand (2000) square feet or portion thereof. (Plant materials existing on the site prior to development may be included as part of the requirement. Ground cover or lawn is required in all landscaped areas. (See Table 1 for a listing of appropriate uses of plant materials.)
- 4.26.3 For nonresidential permitted uses and uses subject to a special use permit in the R-1, R-2, R-3, RT, and RM-1 Districts, thirty percent (30%) of the site under development shall be in landscaped open space. The open space shall be landscaped with one (1) evergreen tree or shrub for every one thousand (1000) feet or portion thereof, plus one (1) small or large deciduous tree for every fifteen hundred (1500) square feet or portion thereof. (Plant materials existing on the site at the time the site plan is approved may be included as part of the requirement.) Twenty-five percent (25%) of the required open space shall be between the roadway and the building. Buildings on corner lots shall have forty percent (40%) of the required landscaping between the building and the street. (See Table 1 for appropriate uses of plant materials.)
- 4.26.4 For permitted uses and uses subject to a special use permit in the OS-1, B-2, I-1, and I-2 Districts, fifteen percent (15%) of the site shall be in landscaped open space with one (1) evergreen or shrub for every one thousand (1000) square feet or portion thereof plus one (1) small or large deciduous tree for every two thousand (2000) square feet or portion thereof. (Plant materials existing on the site at the time the site plan is approved may be counted as part of the requirement.) Thirty percent (30%) of the required open space shall be between the roadway and the building. Buildings on corner lots shall have sixty percent (60%) of the required open space between the building and the roadway. Whenever feasible, a portion of the landscaping shall be placed adjacent to the building(s).

4.26.5 All landscaped areas shall meet the following standards.

- A. Plant material quality. Plant materials permitted in required landscaped areas shall be hardy to the Michigan climate, long-lived, resistant to disease and insect attack, and shall have orderly growth characteristics.

- B. Trees, shrubs and other plant materials shall be of the following minimum sizes.
 - i. Deciduous trees: Two and one half (2 1/2) inch caliper measured at fifty-six (56) inches above grade.
 - ii. Evergreen trees: Six (6) feet in height with a minimum spread of three (3) feet.
 - iii. Deciduous ornamental trees: One (1) inch caliper measured at breast height.
 - iv. Shrubs: Minimum of twenty-four (24) inches in height above planting grade.
 - v. Hedges: Planted in a manner so as to form a continuous unbroken visual screen within two (2) growing seasons
 - vi. Ground cover: Planted in such a manner as to present a finished appearance and complete coverage within two (2) growing seasons, i.e. at least three (3) plants per square foot.
 - vii. Mulch material: Minimum of four (4) inches deep for planted trees, shrubs, and vines and shall be installed in a manner so as to present a finished appearance.
 - viii. Grass: Planted in species normally grown as permanent lawns in southwest Michigan. Grass, sod, and seed shall be free of weeds and disease.
 - ix. Whenever possible, use of species native to Michigan is required.
 - x. Berms, whenever utilized, shall be designed and landscaped to minimize erosion. Berms adjacent to a public right-of-way shall have a slope no greater than 3:1, unless designed as part of a retaining wall.

Table 1
Major Plant Types and Their Appropriate Uses

Village of Lawton

	Adjacent to Walkways	Adjacent to Buildings	Parking Areas	Service Areas	Front Yard Greenbelt	Landscape Buffer	Site Landscaping	Retention areas	Specimen Plantings	Steep Slopes
Evergreens:										
Fir		X		X	X	X	X			
Spruce		X		X	X	X	X			
Pine										
Hemlock		X				X	X	X		
Douglas Fir		X				X	X		X	
Narrow Evergreen Trees:										
Red Cedar		X				X	X	X		
Arborvitae		X		X		X	X			
Juniper (selected varieties)		X		X	X	X	X			
Large Deciduous Trees:										
Oak		X			X	X	X	X		
Maple	X	X	X	X	X	X	X	X		
Beech		X			X		X			
Linden	X	X	X	X	X		X	X		
Ash	X	X	X	X	X	X	X			
Ginkgo (male only)	X	X			X	X	X		X	
Honeylocust (seedless, thornless)		X	X	X	X	X	X	X		
Birch		X			X					
Sycamore	X	X	X	X	X					

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	Adjacent to Walkways	Adjacent to Buildings	Parking Areas	Service Areas	Front Yard Greenbelt	Landscape Buffer	Site Landscaping	Retention areas	Specimen Plantings	Steep Slopes
Small Deciduous Trees (ornamental):										
Flowering Dogwood (disease resistant)	X	X					X		X	
Flowering Cherry, Plum, Pear		X			X		X		X	
Hawthorne (thornless)	X	X			X		X		X	
Redbud	X	X			X		X		X	
Magnolia		X			X		X			
Flowering Crabapple		X			X		X		X	
Mountain Ash		X			X		X			
Hornbeam		X			X		X			
Russian Olive		X						X		X
Large Evergreen Shrubs:										
Irish Yew		X					X			
Hicks Yew		X					X			
Upright Yew		X					X			X
Spreading Yew		X					X			X
Pfitzer Juniper		X					X			
Savin Juniper		X					X			
Mugho Pine		X			X		X		X	

- xi. Unless otherwise specified, materials such as river rock, cobble, boulders, paving stone, bark and wood chips and other similar materials, shall be limited to small areas and shall not exceed twenty-five percent (25%) of the required landscape area. All such materials shall be at least six (6) inches deep.

4.26.6 Greenbelt Requirements. Whenever a greenbelt is required by this Ordinance or by either the Village Planning Commission or Village Council, there shall be a minimum of one (1) deciduous or evergreen tree and four (4) shrubs per lineal thirty (30) feet of the greenbelt. The location of the trees and shrubbery shall be varied as to provide a natural and sustainable buffer.

4.26.7 Unless otherwise approved by the Village, required landscaping shall be planted in the spring or autumn immediately following the approval of the landscaping plan, whichever comes first. Landscaping shall be installed in a sound manner according to generally accepted planting procedures with the quality of the plant materials described in this Section and shall be protected from vehicular encroachment and snow removal.

4.26.8 Maintenance Standards The occupant of the site shall be responsible for the long term maintenance of required landscaping. The Village may order in writing that the occupant take necessary actions to maintain landscaped areas and to replace dead, diseased, or dying vegetation.

4.27. **WIRELESS COMMUNICATION FACILITY REQUIREMENTS**

All transmission towers and telecommunication facilities within the Village of Lawton shall comply with the following requirements:

4.27.1 The structure shall be located on a site not less than thirty thousand (30,000) square feet in area and one hundred twenty-five (125) feet of lineal road frontage unless an antenna will be located on an existing structure such as an existing tower, water tower or building.

4.27.2 The structure shall only be located in areas zoned AG Agricultural, I-1 Light Industrial, I-2 General Industrial, or B-3 Central Business.