

ARTICLE 5

ENVIRONMENTAL PROVISIONS

Section 5.00 INTENT.

The intent of the Environmental Provisions is to preserve the quality and character of the Village's environment by regulating man-made development and by conserving natural resources. The requirements of this Section are promulgated pursuant to the following objectives:

- Screen and buffer incompatible views and activities within and between uses.
- Define the limits of site functions and areas.
- Reduce or eliminate glare into and from adjacent sites and activities.
- Reduce dust and other pollutants from the air.
- Control noise and provide acoustical modification into and from adjacent sites.
- Contain odors and minimize their passage into and from adjacent sites.
- Control the direction and velocity of surface water runoff and minimize soil erosion.
- Moderate interior and exterior temperatures by controlling solar radiation on buildings and paved surfaces.
- Maintain aesthetic quality of property and preserve its value.
- Maintain and enhance the visual quality of the Village.

Section 5.01 SCREENING REQUIREMENTS.

Whenever there is development in any multiple family, mobile home park, commercial or industrial zoning district abuts a single-family zoning district, a decorative masonry wall, greenbelt or landscaped earthen berm shall be constructed along the common boundary of both sites meeting the following specific requirements:

1. **Walls.**
 - a. Walls shall be constructed of decorative poured reinforced concrete with a brick embossed pattern, reinforced protective face brick with bollards, or similar decorative building material determined to be acceptable by the Planning Commission. The color of facing or brick shall be compatible with brick used on the site and shall be durable, weather resistant and easy to maintain. Masonry units shall be integrally colored at the factory or stained on-site.
 - b. Walls shall be placed on the lot line and shall have no openings for vehicular traffic or other purposes, except as otherwise provided in this Ordinance and except such openings, and the arrangement of such, as may be approved by the Planning Commission for the purposes of public safety. Where walls are pierced, the openings shall be so spaced as to maintain the overall obscuring character required and shall not reduce the minimum height requirement.
 - c. The foundation of any wall shall be constructed to meet the requirements of the applicable Village Building Code. Masonry walls shall have a durable cap meeting the requirements of the Building Department.

- d. No such wall shall be painted, nor shall it be constructed of exposed concrete block, cinder block or wood products.
- e. Unless otherwise expressly directed by the provisions of this Ordinance, all protective walls or greenbelts shall be provided when required along and immediately adjoining the zoning district boundary line and/or property line, and shall be installed so as to lie wholly on the land of the applicant seeking site plan approval. A five (5) foot wide landscaped greenbelt shall be provided between the wall and the parking area. The greenbelt shall be planted with grass, round cover or other acceptable landscape materials, as determined to be appropriate by the Planning Commission. In instances where drains, trees or other obstacles preclude such location, the Planning Commission shall determine the most appropriate alternative location.
- f. All walls or greenbelts required by this Ordinance shall be completely installed prior to the issuance of an occupancy permit for the use of the premises, except as provided hereinafter.
- g. In any case where the development of the land and/or buildings has been fully completed and an occupancy permit would otherwise be issued, and the completed installation of the wall, greenbelt and/or landscaping required is prevented by inclement weather or acts of nature beyond the control of the owner, the owner may receive an extension of no more than six (6) months subject to the requirements of this Ordinance.
- h. Maintenance of the wall, or any other substituted screening device, shall be the responsibility of the property owner on whose property such wall or screen is located.
- i. The height of the required wall shall be determined by the Planning Commission during site plan review, taking into account the characteristics of the site and the adjoining uses.

2. Greenbelts.

- a. The minimum width for all greenbelts shall be ten (10) feet.
- b. The selection, spacing and size of plant material shall be such as to create, within a five (5) year period from the date of planting, a horizontal, obscuring effect for the entire length of the required greenbelt area, and a vertical obscuring effect of such height as to properly screen abutting uses.
- c. Plant materials selected for use under this Section shall be planted according to the following space requirements:
 - (1) Plant materials shall not be placed closer than four (4) feet from the fence line or property line.
 - (2) Where plant materials are planted in two (2) or more rows, planting shall be staggered in rows.

