



Proposal: An Ordinance to Repeal, Rename and Recreate Section 94.138 Of The Municipal Code Relating To “Lighting and building appearance standards.”
Proposed By: Jennifer Higgins, Director of Planning and Development
Committee Action:
Prior Consideration: The Plan Commission directed staff at their 4/14/14 Plan Commission meeting to update this ordinance. Staff has researched other similar ordinances and based on this research have revised our current ordinance to create separate building design requirements for multi-family housing, commercial/retail development and industrial development. This should allow for us to have higher standards where we want them (ie. multi-family and commercial/retail) but still keep our industrial areas looking nice.
Recommendation: Staff recommends the Plan Commission approve the ordinance change as submitted and forward it on to the Village Board for final consideration and approvals.

**VILLAGE OF WESTON, MARATHON COUNTY, WISCONSIN
AN ORDINANCE REPEALING, RENAMING AND RECREATING SECTION 94.138
ENTITLED *LIGHTING AND BUILDING APPEARANCE STANDARDS***

The Village Board of the Village of Weston, Marathon County, Wisconsin, do ordain as follows:

SECTION 1: Section 94.138 of the Village Of Weston Ordinances entitled *Lighting and building appearance standards* is hereby repealed, renamed and recreated to provide as follows:

Sec. 94.138. Lighting and building design and appearance standards.

- (a) *Exterior Lighting standards.* Exterior lighting is intended to promote a safe and attractive character throughout the Village without creating a nuisance to adjacent properties. All exterior lighting shall comply with the following standards.
- (1) Vehicular areas shall be illuminated using high cutoff luminaries which keep off-site overspill and night sky lighting to a minimum.
 - (2) Size and scale of light and luminate should match site and building scale, color and theme.
 - (3) Location of fixtures should emphasize intersections and pedestrian access routes, yet provide a uniform level of illumination.
 - (4) Scale of fixtures should be lowered in pedestrian areas to emphasize walking surface.

- (5) All outdoor lighting for commercial, industrial and multi-family uses shall be designed, located and mounted so that the maximum illumination, as measured horizontally at the lot line, does not exceed 1.0 foot-candles.
- (6) All fixtures shall meet dark sky friendly guidelines.
- (7) Steps shall be taken to minimize glare to the maximum extent practicable, such as by orienting the lights away from abutting residential properties or planting trees to block other properties from the glare.

(b) *Building design and appearance standards.*

- (1) *Multi-family Housing.* These standards shall apply to the following: Newly constructed multi-family (3+ dwelling units); Renovations exceeding 50% of the equalized assessed value of the structure at the time of reconstruction/renovation; Building addition; Any structure converted, remodeled or renovated as multi-family housing; all multi-family housing moved to vacant lots; and all accessory buildings serving the multi-family principal building. A licensed architect is required to create the building elevations for new construction and building additions.

Purpose. This section of the code is designed in a way to encourage the development of higher-end multi-family housing options within the Village. The Village Board has identified this as a community need and will enforce the following:

- a. The use of brick, decorative masonry, architectural precast stone product or other comparable or superior decorative materials shall consist of no less than 60% of the total façade.
- b. The architectural features, materials and the articulation of the façade of the building shall be continued on all sides. The use of identical materials on all sides of the building is required.
- c. The use of decorative accessories and trim in the form of frieze board, vertical corner trim, drip caps, gable vents, shingles and shakes are *highly* encouraged and recommended.
- d. Premium vinyl siding with a thickness of at least .044 is permitted.
- e. Vinyl less than .044 thick, plywood, chipboard, t1-11, asphalt siding, smooth faced concrete blocks and metal siding or any other inferior materials are prohibited.
- f. Changes in color and materials shall generally occur between horizontal bands and shall be used to clearly establish a “base,” “middle,” and “top” portions of the building.
- g. Natural woods, including treated wood, shall be painted or stained, unless it is cedar, redwood, or another naturally weather resistant wood species and is intended to be exposed.

