

**VILLAGE OF WESTON
ORDINANCE 22-007**

**AN ORDINANCE AMENDING SECTIONS 94.10.03 OF THE ZONING CODE
RELATING TO DESIGN STANDARDS FOR MULTI-FAMILY AND NON-
RESIDENTIAL BUILDINGS AND 94.10.04 LARGE RETAIL AND COMMERCIAL
SERVICE DEVELOPMENT STANDARDS**

NOW THEREFORE, be it ordained by the Board of Trustees of the Village of Weston, in the State of Wisconsin, as follows:

SECTION 1: **AMENDMENT** “Sec 94.10.03 Design Standards For Multi-Family And Non-Residential Buildings” of the Weston Municipal Code is hereby *amended* as follows:

AMENDMENT

Sec 94.10.03 Design Standards For Multi-Family And Non-Residential Buildings

1. **Applicability.** All new multi-family (3 unit) residential principal buildings and non-residential principal buildings shall meet the design requirements in this Section, with the exception of farm structures such as barns, silos, and grain elevators. Expansion and exterior remodeling (exceeding 50 percent of the equalized assessed value of the structure at the time of the proposed project) of existing multi-family (3 unit) residential principal buildings and non-residential principal buildings shall meet the design requirements in this Section to the extent determined practical by the applicable site plan approval authority. All Detached Accessory Structures serving multi-family residential principal buildings shall meet applicable design requirements in Section 94.4.09(2). All Detached Accessory Structures serving non-residential principal buildings shall meet applicable design requirements in Section 94.4.09(1).
2. **No Conversion of Residential Buildings for Commercial Use.** No building designed and constructed for residential use shall be remodeled, converted, or used for a nonresidential use or activity, except for any of the permitted or conditional uses in the associated residential zoning district listed in Figure 3.04.
3. **When Licensed Engineer or Architect Required.** All proposed new construction and additions to multi-family residential and non-residential buildings shall require building elevations stamped by an engineer or architect licensed in the State of Wisconsin, except for buildings devoted to a storage or disposal land use listed in Section 94.4.06, a transportation land use in Section 94.4.07, an industrial land use in Section 94.4.08, or as otherwise approved by the Plan Commission or Extraterritorial Zoning Committee.
4. **Building Size and Mass.** The size and mass of buildings and structures shall be designed with consideration of the buildings, public ways, and places to which they are visually related (see Figure 10.03(1) for examples). The relative proportion of a building to its neighboring existing buildings, to pedestrians, or to other existing buildings shall be maintained or enhanced when new buildings are built or when existing buildings are altered.

Figure 10.03(1): Examples of Building Size and Mass Continuity



5. **Building Facade Continuity.** Changes in building material, color, and texture shall occur at points related to the massing and overall design concept for the building. Each building shall be visually compatible with the buildings, public ways, and places to which it is visually related in its directional character, whether this is vertical character, horizontal character, or non-directional character. Building facades and appurtenances such as walls, fences, and landscape masses shall, when it is a characteristic of the area, form cohesive walls of enclosures along a street to ensure a favorable relationship with the buildings, public ways, and places to which such elements are visually related (see Figure 10.03(2) for examples in an urban setting).

Figure 10.03 (2): Urban Example of Adjacent Building Facade Continuity



6. **Building Design Proportions.**
- a. The relationship of the width to the height of the front elevation shall be visually compatible with buildings, public ways, and places to which it is visually related.
 - b. The relationship of the width to height of windows shall be visually compatible with buildings, public ways, and places to which the building is visually related.
 - c. The relationship of solids to voids in the front façade of a building shall be visually compatible with buildings, public ways, and places to which it is visually related.