- (3) Evergreen trees shall be planted not more than twenty (20) feet on center when planted in informal groupings, or twelve (12) feet on center when planted in a single row.
 - (4) Narrow evergreens shall be planted not more than ten (10) feet on center when planted in informal groupings, or five (5) feet on center when planted in rows.
 - d. A four (4) foot high color-coated fence shall be constructed as part of the greenbelt.
 - e. All planting materials shall meet the minimum size specifications specified in Section 5.02.3.
3. Berms.
- a. Berms shall be designed to be consistent with architectural character of the building(s) to be located on the site and shall consist of landscaped earth mounds possessing a maximum slope ratio of four (4') feet horizontal to one (1') foot vertical, except where retaining walls are used. Side slopes shall be designed and planted with sod or hydro seeded to prevent erosion.
 - b. In those instances where a berm is included as part of a greenbelt, a detailed drawing and cross-section of the proposed berm shall be provided as part of the landscape plan.
4. Pressure-Treated Fencing.

Whenever pressure-treated fencing is permitted in conjunction with the screening requirements specified by this section, it shall conform to the following standards:

- a. The height of the fence shall not exceed six (6) feet.
- b. All fences shall be constructed with pressure-treated lumber.
- c. The construction of the fence shall meet the requirements of Section 3.12 and the Almont Village Building Code.
- d. Only shadow-box style fences shall be permitted.

Section 5.02 LANDSCAPING REQUIREMENTS.

1. General Requirements.

- a. Whenever any yard (front, side or rear) is not designated for building, off-street parking, loading and unloading, storage or other purpose within the terms and requirements of a given zoning district, it shall be landscaped with either approved natural materials or living plant materials which shall be maintained in an aesthetically pleasing condition.

- b. Whenever, in this Ordinance, a landscape treatment is required, it shall be in accordance with the specific use as mentioned in this Section. All landscaping shall consist either of approved natural materials or living plant materials. All landscaped areas shall be protected from the encroachment of vehicles by curbing or other suitable device approved by the Planning Commission. The installation of sprinklers shall be required to ensure the maintenance of all landscaped areas.
- c. A detailed landscape plan for all yard areas shall be submitted to the Planning Commission showing the names (common and botanical), location, spacing, starting size and planting and staking details of all plantings to be installed, and the location and types of all natural materials proposed to be included in the landscape treatment of the yard areas. This provision shall apply to all landscape yards including those expanded beyond the minimum setback requirements of this Ordinance. This landscape plan shall be reviewed and approved by the Planning Commission.
- d. Existing significant trees, tree stands, natural vegetation and wildlife habitat shall be integrated into the site landscape plan to the maximum extent possible
- e. Undeveloped portions and subsequent phases of the site shall be seeded, mowed and maintained.
- f. The Planning Commission may approve constructed features of other materials such as masonry walls or brick, stone and cobblestone pavement as a supplement or substitute, upon a showing by the applicant that general plantings will not prosper at the intended location.
- g. Landscaping shall be planted, landscape elements shall be installed, and earth moving or grading performed in a sound workmanlike manner and according to accepted good planting and grading procedures, with the quality of plant materials and grading as hereinafter described.
- h. Maintenance. The owner of property required to be landscaped by this Section shall maintain such landscaping in good condition so as to present a healthy, neat and orderly appearance, free from refuse and debris. All plant materials shall be continuously maintained in a sound, weed-free, healthy and vigorous growing condition and shall be kept free of plant diseases and insect pests. All unhealthy and dead material shall be replaced within one (1) year or the next appropriate planting period, whichever comes first.
- i. Quality. Plant and grass materials shall be of acceptable varieties and species, free of pests and diseases, hardy in Lapeer County, and shall conform to standards of the American Association of Nurserymen and the Village of Almont, and shall have passed any inspections required under State Regulations. No plant materials used to satisfy some or all planting requirements of this Section shall be compromised of non-living materials, except as provided herein.

