ORDINANCE 1045, effective 06/01/05

CHAPTER 19
DEVELOPMENT STANDARDS

SECTION 1901
GENERAL PROVISIONS

1.0. Purpose. The intent and purpose of this Section is to maintain an attractive environment, which will ensure development, compliments the existing character of the city and promotes desirable economic development within all zoning districts of the City.

1901.2. Cross References, as amended.

A. Zoning and planning in home rule cities - MCLA 117.4i.
B. Regulation of location of trades, buildings and uses by local authorities - MCLA 125.581.
C. Regulation of buildings; authority to zone - MCLA 125.582.
D. Uses of land or structures not conforming to ordinances; powers of legislative bodies; acquisition of property - MCLA 125.583a.
E. Duties of Code Official; Chapter 200, Section 203 Power and Duties of the Code Official and Section 204 Administrative Review and Permits.
A. Chapter 18 Site Plan and Sketch Plan Standards of Escanaba's Zoning Ordinance.
B. Chapter 5 Residence (A) District, Chapter 6 Residence (B) District, Chapter 7 Residence (C) District, Chapter 9 Local Business District (D), Chapter 10 Commercial (E) District, Chapter 11 Planned Commercial Development District (E-1), Chapter 12 Special Planned District (E-2), Chapter 13 Light Manufacturing District (F), Chapter 14 Industrial Park District (F-1), and Chapter 15 Heavy Manufacturing District (G) of Escanaba's Zoning Ordinance.
C. Chapter 17 Parking and Circulation Requirements of Escanaba's Zoning Ordinance.
D. Illuminating Engineering Society of North America Lighting Handbook, 9th Edition.

SECTION 1902
OBJECTIVES

1902.1. General. The purpose of this Charter is to establish rules, regulations, standards, and procedures for approval of all new development proposals and the expansions of existing businesses and industries in order to:

A. To conserve and protect the taxable value of land and buildings in the City of Escanaba.
B. To permit public involvement in the planning of private land uses which have the potential for significant impact on the use and enjoyment of surrounding property or on the public resources and facilities of the community.
C. To preserve, protect and encourage the development of buildings, groups of buildings anddevelopment sites of distinguished architectural character and appearance.
D. Provide for safe, efficient vehicular, non-motorized and pedestrian circulation.
E. Provide for screening, landscaping, signage, and lighting.
F. Ensure efficient, safe, and attractive land development.
G. Provide for compliance with appropriate design standards to ensure adequate light

and air, proper building arrangements, and minimal adverse effect on adjacent properties.

H. Develop proper safeguards to minimize the impact on the environment and to encourage energy and water conservation where possible.

I. Ensure the provision of adequate water supply, drainage, and storm water management, sanitary facilities, snow removal and storage, and other utilities and surveys.

J. Encourage modern and innovative design, construction, technology, and planning methods.

K. Advance and promote sound growth and continued development within the City.

SECTION 1903
APPLICABILITY

1903.1. General. The requirements of this Chapter shall apply to the following:

A. All multi-family buildings containing five (5) or more dwelling units.
B. Building conversions from a commercial use to any other use on Ludington Street between Lincoln Road and 2nd Street.
C. All principal nonresidential buildings or structures permitted in any residential district.
D. Communication towers.
E. All Commercial buildings and uses.
F. All Special Land Use requests.
G. All Residential Planned-Unit Developments (C-2).
H. All Planned Commercial Developments (E-1).
I. All Special Planned District Developments (E-2).
E. All Light Manufacturing District Building and Uses (F)
F. All Industrial Park District Building and Uses (F-1)
G. All Heavy Manufacturing District Building and Uses (G)
H. All Local Business District Building and Uses (D)

1903.2. Incentives for Better Design and Creativity. Excellence in design and planning which may be achieved through appropriate innovation and imaginative concepts is encouraged. To accomplish this, alternative compliance may be proposed to the Escanaba Planning Commission in achieving appearance standard goals, provided that such change will produce a more logical and attractive use of property, in that it will be beneficial rather than detrimental to the surrounding area and the community. Proposed design alternatives acceptable under this process must not represent a waiver of requirements: the alternatives must meet or exceed the "spirit" of the law.

SECTION 1904
STANDARD REQUIREMENTS

1904.1. General. The interpretation and application of the provisions of these standards shall be held as minimum requirements for the promotion of the public health, safety, and welfare. No structure shall be erected, converted, enlarged, reconstructed or altered, and no structure or land shall be used for any purpose nor in any manner which is not in conformity with the provisions of this Chapter.

Exception: Where permitted, site and landscape regulations, building design criteria, off-

street parking and loading requirements, and other regulations contained herein are either more or less restrictive than comparable conditions imposed by provisions contained in the City of Escanaba Zoning Ordinance or of any other law, ordinance, rule, resolution or regulations, the requirements that are more restrictive or which impose a higher standard shall govern.

Exception: Historically significant buildings. Existing historic buildings that express the history of Escanaba may, with Planning Commission approval, be exempted from the requirements of this section provided the condition of the building is preserved, upgraded, or rehabilitated to its original state and maintained in a safe and defect-free condition.