- h. Designs and colors shall be selected to coincide to maintain the general harmony of the overall existing neighborhood. Neutral or natural colors are recommended to be selected for the primary material with brighter or darker colors as accents that provides more interest and are cooler in the summer.
 - j. Complimentary multi-color and textured roofing material that provides for a more interesting building and are cooler in the summer are recommended.
 - h. Garages are to be designed into the principal structure. No ancillary structures for parking will be allowed without prior approval from the Plan Commission.
- (2) *Commercial and Non-residential Development.* These standards shall apply to all non-residential developments occurring in the B-1, B-2, B-3, B-4 and B-P zoning districts; Renovations exceeding 50% of the equalized assessed value of the structure at the time of reconstruction/renovation; Building additions; Any structure remodeled or renovated as commercial or non-residential use; any commercial or non-residential building moved to vacant lots; and all accessory buildings serving the commercial or non-residential principal building. A licensed architect is required to create the principal building elevations for all aforementioned instances.
- a. A variety of architectural features and building materials is encouraged to give the building or group of buildings a distinct character. Buildings shall be designed to provide human scale, interest, and variety. The following techniques may be used to meet this objective:
 - 1. Variation in the building form such as a recessed or projecting bays, shift in massing or distinct roof shapes.
 - 2. Emphasis on building entries through projecting or recessing forms, details, color or materials.
 - 3. Variation of materials, material modules, expressed joints and details, surface relief, color and texture to break up large building forms and wall surfaces. Such detailing could include sills, headers, belt courses, reveals, pilasters, window bays or other similar features.
 - b. For all non-industrial/manufacturing/warehouse or retail buildings, where the allowable building is more than 50% wider than adjacent buildings or 200 feet in length, whichever is met first, one of the following techniques shall be employed to minimize the apparent width of the primary façade:
 - 1. Articulate the façade with projections or bays; and/or
 - 2. Use of architectural elements such as columns, canopies, glass, changes in materials, and covered entries to interrupt the façade.

- c. The architectural features, materials and the articulation of the façade of a building shall be continued on all sides visible from the public right-of-way. The use of identical materials on all sides of the building is required.
 - d. The use of accessories and decorative trim is *highly* recommended.
 - e. The use of brick, decorative masonry, architectural precast stone products, glass, copper panels, stainless steel or other comparable or superior decorative materials shall consist of no less than 60% of each façade visible from the public right-of-way and shall continue 20 feet on each non-street façade side. The remaining 40% of the street yard facades may consist of architectural finished Exterior Finish Insulation Systems (EFIS), cement board siding, architectural finished stucco or plaster or other equivalent materials.
 - f. The use of brick, decorative masonry, architectural precast stone products, glass, copper panels, stainless steel or other comparable or superior decorative materials shall consist of no less than 40% of side and rear façades. The 20 feet required in Par. (5) does not count as part of the 40%. The remaining 60% may consist of architectural finished Exterior Finish Insulation Systems (EFIS), cement board siding, architectural finished stucco or plaster or other equivalent materials.
 - g. The use of identical materials on all sides of the building is required.
 - h. Vinyl, plywood, chipboard, T1-11, asphalt siding, non-architectural metal siding, and smooth faced concrete block or any other inferior materials are prohibited as exterior finish materials, unless the architect can demonstrate that the materials are appropriate to the design of the building and approval is received by the Plan Commission.
 - i. Natural woods, including treated wood, shall be painted or stained, unless it is cedar, redwood, or another naturally weather resistant wood species and is intended to be exposed.
 - j. Designs and colors shall be selected to coincide and to maintain the general harmony of the overall existing neighborhood. Neutral or natural colors are recommended to be selected for the primary material with brighter or darker colors as accents that provide more interest and are cooler in the summer.
 - k. Complimentary multi-color and textured roofing material that provides for a more interesting building and are cooler in the summer are recommended.
 - l. Pre-engineered metal buildings of any kind are prohibited.
- (3) *Industrial Development.* These standards shall apply to all non-residential developments occurring in the M-1 and LMD zoning districts; Renovations exceeding 50% of the equalized assessed value of the structure at the time of reconstruction/renovation; Building additions; any structure remodeled or renovated as industrial use; any industrial building moved to vacant lots; and all accessory buildings serving the industrial principal building.