- j. Approved ground cover used in lieu of grass, 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, with at least three (3) plants per square foot.
- k. **Lawn Grass.** Grass areas shall be planted in species normally grown as permanent lawns in Lapeer County. Grass may be plugged, sprigged, seeded or sodded, except that rolled sod, erosion reducing net or suitable mulch shall be used in swales or other areas subject to erosion. Grass, sod and seed shall be clean and free of weeds and noxious pests or diseases.
- l. Where stormwater retention is required, such improvements shall be designed and maintained as attractive amenities and incorporated into the site landscaping plan whenever practical and feasible.

2. Design Objectives.

- a. The following general design objectives and criteria shall be considered in the evaluation of landscape plans:
 - (1) Ample variety and quantity of ornamental plants, trees and shrubs should be provided. A few dominant types are usually chosen with subordinate types interspersed for accent. Repeating some types creates unity, but no types should be overused. Variety should be achieved with respect to seasonal changes, species selected, texture, color and size at maturity.
 - (2) Landscaping should be encouraged that will serve the functions of enhancing the visual environment, ensuring public safety, moderating the microclimate and minimizing nuisances.
 - (3) Landscaping should serve to integrate the project with the site, with a particular sensitivity to the natural topography, drainage and existing native vegetation. It should enhance the architecture of surrounding structures, when possible, by being of similar scale.
 - (4) Preservation of the existing landscape material and landforms is mandatory, particularly where mature trees are a part of the site to the standards of this Section.
 - (5) Visual variety should be the aim of landscaping treatment. Landscaping should be used to break up large expanses of pavement.
 - (6) Local soil, water, and other climatic conditions should be considered when choosing landscape materials to create optimum conditions for their survival and to ensure that they will thrive with a minimum amount of maintenance.
 - (7) Landscaping should be protected from vehicular and pedestrian encroachment. Raised planting surfaces and the use of curbs are ways of achieving this objective.

- (8) Species that are a public nuisance or that cause litter should be avoided. When landscaping is to be installed in areas that children will frequent, trees and bushes with sharp needles shall be prohibited.
- (9) The aesthetic and functional aspects of the proposed landscaping, both at installation and at maturity, shall be a paramount consideration in review and approval by the Planning Commission.

3. Plants and Materials.

- a. All plant materials used shall be placed in fertile soil with good surface drainage and shall be given reasonable maintenance necessary to ensure their healthy existence and survival. All natural materials shall be maintained, refurbished or replaced, as necessary, to ensure a positive aesthetic quality.
- b. All proposed landscaped plantings shall meet the minimum size requirements specified in the following table.

PLANT MATERIAL SIZE

| | Minimum Size Allowable | | | | | | | | | |
|--|------------------------|-------|-------|--------|---------|-----|------------------|----------------|---------------------|---|
| | Height | | | | Caliper | | 18"-2' Spread | 2" Peat Pot | 2 gal. Container | |
| | 5'-6' | 3'-4' | 2'-3' | 18"-2' | 2" | 2½" | | | | |
| Evergreens: | | | | | | | | | | |
| Fir | x | | | | | | | | | |
| Spruce | x | | | | | | | | | |
| Pine | x | | | | | | | | | |
| Hemlock | x | | | | | | | | | |
| Douglas Fir | x | | | | | | | | | |
| Narrow Evergreen Trees: | | | | | | | | | | |
| Red Cedar | x | | | | | | | | | |
| Arborvitae | x | | | | | | | | | |
| Juniper (selected varieties) | x | | | | | | | | | |
| Large Deciduous Trees: | | | | | | | | | | |
| Oak | | | | | | | | | | x |
| Maple | | | | | | | | | | x |
| Beech | | | | | | | | | | x |
| Linden | | | | | | | | | | x |
| Ash | | | | | | | | | | x |
| Ginko (male only) | | | | | | | | | | x |
| Honeylocust (seedless, thornless) | | | | | | | | | | x |
| Birch | | | | | | | | | | x |
| Sycamore | | | | | | | | | | x |
| Small Deciduous Trees (Ornamental): | | | | | | | | | | |
| Flowering Dogwood (disease resistant) | | | | | | | | | | x |
| Flowering Cherry, Plum, Pear | | | | | | | | | | x |
| Hawthorn (thornless) | | | | | | | | | | x |
| Redbud | | | | | | | | | | x |
| Magnolia | | | | | | | | | | x |
| Flowering Crabapple | | | | | | | | | | x |
| Mountain Ash | | | | | | | | | | x |
| Hornbeam | | | | | | | | | | x |
| Russian Olive | | | | | | | | | | x |
| Large Evergreen Shrubs: | | | | | | | | | | |
| Irish Yew | | | x | | | | | | | |
| Hicks Yew | | | x | | | | | | | |
| Upright Yew | | | x | | | | | | | |
| Spreading Yew | | | | | | | | | | x |
| Pfitzer Juniper | | | | | | | | | | x |
| Savin Juniper | | | | | | | | | | x |
| Mugho Pine | | | | | | | | | | x |