SECTION 1905
ADMINISTRATION, DUTIES AND RESPONSIBILITIES

1905.1. General. The administration of this Chapter shall be vested in the City Manager, Code Official, City Engineer, Building Inspector, Public Safety Fire Official, the City departments identified in Section (B), below and the City Planning Commission.

A. It shall be the duty of the Code Official to be in charge of the day-to-day administration and interpretation of the development and design standards.

B. All proposed site plans shall be forwarded to the following City Departments: City Engineering Department, Wastewater Department, Water Department, Public Safety Department, Recreation Department, Public Works Department and Electrical Department. These departments shall review each plan and make recommendations to approve, approve with conditions, or reject said plan to the City of Escanaba Planning Commission. These departments shall be responsive to applicants and their possible time constraints and shall expedite the review process to the extent possible.

C. From time-to-time the design criteria may be amended, changed or deleted. Such action shall take place before the Escanaba Planning Commission in accordance with Public Act 207, 1921, as amended, Section MCL 125.584.a.b.c.d.

SECTION 1906
APPEALS

1906.1. General. Unless otherwise provided herein, appeals from the requirements contained in these standards shall be heard by the Escanaba Zoning Board of Appeals.

SECTION 1907
DEVELOPMENT STANDARDS FOR GRANTING PLAN APPROVAL

1907.1. General. A site development plan shall conform to all applicable requirements of the City of Escanaba, State and federal laws and local Ordinances and approval may be conditioned upon the applicant receiving necessary local, State and federal permits before final site plan approval or an occupancy permit is granted. In addition, a development shall conform to the requirements of Chapter 18 Site Plan and Sketch Plan Standards of the Zoning Ordinance in addition to the following general development standards which shall be reflected on the site plan:

A. **Building orientation.** Primary structures shall be oriented so that their main

entrance faces the street upon which the lot fronts. If the development is on a corner lot, the main entrance may be oriented to either street or to the corner.

B. **Roof equipment.** All roof-mounted equipment, including satellite dishes and other communication equipment, must be screened from recreation trails or from a public sidewalk adjacent to the site by a parapet wall or similar architectural feature. (Exception: Solar energy collection panels do not require screening to allow maximum effectiveness.)

C. **Visual and sound mitigation.** Reasonable visual and sound mitigation for all structures shall be provided. Fences, walks, barriers and landscaping shall be used appropriately for the protection and enhancement of property and for the privacy of its occupants.

D. **Emergency access.** Every principal building or groups of buildings shall be so arranged as to permit emergency access by some practical means to all sides.

E. **Street access.** Every development shall have legal access to a public or private street.

F. **Circulation system.** The development, where possible, shall provide vehicular and pedestrian circulation systems which reflect and extend the pattern of streets, pedestrian and bicycle ways in the area. Travelways which connect and serve adjacent development shall be designed appropriately to carry the projected traffic.

G. **Non-motorized circulation system.** A pedestrian and/or non-motorized vehicle circulation system shall be provided which is physically separated and insulated as reasonably possible from the vehicular circulation system.

H. **Parking areas.** All parking areas shall be designed to facilitate safe and efficient vehicular, pedestrian and non-motorized vehicle traffic, pedestrian circulation, minimize congestion at points of access and egress to intersecting roads, to encourage the appropriate use of alleys and minimize the negative visual impact of such parking area.

I. **Shared drives.** Where the opportunity exists, developments shall use shared drives. Unnecessary curb cuts shall not be permitted. Shared use access between two (2) or more property owners should be encouraged through the use of driveways constructed along property lines, connecting parking lots and construction of on-site of frontage roads and rear service drives; particularly within three hundred (300) feet of major intersections, for sites having dual frontage, at locations with site distance problems, and/or along roadway segments experiencing congestion or accidents. In such cases, shared access of some type may be the only access design allowed. In cases where a site is adjacent to an existing frontage road, parking lot of a compatible use, or rear service drive, a connection to the adjacent facility may be required by the Planning Commission through a mutual Access Easement Agreement. In cases where a site is adjacent to undeveloped property, the site should be designed to accommodate a future frontage road, parking lot connection, rear service drive or shared access drive. The applicant shall provide the City with letters of agreement or access easements from all affected property owners.

J. **Loading, unloading and storage areas.** All loading and unloading areas and outside storage areas, including areas for the storage of trash, which are visible from residential districts or public rights-of-way shall be screened by a vertical screen consisting of structural and/or plant materials not less than six feet in height. Loading docks should be located at the side yard or rear yard of the building.

K. **Light sources.** Exterior light sources shall be deflected downward and away from

adjacent properties and rights-of-way so as to promote and enhance "dark-sky" designs.

L. **Utilities.** Adequate utilities shall be provided to properly serve the development. All utilities shall be placed underground.

M. **Environmental issues.** Sites at which hazardous substances and potential pollutants are stored, used or generated shall be designed to prevent spills and discharges to the air, surface of the ground, groundwater, lakes, streams, creeks or wetlands.