- d. The relationship of the building to the open space between it and adjoining buildings shall be visually compatible with the buildings, public ways, and places to which it is visually related.
 - e. The relationship of entrances and other projections to sidewalks shall be visually compatible with the buildings, public ways, and places to which it is visually related.
7. **Approved Materials.** Material selection shall relate to the prevailing material already used on recently constructed buildings in the area, or to a different character if identified in the Village's Comprehensive Plan, the examples in Figures 10.03(3) and (4), or unique requirements associated with any D Design overlay district applicable to the site. In addition:
- a. All new construction shall have a façade that consists of 50 percent of brick, native stone, tinted and/or textured concrete masonry units, glass, copper panels, stainless steel, brushed nickel, stained natural woods (as provided in subsection (c)) or other comparable material as approved by the site plan approval authority, except as provided below:
 - i. On all new commercial construction, for non-public facing façades, the requirement in subsection (a) shall remain, but at 40 percent.
 - ii. On all new industrial construction, 35 percent ~~in the Village and 50 percent in the ETZ area~~ of all non-expansion facades abutting a public right-of-way and the extension of 20 feet or 10 percent of the length of the side, whichever is greater, on either side shall meet the requirements of subsection (a).
 - iii. On all new industrial construction, the site plan approval authority may reduce the requirement in subsection (a) to 0 percent ~~in the Village and 40 percent in the ETZ area~~ so long as the property is not abutting Schofield Avenue, Camp Phillips Road, Weston Avenue, Ross Avenue and/or State Highway 29.

At least two of the materials listed in the first paragraph of this subsection (a) shall be used, including a comparable material as approved by the site plan approval authority, except where the authority determines that a single such material adequately fulfills the intent of this section.

- ~~b. Vinyl, Dryvit, Exterior Insulation Finishing Systems (EIFS), plaster products, and metal panels shall not be counted towards the 50 percent requirement in subsection (a), except for (i) architecturally finished and decorative versions of such materials if approved by the site plan approval authority and (ii) metal panels without exposed fasteners that are copper, brushed nickel, stainless steel, or other comparable material approved by the site approval authority.~~
- ~~e. b.~~ Natural wood, including treated wood, shall be painted or stained. The site plan approval authority may authorize the use of cedar, redwood, or other naturally weather resistant wood species to be untreated.
- ~~d. c.~~ Facades with an uninterrupted length of 200 feet or more shall include the use of two or more colors or employ the use of protruding or intruding exterior walls in a way that breaks and reduces the monotony.
- ~~e. d.~~ Multifamily dwellings are required to have architectural and trim details such as frieze board, vertical corner trim, drip caps, gable vents, shingles and shakes.
- ~~f. e.~~ Commercial buildings are required to be designed to provide human scale, interest, and variety, which shall be accomplished by incorporating at least two of the following techniques:
 - i. Variation in building form, such as recessed or projecting bays, shifts in massing or distinct roof shapes.
 - ii. Emphasis on building entries through projecting or recessing forms (e.g., cover entries or columns), details or material differences.
 - iii. Variation in materials, material modules, express joints and details, surface relief, and/or texture to break up building forms and walls.

~~g. f.~~ Where concrete block or masonry is used on industrial buildings, such material shall be painted with no less than two coats of paint, stain, or shall be a decorative pattern or treatment as approved by the site plan approval authority.

8. **Materials—Use of Metal and Other Non-Decorative Materials.** No exposed façade shall be faced with a material that presents an unfinished appearance to the public and surrounding properties. The following exterior construction materials shall not be exposed along front or street side yard facing building facades: non-decorative concrete block, cinder block, or concrete foundation walls (except for the first two feet above grade), non-decorative plywood, chipboard, T1-11, asphaltic siding, vinyl siding less than 0.044 inches of thickness, metal sheets not designed for commercial exterior walls, paneling, and other similarly inferior materials as determined by the site plan approval authority. ~~No façade of any principal building intended for a residential, institutional, or commercial use as listed in Figure 3.04 shall be sided with metal sheets or panels or any material using non-concealed fastener systems. Buildings for industrial use as listed in Figure 3.04 shall be permitted to utilize exposed fastener metal panels. Any accessory non-residential building sided with metal sheets or panels shall be fully screened from the public rights-of-way.~~ Pole buildings shall be prohibited in any residential, commercial, and industrial zoning district.