Plant Material Size - Continued

| | Minimum Size Allowable | | | | | | | | |
|------------------------------------|------------------------|-------|-------|--------|---------|--------|------------------|----------------|---------------------|
| | Height | | | | Caliper | | 18"-2' Spread | 2" Peat Pot | 2 gal. Container |
| | 5'-6' | 3'-4' | 2'-3' | 18"-2' | 2" | 2 1/2" | | | |
| Small Evergreen Shrubs: | | | | | | | | | |
| Brown's, Ward's Sebion Yews | | | | | | | x | | |
| Dwarf Spreading Juniper | | | | | | | x | | |
| Dwarf Mugho Pine | | | | | | | x | | |
| Euonymous Varieties | | | | | | | x | | |
| Large Deciduous Shrubs: | | | | | | | | | |
| Honeysuckle | | | x | | | | | | |
| Lilac | | | x | | | | | | |
| Border Privet (hedge plantings) | | | | x | | | | | |
| Sumac | | x | | | | | | | |
| Buckthorn | | x | | | | | | | |
| Pyracantha | | | x | | | | | | |
| Weigela | | x | | | | | | | |
| Flowering Quince | | x | | | | | | | |
| Barberry | | x | | | | | | | |
| Cotoneaster (Peking & spreading) | | x | | | | | | | |
| Sargent Crabapple | | x | | | | | | | |
| Dogwood (Red Osier & Grey) | | x | | | | | | | |
| Euonymous Varieties | | x | | | | | | | |
| Viburnum Varieties | | x | | | | | | | |
| Tail Hedge (hedge planting) | | | x | | | | | | |
| Small Deciduous Shrubs: | | | | | | | | | |
| Dwarf Winged | | | | x | | | | | |
| Regal Privet | | | | x | | | | | |
| Fragrant Sumac | | | | x | | | | | |
| Japanese Quince | | | | x | | | | | |
| Cotoneaster (Rockspray, Cranberry) | | | | x | | | | | |
| Ground Cover: | | | | | | | | | |
| Periwinkle | | | | | | | x | | |
| Baltic Ivy | | | | | | | x | | |
| Euonymous Varieties | | | | | | | x | | |
| Hall Honeysuckle | | | | | | | x | | |
| Pachysandra | | | | | | | x | | |
| Vines: | | | | | | | | | |
| Euonymous Varieties | | | | | | | | | x |
| Virginia Creeper | | | | | | | | | x |
| Baltic Ivy | | | | | | | x | | |
| Wisteria | | | | | | | | | x |

4. Where a landscape plan is required, the following plant materials are specifically prohibited:

- | | |
|-------------------------------------|----------------------------------|
| a. Boxelder. | g. Tree of Heaven. |
| b. Soft maple (red silver). | h. Catalpa. |
| c. Elm. | i. Fruit-bearing Trees. |
| d. Poplar. | j. All thorned trees and shrubs. |
| e. Willow. | k. Ribes (Gooseberry). |
| f. Horse Chestnut (nut bearing). | l. Cottonwood. |

Section 5.03 PARKING LOT LANDSCAPING REQUIREMENTS.