N. **Tree Preservation Purpose and Intent.** Trees are a critical part of the vegetation that serves to decrease and filter storm water runoff, to mitigate the urban heat island effect created by paved and other built surfaces, to remove pollutants from the air, to abate visual and noise pollution, and to provide habitat for wildlife. Tree removal thus increases the burden on the community to effectively address these issues. The goals of the tree preservation provisions are to reduce tree loss during development, to reduce damage to standing trees during construction, to provide for replacement of trees lost during construction, to provide for the planting of trees lost during construction, to provide for the planting of trees where none occurred previously, and to provide for the maintenance of preserved trees after construction is completed.

O. **Canopies.** Canopies covering gas station pumps, bank facilities or other drive-through facilities may have a clearance of no more than fifteen (15) feet and the overall height of canopies may not exceed twenty (20) feet. The square foot area of a canopy may be no greater than 450 square feet per parking space at regular gas pumps. Spaces next to special pumps, including pumps dedicated to diesel or propane, may not be factored into the calculation. Canopy design must match the architectural elements and styles of the main structure and the surrounding features of the area.

P. **Storm Water Control Plan.** A Storm Water Control Plan shall be designed appropriately to carry storm water away from buildings and adjacent properties into an approved collection system.

SECTION 1908
DEVELOPMENT AND DESIGN STANDARDS IN CERTAIN DISTRICTS

1908.1. General. The purpose of this section is to establish general development performance standards. These standards are intended and designed to assure compatibility of uses; to prevent urban blight, deterioration, and decay; and to enhance the health, safety, and general welfare of the residents of the community.

1908.2. Compatibility and Integrity. The City of Escanaba's overall approach encourages a variety of architectural styles. However, basic harmony is intended to prevail so that no one structure detracts from the attractiveness of the overall environment. The Escanaba Planning Commission shall review building design in order to ensure architectural compatibility and integrity.

1908.3. Local Business Districts (D), Commercial Districts (E), Planned Commercial

Districts (E-1), Special Planed Districts (E-2), Light Manufacturing District (F), Industrial Park District (F-1), and Heavy Manufacturing District (G). Colors, materials, finishes, and building form shall be coordinated in a consistent manner on the front, side, and rear exterior walls. Materials shall be one of the following:

A. Brick, masonry unit, marble aggregate, split face or broke concrete block or other composite materials of similar appearance and texture.
B. Concrete masonry. Units shall be those generally described by the National Concrete Masonry Association as "customized architectural concrete masonry unit" or shall be broken faced brick type units with marble aggregate or split face or broke concrete block. There shall be no exposed concrete block on the exterior of any building. Any concrete masonry units that have a gray cement color shall be coated.
C. Concrete may be poured in place, tilt-up or precast. Poured in place and tilt-up walls shall have a finish oil stone, a texture or a coating. Textured finishes, except in special cases, shall be coated. Pre-cast units which are not uniform in color shall be coated. Coating shall be an approved cementitious or epoxy type with a ten (10) year minimum life expectancy.
D. Natural Stone.
E. Glass Curtain walls.
F. Metal siding may be used only in combination with one of the approved materials and with approval of the Planning Commission. Metal siding may be utilized only on the side and rear of the building walls that do not face an adjacent street. The first twenty five (25) feet of any building wall (vertically and/or horizontally) or 25 percent of the side wall surface, whichever is greater, and 25 percent of the rear wall (excluding door, window or other openings, shall be constructed of the materials listed under (a) through (e), above. Any metal siding proposed for use shall be entirely coated with a colorfast, abrasion and corrosion resistant, long life (minimum of 20 years) finish that is resistant to chemicals, withstands temperature extremes, and has a low permeability. Such panels shall be insulated (facing shall carry a U.L. Approval), have a vapor barrier and have a minimum eight (8) foot (from floor) interior rear wall. Any material utilized to attach the metal siding to the building shall be concealed or the utilization of shadow panels or semi-concealed fastener panels with fasteners painted to match the panels shall be required.
G. In Industrial Park District (F-1) and Heavy Manufacturing District (G), metal siding may be used for the entire side and rear building walls with approval of the Planning Commission.
H. Other materials approved by the Planning Commission.
I. The building exterior requirements of this section are intended to be minimum requirements and more stringent requirements may be imposed by the Planning Commission, taking into consideration public interests such as coordinating a consistent appearance and quality of construction with adjacent structures, the size of the proposed structure, the topography of the site, and the proximity of the structure to public right-of-ways.

1908.4. Residence Districts (C)/Multi-Family Buildings Containing Five (5) or More Dwelling Units and all Residential Planned Unit Developments (C-2). All buildings hereafter constructed within this district shall be designed in such a manner so they provide basic harmony with and do not detract from the overall attractiveness of surrounding development and shall be constructed of the following materials:

A. Brick.
B. Natural stone.
C. Vinyl siding, composite material, and steel siding may be used only in combination with one of the approved materials and with approval of the Planning Commission. Vinyl siding may be utilized only on the side and rear building walls that do not face an adjacent street or public right-of-way. On a case-by-case basis 100% vinyl siding designs which coordinate with the architectural and/or historic concepts in the neighborhood may be approved by the Planning Commission.
D. Any other similar material as approved by the Escanaba Planning Commission.