- a. 60% of the permanent walls of any building facing the public right-of-way and the extension of 10% on either side shall be faced with brick, decorative masonry, architectural precast stone products, glass, copper panels, stainless steel, architecturally textured precast concrete panels (excepted raked finished) or other comparable or superior decorative materials.
 - b. Dryvit, Exterior Finish Insulation Systems (EFIS), or other plaster products and decorative brick wainscoting are not considered decorative masonry; however, Dryvit, Exterior Finish Insulation Systems (EFIS), architectural finished metal panels may be combined with the materials mentioned in Par. (1) up to a 20/80 ratio to make up the sixty percent (60%) of the building frontage requirement in Par. (1) with Plan Commission approval.
 - c. The use of Vinyl, plywood, chipboard, T1-11, asphalt siding, non-architectural metal siding, and smooth faced concrete block or any other inferior materials are prohibited as exterior finish materials to make up the 60% in Par. (1).
 - d. The sides and rear of all buildings shall be of masonry brick, stone or decorative concrete panels for the first four (4) feet from the ground, which shall be identical to the materials used on the front façade and the remainder of the building shall be of any material approved by the Plan Commission.
 - e. Where concrete block masonry is used, it shall be painted with two (2) coats of paint or shall be of decorative pattern block or other decorative treatment of plain block approved by the Plan Commission.
 - f. All faces of all buildings must be kept in good repair and appearance at all times.
 - g. Designs and colors shall be selected to coincide to maintain the general harmony of the overall existing neighborhood. Neutral or natural colors are recommended to be selected for the primary material with brighter or darker colors as accents that provide more interest and are cooler in the summer.
 - h. Complimentary multi-color and textured roofing materials, where exposed on a building elevation, that provides for a more interesting building and are cooler in the summer are recommended.
- (4) Exterior rear wall coverage may, in any district, upon approval from the village, be exempt from subsection (1) when a 100 percent landscape screen is employed to a minimum height of six feet to obstruct the lines of sight to the rear of the building; or, when the structure is located on an interior lot away from intersecting public streets and when the rear of the structure is oriented towards the rear or side walls of adjacent or compatible uses.
 - (5) Building elevations. All elevations of the building shall be designed in a consistent and coherent manner. Changes in material, color and/or texture shall occur at points relating to the massing, fenestration and overall design concept of the building.

- (6) *Building location.* All buildings shall be sited on the lot to present their most desirable face to the street and, where possible, should be related to buildings on adjoining lots.
- (7) *General Site Maintenance.* The Owner of any Site shall have the duty of, and responsibility for, keeping the premises, buildings, improvements, appurtenances and landscaping of the Site in a well-maintained, safe, clean and attractive condition at all times. Although the Owner may, by contract, require tenants or occupants to perform these duties, the Owner shall be responsible to the Village of Weston for duties arising under this Section.
- (8) Unfaced concrete block, structural concrete and the like shall not be permitted. Pole buildings shall not be permitted as a principal structure.
- (9) Any structure more than 200 feet in length shall use two or more distinct colors of brick, and/or other materials approved by the village, in an attractive manner with the intention of breaking up the monotonous visual expanse of the structure.

SECTION 2:

If any provision of this Ordinance is invalid or unconstitutional, or if the application of this Ordinance to any person or circumstances is found invalid or unconstitutional by a Court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the provisions or application of this Ordinance which can be given effect without the invalid or unconstitutional provision or application.

SECTION 3:

All ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 4:

This Ordinance shall take effect and be in full force and effect from and after its passage and publication or posting as required by law.

VILLAGE BOARD, VILLAGE OF WESTON

By: _____
Loren White, Village President

ATTEST:

Sherry Weinkauff, Village Clerk

ADOPTED: _____

PUBLISHED: _____



**VILLAGE OF WESTON
NOTICE OF PUBLIC HEARINGS**

NOTICE IS HEREBY GIVEN a public hearing will be held before the Village of Weston Plan Commission on Monday, May 12, 2014, at 6:00 p.m., at the Village Municipal Center, located at 5500 Schofield Avenue, Weston, Wisconsin, to hear comments and concerns related to an Ordinance to repeal and recreate Article V, Section 94.138 Lighting and building appearance standards of the Village of Weston Zoning Code.