Figure 10.03(3): Examples of Appropriate Multi-Family Residential Building Materials and Colors



Figure 10.03(4): Examples of Appropriate Commercial Building Materials and Colors



9. **Colors.** Building colors shall be selected to enhance or maintain general harmony with the existing area or neighborhood buildings, without creating a monotonous street appearance. See examples of appropriate color combinations in Figures 10.03(3) and 10.03(4).
10. **Design.** Building design features, materials and articulations shall be continued in all sides.
11. **Roofing.** Exposed roofing materials shall be variegated in color and texture in a manner that is complimentary to the color and texture of the façade.
12. **Corner Lot Buildings.** Buildings on corner lots shall continue the major front elevation design elements around the corner elevation.
13. **Vents and Mechanical Units.** All chimney and fireplace vents shall be enclosed in a case constructed of materials similar to those materials used on the building elevations. Metal housings designed by the vent manufacturer to enclose the chimney vents are acceptable. All heating, ventilating, and air-conditioning equipment shall be designed to be integral with the building architecture and site design and screened from view from public rights-of-way.
14. **Building Orientation.** All buildings shall be sited to present their most desirable façade(s) to adjacent public rights-of-way. Garages and loading docks shall be designed as integral elements to the building and site, and shall not be the dominant visual element from public rights-of-way unless pre-existing site or building conditions would not allow this. For multi-family residential buildings, achieving this standard may require techniques such as rear- or side-loaded garages, or front-loaded garages that are fully or partially recessed into the main body of the building. ~~All new loading docks shall be screened from public view to the extent practical. No truck canopies with visible wall hangers are permitted.~~
15. **Outdoor Waste/Recycling Containers.** Solid waste/recycling containers (dumpsters) stored outdoors shall be subject to applicable standards in Section 94.12.06(2) and Chapter 66 of the Municipal Code.
16. **Waiver or Modification of Standards.** The applicable site plan approval authority under Section 94.16.09 may waive or modify any of the standards in this Section if at least one of the following circumstances is present:
 - a. Supplemental design elements or improvements that exceed normal standards are incorporated into the project.
 - b. Restricted building materials are used as limited decorative elements on a building façade that contributes to its architectural design.
 - c. Undesirable site or building conditions will not be visible from the public right-of-way and/or adjoining properties.

SECTION 2:**AMENDMENT** “Sec 94.10.04 Large Retail And Commercial Service Development Standards” of the Weston Municipal Code is hereby *amended* as follows:

AMENDMENT

Sec 94.10.04 Large Retail And Commercial Service Development Standards

A Large Retail and Commercial Service Development is any development comprised of one or more contiguous lots or building sites for a single retail or commercial service enterprise or multiple such enterprises within which the total combined gross floor area of all principal buildings exceeds 25,000 square feet. In addition to applicable zoning district and other standards of this Chapter, each Large Retail and Commercial Service Developments shall meet procedural, building design, and site design standards of this Section, except as may be waived or modified under subsection (4)(t).

1. **Large Retail and Commercial Service Development Questionnaire.** The applicant for a conditional use permit shall complete and submit with such application a Large Retail and Commercial Service Development questionnaire. The Zoning Administrator shall prepare, maintain, and provide the Large Retail and Commercial Service Development questionnaire upon request.
2. **Traffic Impact Analysis.** A traffic impact analysis is required for each Large Retail and Commercial Service Development exceeding 75,000 square feet in total building gross floor area. The traffic impact analysis shall be completed by a consultant approved by the Village and holding appropriate experience and in accordance with the most current revision of the Traffic Impact Analysis Guidelines published by the State of Wisconsin DOT, except as otherwise approved by the Village Engineer. Where the Traffic Impact Analysis indicates that a project may cause off-site public roads, intersections, or interchanges to function below level of service (LOS) C, the Village may deny the application, may require a size reduction in the proposed development, and/or may require the developer to construct and/or pay for required off-site improvements to achieve LOS C for a planning horizon of a minimum of ten years assuming full build-out of the development.
3. **Neighborhood Plan.** Applicants for Large Retail and Commercial Service Developments exceeding 75,000 square feet in total building gross floor area shall prepare a neighborhood plan including the subject site and an impact area beyond the boundary of the development site as determined by the Zoning Administrator. The neighborhood plan must be submitted prior to or with the application for conditional use permit. The Zoning Administrator may waive this requirement if a neighborhood plan that anticipated the development has already been adopted or if the impact area is already substantially developed. The neighborhood plan shall be of sufficient detail to establish the mix of land uses and their relationship to the Large Retail and Commercial Service Development with regard to provision of street, bicycle/pedestrian, and bus transit connectivity, utilities, stormwater management, and community character, and a general layout that support the objectives of the Comprehensive Plan. The neighborhood plan shall contain the following elements:
 - a. General types of land use types with specific zoning districts and/or land uses.
 - b. Transitional treatments such as berms and/or landscaping between areas with differing land uses or character.
 - c. Complete public road network.
 - d. Pedestrian and bicycle network.
 - e. Transit routes and stops, where applicable.