1908.5. Signage Requirements (All Uses). Sign materials must be compatible with the appearance of the building's finished materials.

SECTION 1909
GENERAL OUTDOOR LIGHTING REQUIREMENTS

1909.1 Definitions.

Direct Light. Lighting emitted directly from the lamp, off the reflector or reflector diffuser, or through the refractor or diffuser lens of a luminaire.

Fixture. The assembly that holds the lamp and may include as assembly housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and a refractor or lens.

Flood or Spot Light. Any light fixture or lamp that incorporates a reflector or refractor to concentrate the light output into a directed beam in a particular direction.

Footcandle. A unit of illumination produced on a surface, all points of which are one foot from a uniform point source of one candle.

Full-Cutoff. A light fixture which cuts off all upward transmission of light.

Glare. Direct light emitted by a luminaries that causes reduced vision or momentary blindness.

HID Lighting. High intensity discharge lighting, a family of bulb type including mercury vapor, metal halide, high pressure or low pressure sodium, which glow when an electric current is passed through a gas mixture inside the bulb.

Horizontal (or vertical) Footcandles. The amount of light striking a vertical or a horizontal plane.

Indirect Light. Direct light that has been deflected or has scattered off of other surfaces.

Inventory of Lighting. A list of lamps indicating the bulb type, bulb wattage, and manufacturer through which the rated lumens can be determined.

Lamp. The component of a luminaire that produces the actual light.

Light Source. The bulb and lens, diffuser, or reflective enclosure.

Light Trespass. Light projected onto a property from a fixture not located on that property.

Lumen. A unit of luminous flux. One footcandle is one lumen per square foot. For the purpose of this Chapter, the lumen-output values shall be the initial lumen output ratings of a lamp.

Luminaire.. The complete lighting unit, including the lamp, the fixture, and other parts.

Luminaire Full-Cutoff. A luminaire that allows no direct light emissions above a horizontal plane through the luminaries' lowest light-emitting part.

Outdoor Lighting. The night-time illumination of an outside area of object by any manmade device located outdoors that produces light by any means.

Temporary Lighting. The specific illumination of an outside area of object by any manmade device located outdoors that produces light by any means for a period of less than seven days, with at least 180 days passing before being used again.

1909.2. Light Measurement Technique. Light level measurements shall be made at the property line of the property upon which the light to be measured is being generated. If measurement on private property is not possible or practical, light level measurements may be made at the boundary of the public street right-of-way that adjoins the property of the complainant or at any other location on the property of the complainant. Measurements shall be made at finished grade (ground level), with the light-registering portion of the meter held parallel to the ground pointing up. The meter shall have cosine and color correction and have an accuracy tolerance of no greater than plus or minus five (5) percent. Measurements shall be taken with a light meter that has been calibrated within the year. Light levels are specified, calculated and measured in footcandles (FC). All FC values below are maintained footcandles.

1909.3. Directional Control. All luminaries of 1800 or more lumens shall be full-cutoffs as installed. For luminaries under 1800 the bulb must be frosted glass or installed behind a translucent cover, except floodlights which must be aimed no higher than 45 degrees below horizontal. This can be accomplished by the use of full-cutoff (fco) fixture design, shielding, visors, louvers, or other devices.

1909.4. Lighting Requirements. To provide for the basic needs of safety and security, appropriate lighting shall be provided in order to delineate roads, drives, parking areas, pedestrian ways, buildings, and other organizational points. Lighting shall be an integral part of the overall architectural design; therefore, proposed lighting, whether free-standing or building-mounted, shall compliment the architectural character of the principal use. Lighting design shall correlate energy conservation with aesthetic, architectural, and safety factors. Any luminaire with a lamp or lamps rated at a total of more than 1800 lumens, and all flood or spot luminaries with a lamp or lamps rated at a total of more than 900 lumens, shall not emit any direct light above a horizontal plane through the lowest direct-light emitting part of the luminaire. any luminaire with a lamp or lamps rate at a total or more than 1800 lumens, and all flood or spot luminaries with a lamp or lamps rated at a total of more that 900 lumens, shall be mounted at a height equal to or less that the value 3 + (d/3), where d is the distance in feet to the nearest property boundary. The maximum height of the luminaries shall not be taller than the building whose area they illuminate nor

taller than twenty-five (25) feet whichever is shorter. Lighting plans must include the following information:

A. A site photometric plan indicating footcandle levels at grade to the lot lines.
B. Specifications for all luminaries, poles and luminaire mounting arms.
C. Lighting specifications including footcandle initial averages, and maximum-to-minimum uniformity ratio.
D. The location, mounting height, lamp intensity for all exterior luminaries..
E. An estimate of the average and peak energy requirements for the building and grounds.