Beginning April 28, 2014, the proposed ordinance changes will be available for public inspection in the office of the Village Clerk, and will also be available on the Village of Weston website located at <http://westonwi.gov/421/Public-Hearing-Notices>.

Written testimony may be forwarded to the Village of Weston Plan Commission, Valerie Parker, Plan Commission Secretary, 5500 Schofield Avenue, Weston, WI 54476, or e-mailed to vparker@westonwi.gov, **by noon on the day of the public hearing**. All interested persons will be given an opportunity to be heard. Any person with questions or planning to attend needing special accommodations in order to participate should call Valerie Parker, Administrative Specialist, Planning and Development Department, at 715-241-2607.

Dated this 23rd day of April, 2014

Sherry L. Weinkauff
Village Clerk

Published as a legal ad in the Wausau Daily Herald on Monday, April 28, 2014, and Monday, May 5, 2014.

Sec. 94.138. Lighting and building appearance standards.

- (a) *Exterior Lighting standards.* Exterior lighting is intended to promote a safe and attractive character throughout the Village without creating a nuisance to adjacent properties. All exterior lighting shall comply with the following standards.
- (1) Vehicular areas shall be illuminated using high cutoff luminaries which keep off-site overspill and night sky lighting to a minimum.
 - (2) Size and scale of light and luminate should match site and building scale, color and theme.
 - (3) Location of fixtures should emphasize intersections and pedestrian access routes, yet provide a uniform level of illumination.
 - (4) Scale of fixtures should be lowered in pedestrian areas to emphasize walking surface.
 - (5) All outdoor lighting for commercial, industrial and multi-family uses shall be designed, located and mounted so that the maximum illumination, as measured horizontally at the lot line, does not exceed 1.0 foot-candles.
 - (6) All fixtures shall meet dark sky friendly guidelines.

Steps shall be taken to minimize glare to the maximum extent practicable, such as by orienting the lights away from abutting residential properties or planting trees to block other properties from the glare.

(b) *Building design and appearance standards.*

- (1) *Multi-family Housing.* These standards shall apply to the following: Newly constructed multi-family residences (3+ dwelling units); Exterior renovations exceeding 50% of the equalized assessed value of the structure at the time of reconstruction/renovation; Building addition; Any structure converted, remodeled or renovated as multi-family housing; all multi-family housing moved to vacant lots; and all accessory buildings serving the multi-family principal building. A licensed architect is required to create the building elevations for new construction and building additions.

This section of the code is designed in a way to encourage the development of higher-end multi-family housing options within the Village. The Village Board has identified this as a community need and will enforce the following:

- a. Buildings shall have at least 60% of the combined area of their exterior walls covered by brick, native stone, tinted or textured concrete masonry units, windows, or other similar or superior decorative material as may be approved by the applicable site plan approval authority. "Exterior" shall

be calculated as the total amount of wall area below the roof line that is visible from grade level views on each side of the structure, and such calculations shall be included in the application materials.

- b. The architectural features, materials and the articulation of the façade of the building shall be continued on all facades.
- c. Architectural and trim details, such as frieze board, vertical corner trim, drip caps, gable vents, shingles, and shakes, are required.
- d. Vinyl siding is an acceptable, though not decorative, façade material, provided that it has a thickness of at least .044 inches.
- e. Vinyl less than .044 thick, plywood, chipboard, t1-11, asphalt siding, smooth faced concrete blocks, metal siding, and any other similar or inferior material as determined by the site plan approval authority shall be prohibited.
- f. Unless otherwise approved by the site plan approval authority, changes in color and materials shall occur between horizontal bands and shall be used to clearly establish “base,” “middle,” and “top” portions of the building.
- g. Natural woods, including treated wood, shall be painted or stained, unless a cedar, redwood, or another naturally weather resistant wood species that is intended to be exposed.
- h. Designs and colors shall be selected to coincide to maintain and/or enhance the general harmony of the overall existing neighborhood, or other designs or colors as determined by the site plan approval authority.
- j. Shingled roofing materials shall be variegated in color and texture, in a manner that is complementary to the colors and textures of the building facades.
- h. Garages are to be designed as a component of the principal structure, unless otherwise approved by the Plan Commission and meeting all material and design standards of this section.