- f. Conceptual stormwater management network.
 - g. Public facility sites including parks, schools, conservation areas, public safety facilities and public utility facilities.
 - h. Recommendations for community character themes including building materials, landscaping, streetscaping, and signage.
4. **Facilities and Associated Features.** The following requirements are applicable to each Large Retail and Commercial Service Development, in addition to other applicable standards in this Chapter:
- a. **Building Location.** Where buildings are proposed to be distant from a public street, as determined by the Plan Commission, the overall development design shall include smaller buildings on pads or secondary lots closer to the street. Placement and orientation must facilitate appropriate land use transitions and appropriate traffic flow to adjoining roads, and neighboring commercial areas and neighborhoods, and must forward any community character objectives in the Comprehensive Plan.
 - b. **Building Materials.** Exterior building materials shall be of comparable aesthetic quality on all sides. Building materials such as glass, brick, tinted and decorative concrete block, wood, stucco, and exterior insulation and finish systems (EIFS) shall be used, as determined appropriate by the Plan Commission. Decorative architectural metal ~~with concealed fasteners~~ or decorative tilt-up concrete panels may be approved if incorporated into the overall design of the building. See Figure 10.04(1).
 - c. **Building Design.** The building design shall complement other buildings in the vicinity, meet Section 94.10.03(6), and include the following (see also examples in Figure 10.04(1)):
 - i. The building shall employ varying setbacks, heights, roof treatments, doorways, window openings, and other structural or decorative elements to reduce apparent building size and scale.
 - ii. A minimum of 20 percent of the structure's facades that are visible from a public street shall employ actual protrusions or recesses with a depth of at least four feet. No uninterrupted facade shall extend more than 100 feet.
 - iii. A minimum of 20 percent of all of the combined linear roof eave or parapet lines of the structure shall employ differences in height, with such differences being four feet or more as measured eave to eave or parapet to parapet.
 - iv. Roofs with particular slopes may be required to complement existing buildings or otherwise establish a particular aesthetic objective.
 - v. Ground floor facades that face public streets shall have arcades (a series of outdoor spaces located under a roof or overhang and supported by columns or arches), display windows, entry areas, awnings, or other such features along no less than 50 percent of their horizontal length. The integration of windows into building design is required, and shall be transparent, clear glass (not tinted) or spandrel glass between three to eight feet above the walkway along any facades facing a public street. The use of blinds shall be acceptable where there is a desire for opacity.
 - vi. Building facades shall include a repeating pattern that includes no less than three of the following elements: (i) color change, (ii) texture change, (iii) material modular change, (iv) expression of architectural or structural bay through a change in plane no less than 24 inches in width, such as an offset, reveal or projecting rib. At least one of these elements shall repeat horizontally. All elements shall repeat at intervals of no more than 30 feet, either horizontally or vertically.
 - vii. All buildings on secondary lots or sites within the development shall be of architectural quality comparable to or exceeding that of the primary building.
 - d. **Building Entrances.** Public building entryways shall be clearly defined and highly visible on the building's exterior design, and shall be emphasized by on-site traffic flow patterns. Two or more of the following design features shall be incorporated into all public building entryways:

canopies or porticos, overhangs, projections, arcades, peaked roof forms, arches, outdoor patios, display windows, distinct architectural details.