1909.5. Architectural Compatibility. Outdoor lighting fixtures must be compatible with the architectural elements located throughout the development.

1909.6. Wallpack Fixtures. All wallpack fixtures shall be cut-off fixtures.

1909.7. Lighting of Buildings and Landscaping. Lighting fixtures shall be selected, located, aimed, and shielded so that direct illumination is focused exclusively on the building facade, plantings, and other intended site feature and away from adjoining properties in the public street right-of-way.

1909.8. Prohibition Against Glare (Light Trespass). Outdoor lighting may not create a glare that may be hazardous for motorist, bicyclist or pedestrians. Unless otherwise stated, the maximum illumination shall be 0.5 maintained footcandles at any property line in a residential district or local business district, and 1.0 maintained footcandles at any property line or public street right-of-way, unless otherwise approved by the Planning Commission. In order to prevent unreasonable light pollution, any luminaire and all wall-mounted luminaries used for area light shall use a cut off luminaire positioned in a way that the cut off effect is maximized.

1909.9. Fascia Lighting. Fascia lighting is limited to the street-facing side of the building and may not exceed an area twice the size of the building sign.

1909.10. Walkway Lighting. Walkway lighting shall have a height of ten (10) to fourteen (14) feet above grade.

1909.11. Lighting Context. Outdoor lighting must consider existing light sources that impact the site and land uses that will be impacted by the lighting. In order to prevent lighting redundancy, proposed new outdoor lighting must factor in existing light affecting the site, including light provided by public light fixtures. The maximum allowable total lumens generated on each parcel is 80,000 lumens per net acre with full cut-off lighting. Parcels less than one net acre are allowed full cutoff lighting lumens in a portion equal to the parcel's portion of a net acre.

1909.12. Light Levels, Luminaire Mounting Position, and Timing of Parking Areas. Lighting levels, mounting positions and timing of parking areas shall be constructed and installed as follows:

1909.12.1. District Levels. Lighting levels for commercial , business, industrial, and natural zones and any roadway adjacent to residential zones may have a level of lighting which does not exceed 0.5 footcandles at any residential property line or

1.0 footcandles at any non-residential property line. Any canopy structure used at a business location must have recessed lights with diffusers which do not extend below the surface of the canopy. Any luminaire on a pole, stand or mounted on a building must have a shield, an adjustable reflector and non-protruding diffuser.

1909.12.2. Lighting in Parking Lots and Outdoor Areas. Other than flood lights and flood lamps, all outdoor area and parking lot lighting fixtures which are more than 2,000 lumens shall be cut-off fixtures, or comply with the exceptions.

Exceptions.

All metal halide, mercury vapor, fluorescent, induction, white high pressure sodium and color improved high pressure sodium lamps used in non cut-off fixtures shall be coated with an internal white frosting inside the out lamp envelope.

All metal halide fixtures equipped with a medium base socket must utilize either an internal refractive lens or a wide-body refractive globe.

All non-cutoff fixture open-bottom lights shall be equipped with full cut-off fixture shields that reduce glare and limit up light.

1909.13. Lighting Exceptions. All temporary lighting needed by the police, fire, or other municipal departments, emergency services, as well as all vehicular luminaries, shall be exempt from the requirements of this article. All hazard-warning luminaries required by law are exempt from the requirements of this article. Recreational and outdoor event lighting is exempt only during times the lighted area is actually in use. Nonetheless, recreational and outdoor event lighting shall be installed in a way that minimizes light emitted above the horizontal and onto adjacent property. Lighting associated with a holiday IS EXEMPT. Other exceptions as required by law.

SECTION 1910
SCREENING OF OUTDOOR STORAGE

1910.1. General. All materials, equipment, and receptacles and containers for refuse and recyclables shall be stored within a building or fully screened as so not to be visible from adjoining properties by using an opaque fence or wall that is architecturally compatible to the building's finished materials or landscaping which will shield all items outdoors, and be located in the side or rear yard, except for construction and landscaping materials currently being used or intended for use on the premises within six (6) months.

SECTION 1911
FENCES/HEDGES

1911.1. General. The requirements of this Section shall apply to all land uses, buildings and structures. A fence/hedge plan review is required for all land uses, buildings and structures.