(2) Commercial and Non-residential Development. These standards shall apply to all new non-residential buildings in the B-1, B-2, B-3, B-4 and B-P zoning districts; Exterior renovations exceeding 50% of the equalized assessed value of the structure at the time of reconstruction/renovation; Building additions; Any structure remodeled or renovated as commercial or non-residential use; any commercial or non-residential building moved to vacant lots; and all accessory buildings serving the commercial or non-residential principal building. A licensed architect is required to create the principal building elevations for all aforementioned instances.

- a. Buildings shall be designed to provide human scale, interest, and variety, which shall be accomplished by incorporating at least two of the following techniques:
 - 1. Variation in the building form, such as a recessed or projecting bays, shift in massing or distinct roof shapes.
 - 2. Emphasis on building entries, such as through projecting or recessing forms, details, color, or materials.
 - 3. Variation of materials, material modules, expressed joints and details, surface relief, colors, and/or textures to break up building forms and wall surfaces.
- b. For any building façade greater than 200 feet in length and visible from a public right-of-way, the design for that façade shall include at least one of the following two techniques to reduce the monotony:
 - 1. Articulate the façade with projections or bays, with at least two feet in variation from the setback of the primary facade.
 - 2. Use of architectural elements, such as columns, canopies, glass, changes in materials, and covered entries.
- c. Similar architectural features, materials, and the façade articulation shall be continued on all sides of the building visible from the public right-of-way.
- d. Buildings shall have at least 60% of the combined area of exterior walls visible from public rights-of-way covered by brick, native stone, tinted or textured concrete masonry units, windows, copper panels, stainless steel, or other similar or superior decorative material as may be approved by the approval authority. The remaining area of exterior walls visible from public rights-of-way shall consist of Exterior Insulation Finishing Systems (EIFS), cement board siding, architectural finished stucco or plaster, or other similar or superior materials as determined by the approval authority. The area of “exterior walls” shall be calculated as the total amount of wall area below the roof line that is visible from grade level views on each side of the structure, and such calculations shall be included in the application materials.
- e. Buildings shall have at least 40% of the combined area of exterior walls not visible from public rights-of-way covered by brick, native stone, tinted or textured concrete masonry units, windows, copper panels, stainless steel, or other similar or superior decorative material as may be approved by the approval authority. The remaining area of exterior walls not visible from public rights-of-way shall consist of Exterior Insulation Finishing Systems (EIFS), cement board siding, architectural finished stucco or

plaster, or other similar or superior materials as determined by the site plan approval authority.

- f. Comparable materials on all sides of the building are required.
- g. Vinyl, plywood, chipboard, T1-11, asphalt siding, non-architectural metal siding, smooth faced concrete block, and any other inferior materials are prohibited as exterior finish materials, unless the Plan Commission determines that the materials are appropriate to the design of the building.
- h. Natural woods, including treated wood, shall be painted or stained, unless cedar, redwood, or another naturally weather resistant wood species that is intended to be exposed.
- i. Designs and colors shall be selected to coincide and to maintain or enhance the general harmony of the overall existing neighborhood or other design or colors as determined by the site plan approval authority.
- j. When roofing is exposed Complimentary multi-color and textured roofing material that provides for a more interesting building shall be used.
- k. Pre-engineered metal buildings of any kind are prohibited.

(3) *Industrial Development.* These standards shall apply to all new non-residential buildings occurring in the M-1 and LMD zoning districts; Exterior renovations exceeding 50% of the equalized assessed value of the structure at the time of reconstruction/renovation; Building additions; any structure remodeled or renovated as industrial use; any industrial building moved to vacant lots; and all accessory buildings serving the industrial principal building.