- e. Building Colors. Building facade colors shall be non-reflective, subtle, neutral, or earth tone. The use of high intensity colors, metallic colors, fluorescent colors or black on facades shall be prohibited. Building trim and architectural accent elements may feature bright colors or black, but such colors shall be muted, not metallic, not fluorescent, and not specific to particular uses or tenants. Standard corporate and trademark colors shall be permitted only on signage. See Figure 10.04(1) for examples.

Figure 10.04(1): Examples of Appropriate Building Materials, Colors, and Architectural Design Variation



- f. Screening.
 - i. All ground-mounted and wall-mounted mechanical equipment, refuse containers and any permitted outdoor storage shall be fully concealed from on-site and off-site ground level views, with materials complementing those used on the building exterior.
 - ii. All rooftop mechanical equipment shall be screened by parapets, upper stories, or other areas of exterior walls or roofs so as to not be visible from public streets adjacent or within 1,000 feet of the subject property. Fences or similar rooftop screening devices may not be used to meet this requirement.
 - iii. Loading docks shall be completely screened from surrounding roads and properties. Said screening may be accomplished through loading areas internal to buildings, screen walls, which match the building exterior in materials and design, fully opaque landscaping at time of planting, or combinations of the above.
 - iv. Gates and fencing may be used for security and access, but not for screening, and they shall be of high aesthetic quality.
- g. Parking.
 - i. Parking lots in which the number of spaces exceeds the minimum number of parking spaces required for the specific use or uses in Article 4 by more than 50 percent shall be allowed only with specific justification based on actual parking demand for similar uses in other locations.
 - ii. Parking lots shall be designed to create distinct parking areas of not more than 120 parking stalls each through use of landscaped and curbed medians or other approved techniques.
 - iii. Each landscaped island or peninsula shall contain a minimum of 360 square feet in landscaped area. Landscaped islands or peninsulas shall be spaced at intervals no greater than one island per every 20 spaces in that aisle.
- h. Vehicular Access.
 - i. All such projects shall have direct access to an arterial or collector street.

- ii. Vehicle access shall be designed to accommodate peak on-site traffic volumes without disrupting traffic on public streets or impairing pedestrian safety. This shall be accomplished through adequate parking lot design and capacity; access drive entry throat length, width, design, location, and number; traffic control devices; and sidewalks.
 - iii. The site design shall provide direct vehicular connections to adjacent land uses if required by the Village.
- i. Bicycle and Pedestrian Facilities.
 - ii. The development shall provide for safe pedestrian and bicycle access to all uses, and connections to existing and planned public pedestrian and bicycle facilities and adjacent properties.
 - iii. Pedestrian walkways shall be provided from all building entrances to existing or planned public sidewalks or pedestrian/bike facilities. The minimum width for sidewalks adjacent to buildings shall be eight feet; and the minimum width for sidewalks elsewhere in the development shall be five feet.
 - iv. Sidewalks other than street sidewalks or building aprons shall have adjoining landscaping along at least 50 percent of their length.
 - v. Crosswalks shall be distinguished from driving surfaces to enhance pedestrian safety by using different materials, or colors, or textures, and signage.
 - vi. The development shall provide secure, integrated bicycle parking at a rate of one bicycle rack space for every 50 vehicle parking spaces.
 - vii. The development shall provide exterior pedestrian furniture in appropriate locations at a minimum rate of one seat for every 20,000 square feet of gross floor area.
- j. Central Areas and Features. Each such development exceeding 75,000 square feet in total building gross floor area shall provide central area(s) or feature(s) such as a patio/seating area, pedestrian plaza with benches, outdoor playground area, water feature, and/or other such deliberately designated areas or focal points that adequately enhance the development or community. All such areas shall be openly accessible to the public, connected to the public and private sidewalk system, designed with materials compatible with the building and remainder of the site, and shall be maintained over the life of the building project.
- k. Cart Returns. A minimum of one 200-square foot cart return area shall be provided for every 100 parking spaces. Cart corrals shall be of durable, non-rusting, all season construction, and shall be designed and colored to be compatible with the building and parking lot light standards.
- l. Outdoor Display Areas. Exterior display areas shall be permitted only where clearly depicted on the approved site plan. All exterior display areas shall be separated from motor vehicle routes by a physical barrier visible to drivers and pedestrians, and by a minimum of ten feet.
- m. Outdoor Storage Uses and Areas. Exterior storage structures or uses, including the parking or storage of service vehicles, trailers, equipment, containers, crates, pallets, merchandise, materials, fork lifts, trash, recyclables, and all other items shall be permitted only where clearly depicted and labeled on the approved site plan. Such outdoor storage uses and areas shall be appropriately screened.
- n. Landscaping. On-site landscaping shall be provided at time of building occupancy and maintained per the requirements of Article 11.
- o. Lighting. On-site exterior lighting shall meet all the standards of Section 94.12.11. In addition, the color and design of pole lighting standards shall be compatible with the building and the public lighting in the area, and shall be uniform throughout the entire development site.
- p. Signage. In addition to meeting the applicable requirements of Article 13, a signage plan for all exterior signage shall be provided for coordinated and complimentary exterior sign locations, configurations, and colors throughout the development, including secondary lots within the development. Combined signs for multiple users may be required instead of multiple individual