The intent of these requirements is to enhance the visual environment of the Village; to promote public safety; to moderate heat, wind and other local climatic effects produced by parking lots; and to minimize nuisances, particularly noise and glare.

1. Interior Parking Lot Landscaping.

All interior parking lots shall incorporate and provide curbed tree planting spaces providing not less than fifty (50) square feet of land area per each tree planted. Trees shall be placed somewhat evenly, either symmetrically or asymmetrically, throughout the parking area. The number of trees required shall be based on a ratio of one (1) tree for each six (6) parking spaces, or fraction thereof. Small parking lots with a capacity of less than twenty (20) spaces may place the required trees next to the parking lot rather than within the parking lot. The minimum size of all parking lot trees shall be one and one-half (1 ½) inches caliper at the time of planting. The following types of trees or similar types are considered to be suitable for parking lots and other intense urban conditions:

- a. White Fir.
- b. Norway Maple.
- c. Tulip Tree (Magnolia).
- d. Austrian and Red Pine.
- e. Moraine, Skyline, Majestic and Sunburst Locusts.

2. Vision Clearance.

To ensure that landscape materials do not constitute a driving hazard, clear vision site triangles shall be established at all street intersections and at the intersection of site driveways and streets. See Section 3.09 CORNER CLEARANCE. Internal parking lot landscaping improvements should be located to avoid blocking the vision of drivers within the parking lot.

Section 5.04 LOCATION AND SCREENING OF TRASH RECEPTACLES.

The location of trash receptacles shall be indicated on a site plan. All such trash receptacles shall be located so as to facilitate collection and minimize any negative impact on persons occupying the development site, neighboring properties, site traffic circulation patterns, or any public right-of-way.

All trash receptacles shall be screened on three (3) sides by decorative masonry walls which are similar to, or compatible with, the exterior construction materials used elsewhere on site. Chain link fencing with view obscuring slats or wooden fencing shall not be considered to be suitable screening materials. All trash receptacles shall be placed on a concrete pad having a minimum dimension of six (6) inches by ten (10) feet by ten (10) feet.

The height of the masonry screening shall be six (6) feet in height. The walls shall be maintained so as to remain structurally sound and neat and clean in appearance. Trash shall not be allowed to overflow from the receptacle. Trash receptacles shall be so located and arranged to minimize their visibility from adjacent streets and uses. No trash receptacle shall be placed any closer than forty (40) feet to any residential zoning district. All trash receptacles shall be located on site to be as accessible as possible without interfering with vehicular circulation patterns. Trash receptacles shall be located to minimize their impact on any adjoining residential zoning districts.

If usage patterns determine that the number of trash receptacles provided on-site are insufficient, additional receptacles may be required by the Building Administrator. Any additional trash receptacles so provided shall be located and constructed according to the standards contained herein.

Section 5.05 EXTERIOR LIGHTING REQUIREMENTS.

Lighting in all use districts shall conform to the following requirements as to type, location and intensity.

1. All exterior lighting shall be clearly shown on a site plan with appropriate symbols and labeling. Lighting intensity and shielding details shall be noted for all exterior lighting.
2. All outdoor lighting used to light the general area of a specific site shall be shielded to reduce glare and shall be so arranged as to reflect lights away from all adjacent residential property.
3. All outdoor lighting shall be directed toward and confined to the ground areas of lawns or parking lots, except as noted in 4. below.
4. Lighting used for the external illumination of buildings, so as to feature the building, shall be placed and shielded so as not to interfere with the vision of persons travelling along the adjacent highway or the adjacent property.
5. Artificial light shall be maintained stationary and constant in intensity and color at all times when in use. There shall be no flashing, oscillating, moving, or intermittent type of lighting or illumination. In addition, there shall be no exposed bare bulb illumination of any kind exposed to public view.