- a. 60% of the permanent walls of any building facing the public right-of-way and the extension of 10% on either side shall be faced with brick, decorative masonry, architectural precast stone products, glass, copper panels, stainless steel, architecturally textured precast concrete panels (excepted raked finished), or other comparable or superior decorative materials as determined by the site plan approval authority.
- b. Dryvit, Exterior Insulation Finishing Systems (EIFS), other plaster products, decorative brick wainscoting, and architectural finished metal panels are not considered decorative materials. However, such materials may be combined with the materials mentioned in Par. a. up to a 20/80 ratio to make up 60%decorative material requirement in Par. a. with Plan Commission approval.
- c. The use of vinyl, plywood, chipboard, T1-11, asphalt siding, non-architectural metal siding, and smooth faced concrete block or any other inferior materials are prohibited as exterior finish materials to make up the 60% in Par. a.

d. The interior sides and rear of all buildings shall be of masonry brick, stone or decorative concrete panels for the first four (4) feet from the ground, which shall be comparable to the materials used on the front façade. The remainder of the building shall be of any material approved by the Plan Commission.

e. Where concrete block masonry is used, it shall be painted with two coats of paint, stain or shall be of decorative pattern block or other decorative treatment of plain block approved by the Plan Commission.

f. Designs and colors shall be selected to coincide to maintain or enhance the general harmony of the overall existing neighborhood or other designs or colors as determined by the site plan approval authority.

g. When roofing is exposed Complimentary multi-color and textured roofing material that provides for a more interesting building shall be used.

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~~(1) The exterior walls of each building shall be constructed with face brick, or comparable material approved by the village, to cover a minimum of 60 percent of the wall area in a contiguous manner, including the building rear. Exterior Insulation Finishing Systems (EIFS) (e.g. "Dry vit", "Sto", "Cement Board", etc.) are permitted as an accent material only and will not be permitted as the predominant exterior material on any façade without the approval of the Planning Commission. The use of EIFS as an accent material should incorporate the use of color, detail, pattern, and texture to take advantage of the design flexibility it affords. EIFS can be used on canopies, spandrels, fascias, soffits, accent bands and trim.~~

(24) Exterior rear wall coverage may, upon approval from the village site plan approval authority, be exempt from subsection (1) when a 100 percent landscape screen is employed to a minimum height of six feet to obstruct the lines of sight to the rear of the building: or, when the structure is located on an interior lot away from intersecting public streets and when the rear of the structure is oriented towards the rear or side walls of adjacent or compatible uses.

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(5) Building elevations. All elevations of the building shall be designed in a consistent and coherent manner. Changes in material, color and/or texture shall occur at points relating to the massing, fenestration, and overall design concept of the building.

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(6) Building location. All buildings shall be sited on the lot to present their most desirable face to the street and, where possible, shall be related to buildings on adjoining lots.

(7) General Site Maintenance. The Owner of any Site shall have the duty of, and responsibility for, keeping the premises, buildings, improvements, appurtenances and landscaping of the Site in a well-maintained, safe, clean and attractive

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condition at all times. Although the Owner may, by contract, require tenants or occupants to perform these duties, the Owner shall be responsible to the Village of Weston for duties arising under this Section.

- (35) Un-faced concrete block, structural concrete and the like shall not be permitted. Pole buildings shall not be permitted as a principal structure.

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~~(4) Any structure more than 200 feet in length shall use two or more distinct colors of brick, and/or other materials approved by the village, in an attractive manner with the intention of breaking up the monotonous visual expanse of the structure.~~

~~(5) In the MI zoning classification, the sides and rear of all buildings shall be finished in an attractive manner in keeping with the accepted standards used for industrial and commercial buildings subject to the approval of the village. Buildings must be of approved construction in conformity with all applicable building codes.~~

~~(6) Building elevations. All elevations of the building shall be designed in a consistent and coherent manner. Changes in material, color and/or texture shall occur at points relating to the massing, fenestration and overall design concept of the building.~~

~~(7) Building location. All buildings shall be sited on the lot to present their most desirable face to the street and, where possible, should be related to buildings on adjoining lots.~~

(Ord. of 11-18-1991; Ord. No. 17-98-1, § 1(a), 11-16-1998; Ord. of 9-20-99, Ord. of 10-26-04; Ord. of 6-20-05)