signs.

- q. Natural Resources Protection. Natural resources shall be protected in accordance with this Chapter and State and Federal regulations. In general, existing natural features shall be integrated into the site design as a site and community amenity.
- r. Relationship to Existing Sites. Where such a building is proposed as a replacement location for a business already located within the Village, the Village prohibits any privately imposed limits on the type or reuse of the previously occupied building through conditions of sale or lease.
- s. Development Agreement. The developer may be required to enter into a development agreement with the Village, which may address fees, off-site improvements, and other matters to assure compliance with conditional use permit approval conditions.
- t. Exceptions. In the event the applicant desires a waiver or modification from the requirements of this Section, the applicant shall present justification for such deviation or exception, which may be approved or denied by the Plan Commission.

SECTION 3: SEVERABILITY CLAUSE If any section, clause, provision, or portion of this Ordinance is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby. If an application of this Ordinance to a particular structure, land, or water is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other structure, land, or water not specifically included in said judgment. If any requirement or limitation attached to an authorization given under this Ordinance is found invalid, it shall be presumed that the authorization would not have been granted without the requirement or limitation and, therefore, said authorization shall also be invalid. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 4: EFFECTIVE DATE This Ordinance shall be in full force and effect from and after the required approval and publication according to law.

SECTION 5: The amendments effectuated by this Ordinance shall apply within the municipal limits of the Village and within its extraterritorial zoning jurisdiction in the Town of Weston.

SECTION 6: PUBLISHED DATE 3/23/2022

PASSED AND ADOPTED BY THE VILLAGE OF WESTON BOARD OF TRUSTEES
MARCH 23, 2022.

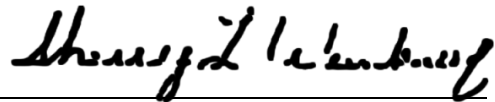
	AYE	NAY	ABSENT	ABSTAIN
Mark Maloney	<u>X</u>	_____	_____	_____
Barbara Ermeling	<u>X</u>	_____	_____	_____
Steve Meinel	<u>X</u>	_____	_____	_____
Yee Leng Xiong	<u>X</u>	_____	_____	_____
Nathan Fiene	<u>X</u>	_____	_____	_____
Loren White	<u>X</u>	_____	_____	_____
Hooshang Zeyghami	<u>X</u>	_____	_____	_____

Presiding Officer

Attest



Mark Maloney, Village President, Village of
Weston



Sherry Weinkauf, Village Clerk Village of
Weston