1911.2. Construction and Maintenance: Every fence shall be constructed in a

substantial, workmanlike manner and of material reasonably suited for the purpose for which the fence is proposed to be used. Every fence shall be maintained in good repair and shall not be a danger or nuisance, public or private. Any such fence which is, or has become, dangerous to the public safety, health or welfare, is a public nuisance and shall be repaired or removed. Link fences, wherever permitted, shall be constructed in such a manner that no barbed ends shall be at the top except for limited outdoor storage areas. No fence shall be installed, erected or maintained except in strict compliance with the following requirements:

A. Metal Fences – Shall consist of new materials treated in a manner to prevent rust and corrosion.
B. Wood Fences – Shall be constructed of new materials and painted, stained or preserved in a manner to maintain the fence in a good structural condition and with an appearance that is aesthetically compatible with the type of fence it represents. For example only, a so-called rustic or stockade fence shall be treated and/or maintained in a manner to represent the best appearance of that type of fence.
C. Plastic or Other Synthetic Material Fences – Where any of these materials are used as a fence, or part thereof, only new materials shall be used and they shall be treated and maintained in a manner to maintain the fence in good structural condition and with an appearance that is aesthetically compatible with the type of fence it represents. Further, such materials shall be of a design and constructed or integrated with the fence to which they are a part in a manner that will not be destroyed or torn apart from the fence by climatic elements. For example, only metal or synthetic material slats inserted in a fence shall be done in a manner not to allow them to be blown away, or removed by the wind or other weather conditions.
D. Masonry Fences – Except as otherwise provided in any other City of Escanaba Ordinance requiring such fences or "walls", this type of fence shall only be permitted with the written approval of all property owners abutting the sides of the property upon which the fence is to be erected.

1911.3. Location: No fence or hedge shall be erected or installed in any yard that will shut-off light or ventilation to any window or opening in a habitable space of a dwelling. A minimum distance of three feet shall be maintained between any solid fence or hedge and any such opening in a dwelling in determining such light and ventilation. No fence or hedge shall be erected or installed nearer than two (2) feet from the inside line of the sidewalk, and, in the case of any corner lot, within the sight distance triangle. No fence or hedge shall be erected or installed on any legal easement and/or right-of-way.

1.0. Fence/Hedge Heights. Fences/hedges shall not exceed the following heights in the

specified district:

Zoning District	Fence Height Above Grade	
	Front Yard (Feet)	Side & Rear Yards (Feet)
Residence "A" District	4	6
Residence "B" District	4	6
Residence "C" District	4	6
Residential Planned-Unit Development "C-2"	4	6
Local Business District "D"	4	6
Commercial Development "E"	4*	6
Planned Commercial Development "E-1"	4	6
Special Planned District "E-2"	4	6
Light Manufacturing District "F"	4*	12
Industrial Park District "F-1"	8	12
Heavy Manufacturing District "G"	8	12

* With a Special Land Use Permit, a front yard fence can be up to six (6) feet in height.

SECTION 1912
LANDSCAPING, BUFFERS, AND SCREENING

1912.1. General Statement. The requirements of this Section shall apply to all land uses, structures and buildings. The City of Escanaba finds that it is in the public interest for all developments to provide landscape improvements for the purpose of: complimenting the natural environment; improving the general appearance of the City and enhancing its aesthetic appeal; preserving the economic base; improving quality of life; delineating and separating use areas; increasing the safety, efficiency, and aesthetics of use areas and open space; screening and enhancing privacy; mitigating the diverse impact of climate; conserving energy, abating erosion and stabilizing slopes; deadening sound; and preserving the quality of our air and water.

1912.2. Guidelines for Landscaping Buffers. The arrangement of trees and shrubs in the buffer area shall be done in a manner that provides a visual separation between abutting land uses. Shrubs and/or trees shall be massed in rows or groups to achieve the maximum screening effect.

1912.3. Landscape Plan. All applicants for zoning land use permits for Residence Districts (C), Residential Planned-Unit Development Districts (C-2), Local Business Districts (D), Commercial Districts (E), Planned Commercial Development District (E-1), Special Planned District (E-2), Light Manufacturing Districts (F), Industrial Park District (F-1), and Heavy Manufacturing Districts (G) shall submit a landscape plan.

1912.4. Submittal Procedure. The following procedure shall be followed for the submittal of landscape plans.

> **1912.4.1. Preliminary Consultation.** Prior to the submittal of a landscape plan, it is recommended that the developer meet with the Code Official and/or other appropriate City staff to discuss zoning district, site plan, and landscaping plan requirements. Such meeting should occur prior to any extensive outlay of funds on the part of the developer since it is intended to identify potential problems and methods to alleviate them and to encourage a cooperative effort between the

developer and the City.

1912.5. Plan Submittal. After the preliminary consultation with City Staff, Fifteen (15) copies of all landscape plans requiring approval by the Planning Commission shall be submitted to the Code Official. Landscaping plans may be submitted separately or included in the Site Plan. All plans shall be drawn to an engineering scale. Plans shall be drawn to scale, rendered on a minimum sheet size of twenty-four (24) inches by thirty-six (36) inches and contain the following information:

A. The location and dimensions of all proposed open space areas.
B. Identification of all proposed vegetation:

1. Symbols, quantities, common names, and size of all plant materials, and whether plant is balled burlapped, potted, or bare root.
2. Showing all species to scale of mature crown diameter or spread.

1912.6. Required Buffers. Required buffers shall not be disturbed for any reason except for required driveways, sidewalks, or other pedestrian or bicycle paths, walls, fences, or required landscaping, landscaping maintenance and replacement, or maintenance and construction of berms, or utility lines. However, utility line construction must meet the following requirements:

A. The removal of any tree larger than 8 inches caliper shall require the approval of the City of Escanaba.
B. If utility lines run longitudinally within a buffer yard, the width of the buffer yard shall be increased by the same amount that is cleared for placement of the utility lines.
C. To the extent possible, the path cleared for the utility lines shall be replaced with plant materials, which are consistent with those that existed prior in the buffer yard.