6. No lighting shall exceed a maximum height of fifteen (15) feet.
7. All lighting should be appropriate to the site and its surrounding in terms of style, scale and intensity of illumination. The use of site floodlighting, building-mounted or otherwise, or tall "freeway type" fixtures is prohibited. Low wattage systems are recommended, and all site lighting shall be shielded.
8. The lighting of pedestrian walkways and plazas may include either shielded or exposed sources, but the height and intensity of the light shall be subdued.

Section 5.06 SCREENING OF ROOF-MOUNTED APPLIANCES.

In all non-residential zoning districts, roof-mounted appliances including, but not limited to, air conditioners, heating apparatus, dust collectors, filters, transformers and any other such appliance or apparatus, shall be enclosed on all sides by opaque walls so as not to be visible from off the site. The design of the screening device shall be compatible with the architectural design of the building upon which it is located.

Section 5.07 PRESERVATION OF WOODED AREAS.

The intent of this Section is to preserve the wooded areas of the Village of Almont to the extent preservation is compatible with reasonableness and the following purposes:

- Slope stabilization and erosion control.
- Conserving water quality.
- Maintaining a micro climate.
- Filtering pollution from the atmosphere.
- Decreasing noise.
- Providing a habitat for wildlife.
- Visual character.

Recognizing the above-cited benefits of vegetation and woodlands, it is important to integrate these natural features into future development to improve the community's environmental qualities and to enhance the visual character of the constructed environment. Site plan review by the Planning Commission shall be consistent with this intent and the following provisions:

1. The developer shall provide the Planning Commission with a detailed description of the natural features and characteristics located on the site to be developed. Alterations of the site, such as tree removal, shrub and ground cover removal, regrading or filling, is prohibited prior to submission of an inventory and preservation plan to the Planning Commission. Any such site alteration shall be considered a violation of the Ordinance and may require substantial replacement prior to site plan approval.
2. The site plan shall meet the requirements of Section 7.02.2(d) and further contain:
 - A. 1" = 100' aerial photographs and U.S.G.S. quadrant maps of the area to provide as a vegetation map source.

- B. A preliminary field survey of typical size and type of trees and other vegetation.
- C. All groupings of existing trees containing trees that are four (4") inches or more in diameter as measured four (4') feet above the ground.
- D. A preservation plan with specifications describing removal of all trees, individually or as groupings, that are four (4") inches or more in diameter, as measured four (4') feet above the ground, as well as shrubbed areas. The plan shall also describe the method to be employed for protection of trees and shrubbed areas designated to remain during construction. The plan and specifications shall include grade changes or other work adjacent to the remaining trees and shrubbed areas which might produce an adverse effect such as, but not limited to, surface drainage, aeration and piling of excavated soil.

3. The amount of wooded area which may be preserved as a percent of the total site area shall meet the following minimum requirements:

| | |
|-------------------------------------|--------------------|
| One-Family Residential Subdivisions | Exempt* |
| One-Family Residential Acreage | 35% |
| Multiple-Family | 25% |
| Mobile Home Park | State Jurisdiction |
| Office | 20% |
| Central Business District | None |
| General Commercial | 10% |
| Industrial | 10% |

* Tree preservation to be addressed in Tentative Preliminary Plat or Preliminary Condominium Subdivision Review.

Special consideration in developing wooded areas may be requested; however, any grant of special consideration shall be based upon specific conditions applicable to the site, such as, but not limited to, the following: no prudent alternative building location is available; the location of quality or specimen trees; the diversity of the wood lot; and the condition of the trees (dead or diseased). If special consideration is not granted, the applicant will be required to maintain the percentage of wooded area as required herein. A grant of special consideration may require the planting of replacement trees and/or other vegetation, as determined by the Planning Commission to be specified as a condition of site plan review.

4. The Planning Commission shall be the exclusive reviewing authority of the detailed requirements of this Section, as well as the overall site plan. If the site plan is rejected pursuant to this Section, a written reason for rejection will be provided to the applicant by the Planning Commission.

Section 5.08 PERFORMANCE STANDARDS.

No use shall be permitted within any district which does not conform to the following standards of use, occupancy, and operation, which standards are hereby established as the minimum requirements to be maintained within the Village of Almont.