1912.7. Screening Requirements. The provisions of this Section must be met at the time that land is developed or land and structures are redeveloped. The requirements of this Section do not apply to lots or portions of lots, which are vacant or undeveloped. The following special requirements for certain parking lots, solid waste storage areas, service entrances, loading docks and outdoor spaces must comply with the following:

1912.7.1. Parking Lots. Parking lots for more than ten (10) automotive vehicles and parking decks, excluding new and used automotive sales lots and parking areas for detached, duplex, triplex or quadraplex dwellings on a single lot must be screened from
abutting properties.

1912.7.2. Solid Waste Storage Areas. Dumpsters, recycling containers (except for recycling containers located at recycling collection centers), or solid waste handling areas must be screened from abutting property and from public view from a public street with the use of an opaque fence or wall that is architecturally compatible to the building's finished materials or landscaping which will shield all items outdoors.

1912.7.3. Service Entrances. Service entrances or utility structures associated

with a building, except in the area where such use abuts other service entrances or utility structures shall be screened from abutting property and from public view from a public street.

1912.7.4. Loading Docks. Loading docks or spaces, except in the area where such use abuts other loading docks or spaces shall be screened from abutting property and from public view from a public street. Loading docks should be located at the side yard or rear yard of the building.

1912.7.5. Outdoor Storage. Outdoor storage of materials, stock and equipment shall be screened from abutting property and from public view from a public street.

1912.7.6. Electrical and/or Mechanical. All electrical and/or mechanical equipment, including roof mounted, shall be integrated into the design of the structure to the extent possible, enclosed or screened as part of the overall architectural design.

1912.7.7. Additional Screening. Any other uses for which screening is required under these regulations as determined by the Planning Commission Site Plan Review.

1912.8. Screening and/or Buffer Areas. Any screening or buffer areas used to comply with the provisions of this Section or other ordinance provisions for uses other than parking decks must consist of a planted area which is at least five (5) feet wide. This area may contain any type screening materials sufficient to separate visually the land uses, provided such materials meet the requirements of this Section. If only a wall or fence is used, then the area devoted to the screen need only be wide enough to accommodate the wall or fence and allow for its maintenance. The composition of the screening material and its placement on the lot must be indicated on the site plan drawing and reviewed and approved by the Planning Commission. The following list contains specific standards to be used in installing screening:

1912.8.1. Fences or Walls. Any fences or walls used for screening shall be constructed in a durable fashion of brick, stone, other masonry materials, wood posts and planks or metal or other materials specifically designed as fencing materials or any combination thereof as may be approved by the Code Official. Other materials may also be considered through the alternate buffer and screening process as detailed in Section 1914.8 Screening and/or Buffer Areas. No more than 25 percent of the fence surface shall be left open and the finished side of the fence shall face the abutting property. A chain link fence with plastic, metal or wooden slats may not be used to satisfy the requirements of this Section when abutting residential uses and districts, and public streets.

1912.8.2. Earth Berms. Any earth berm used to meet the requirements of this Section must be a minimum of four (4) feet wide with a maximum slope of 2:1. Berms in excess of six (6) feet in height shall have a maximum slope of 3:1 as measured from the exterior property line.

1912.8.3. Screening Height. The minimum height for screening will be whatever is

sufficient to separate visually the uses, but not less than four (4) feet.

1912.8.4. Vegetation Plant Sizing. Required vegetation shall be of the following minimum planting size:

A. Deciduous trees – 2.5 inch diameter as measured 6 inches above ground.
B. Coniferous trees – 6 feet in height.
C. At least 20% of the required number of trees shall be hardwood deciduous trees.
D. Evergreen shrubs used for screening purposes, including those used in conjunction with berms, shall be a minimum of 24 inches in height with a minimum spread of 2 feet when planted and no further apart than five feet.
E. Required trees and shrubs used in site development must be indigenous to Escanaba and/or Delta County.

1912.8.5. Ground Cover. The street front yard and the front 1/3 of the side yards abutting the building shall be maintained in an attractive maintained state, either as a natural landscape or plantings with sodded grass areas. All other open space areas shall, at a minimum be seeded. The following deviations from this standard may be granted by the Planning Commission during the review process if it is determined that less water demand is needed or lower maintenance designs will be more effective:

A. The use of mulch material for shrubs and foundation plantings.
B. The seeding of future expansion areas delineated on the site plan.
C. Areas maintained in a natural state that are undisturbed or that are in construction.
D. Other landscape elements such as decks, patios, stepping stones or landscape stones may be incorporated therein.
E. Other ground cover uses will be considered on a case-by-case basis by the Escanaba Planning Commission.

1912.9. Special District Requirements. Future development within the City shall meet the following minimum requirements:

1912.9.1. Residence (C) District. Residence (C) District (all multi-family buildings containing five or more dwelling units) shall contain at a minimum:

A. Ten percent of the total lot area shall remain open green space.
B. One (1) indigenous tree per dwelling unit, or two (2) indigenous trees per dwelling unit for every mature tree removed, whichever is greater.

1912.9.2. Principal Non-Residential Buildings in a Residential District. All principal nonresidential buildings or structures permitted in any Residential District shall contain at a minimum:

A. Ten percent of the total lot area shall remain open green space.
B. One indigenous tree per 1,000 square feet of gross floor area, in any fraction thereof, for nonresidential uses.

1912.9.3. US2, 41, and M35 Corridor (North Lincoln Road) and Ludington

Street west of Lincoln Road, M35 Corridor (South Lincoln Road) between Lake Shore Drive and Ludington Street shall contain at a minimum:

A. Twenty percent of the total lot area shall remain open green space.
B. One indigenous canopy tree per 10,000 square feet of lot area or fraction thereof.

1912.9.4. Residential Planned Unit Development Districts (C-2). Residential Planned Unit Development Districts (C-2) shall contain at a minimum:

A. Ten percent of the total parcel area shall remain open green space.
B. One indigenous tree per dwelling unit, or two (2) indigenous trees per dwelling unit for every mature tree removed, whichever is greater.

1912.9.5. Commercial District (E), Planned Commercial Development Districts (E-1) and Local Business District (D). Commercial District (E), Planned Commercial Development Districts (E-1),and Local Business District (D) shall contain at a minimum:

A. Ten percent of the total lot area shall remain open green space.
B. One indigenous tree per 1,000 square feet, or fraction thereof, of gross floor area.

Exception: Uses on Ludington Street between Stephenson Avenue and 2nd Street.

1912.9.6. Light Manufacturing District (F)/Special Planned District Developments (E-2). Light Manufacturing District (F)/Special Planned District Developments (E-2) shall contain at a minimum:

A. Ten percent of the total lot area shall remain open green space.
B. Two (2) indigenous trees per every 10,000 square feet of lot area or fraction thereof.

1912.9.7. Industrial Park District (F-1). Industrial Park District (F-1) shall contain at a minimum:

A. Ten percent of the total lot area shall remain open green space.
B. Two (2) indigenous trees per every 10,000 square feet of lot area or fraction thereof.

1912.9.8. Heavy Manufacturing District (G). Heavy Manufacturing District (G) shall contain at a minimum:

A. Fifteen percent of the total lot area shall remain open green space.
B. Two (2) trees per 10,000 square feet of lot area or fraction thereof. Trees shall be deciduous hardwood or approval of an existing tree/shrub disbursement plan which shows an equal distribution of trees surrounding the premises.

SECTION 1913

ALTERNATIVE BUFFER AND SCREENING REQUIREMENTS

1913.1. General. In the event that the unusual topography or elevation of a development site, the size of a parcel to be developed, the soil or other sub-surface condition on the site, or the presence of required buffer or screening on adjacent developed property would make strict adherence to the requirements of this Chapter serve no meaningful purpose or would make it physically impossible to install and maintain the required buffer or screen, the Planning Commission may alter the requirements of this Chapter as long as the existing features of the development site comply with the spirit and intent of this Chapter. Such an alteration may occur only at the request of the property owner, who shall submit a plan to the Code Official showing existing site features that would buffer or screen the proposed use and any additional buffer materials the property owner will plant or construct to buffer or screen the proposed use. The Planning Commission shall not alter the requirements of this Chapter unless the developer demonstrates that existing site features and any additional buffer materials will screen the proposed use as effectively as the required buffer or screening.

SECTION 1914
IMPLEMENTATION/REPLACEMENT

1914.1. General. All approved landscaping is to be installed in accordance with the approved landscape plan and compliance timetable.

1914.2. Vegetation Replacement. Any vegetation included on a landscape plan that dies shall be replaced within one (1) planting season. Vegetation replaced shall conform to the approved landscape plan and the requirements contained herein.

SECTION 1915
MAINTENANCE RESPONSIBILITY

1915.1. General. In order for any buffers or screening to fulfill the purpose for which it was established it must be properly maintained. It shall be the joint responsibility of the owner and/or lessee of the principal use, uses, or building to maintain in a neat and adequate manner all landscaping materials, vegetation, screening, and fences contained in the approved landscape and site plan. All buffers, screening and landscaping areas must be protected from damage by motor vehicles or pedestrians, which could reduce the effectiveness of the screening.

SECTION 1916
COMPLIANCE TIMETABLE

1916.1. General. All landscape plans shall include a timetable for construction, installation or planting within a period not to exceed two (2) years from the date of commencement of construction. Any person who is, or has been, required to landscape any part of a zoning lot/use and who has not complied with that requirement shall, within sixty (60) days of receipt of written notice from the City of Escanaba that a violation of this section exists comply with all requirements or be subject to Section 212, Violations.