

(Public Hearing Date March 08,2024)

STATE OF MICHIGAN
VILLAGE OF STOCKBRIDGE

ORDINANCE NO. _____
(Enacted _____)

**AN ORDINANCE APPROVING A
TEXT AMENDMENT TO ADD CHAPTER VI, ARTICLE IV, SECTION
6.76 REGARDING NON- RESIDENTIAL DESIGN REQUIREMENTS AND
AMENDING CHAPTER 6, ARTICLE III, SECTION 6-45**

Recitals

WHEREAS, the Village of Stockbridge (hereinafter, the “Village”) has adopted the Village of Stockbridge Zoning and Land Use Ordinance (hereinafter, the “Zoning Ordinance”) on October 1, 2019, which was adopted under the *Zoning Enabling Act of 2006*; and

WHEREAS the Planning Commission had received numerus complaints from Village Residents regarding the appearance of “blank facades” facing streets, creating an unattractive eyesore and/or reflective light affecting other business; and

WHEREAS the Planning Commission, therefore, determined text amendments were warranted to said ordinances to provide requirements for the construction of facades of commercial buildings as to prevent hazardous condition, prevent constructing unattractive building, and to maintain the historic quality of the Village; and

WHEREAS the Planning Commission met to develop revisions to the Zoning Ordinance; and

WHEREAS, during this process the Village Zoning Administrator reviewed the drafts, attended a Planning Commission meeting where her comments and concerns were considered, and the draft text amendments were adjusted based on the same; and

WHEREAS the Planning Commission is therefore charged with coming up with the proposed language of the amendment and then scheduling a public hearing to take public comment on the proposed amendment, pursuant to Section 6-329 (a) of the Zoning Ordinance; and

WHEREAS, the Planning Commission has determined, via this Amendment, proposed text amendment to Chapter VI, Article IV to add a new Section 6-76 Non-Residential Design Requirements; and

WHEREAS the Planning Commission proposed to consider the language of the proposed text Amendments, set a public hearing, and took public comment at 6:30 p.m. on Thursday, February 01, 2024, for new Section 6-76 which the Village Clerk issued the required notices as prescribed by MCL 125.3103 and MCL 125.3202; and

WHEREAS, after taking into consideration the public's comments, Section 6-329 (b) of the Zoning Ordinance required the Planning Commission to identify and evaluate all factors relevant to the petition and report its findings and recommendation to the Village Council, taking into consideration the criteria for amendments of the official Zoning Ordinance set forth in Section 6-331 of the Zoning Ordinance; and

WHEREAS all costs incurred by the Village in developing these amendments shall be charged to the Applicant, Village of Stockbridge, in accordance with Article III, Section 6.47, including the actual costs incurred by the Village, the Planning Commission, and/or the Zoning Administrator for:

- A. Any publication or mailing costs required by this Ordinance and/or state law;
- B. Any traffic reports deemed necessary to complete the processing of the request;
- C. Any legal services deemed necessary to complete the processing of the request;
- D. Any planner fees deemed necessary to complete the processing of the request;
- E. Any Zoning Administrator fees deemed necessary to complete the processing of the request;
- F. Any topographic studies deemed necessary to complete the processing of the request;

- G. Any engineering services deemed necessary to complete the processing of the request;
- H. Any other fees incurred by any other consultants deemed necessary by the above-named governmental officials and/or entities to complete the processing of the request; and

WHEREAS, the Planning Commission, after considering the input from the public hearing set forth above, in accordance with the Zoning Ordinance and the Zoning Enabling Act and considering the criteria of Section 6-331 (a) - (h), recommended adoption of the proposed text amendments to new Section 6-76 to the Village Council.

Ordinance

SECTION 1: Chapter 6, Article IV, Section 6.76 is added to read as follows:

Sec. 6-76. Non-residential design requirements.

The following design requirements for all non-single family residential buildings shall be applied during site plan review as outlined in chapter 6-45:

(a) *Exterior building design.*

- (1) All non-single family residential buildings shall possess architectural variety but enhance the overall cohesive community character. All buildings shall provide architectural features, details, and ornaments such as archways, colonnades, cornices, recesses, projections, wall insets, arcades, window display areas, peaked roof lines, or towers.
- (2) Building walls and roofs over fifty (50) feet in length shall be broken up with varying building lines, windows, gables, and/or architectural accents such as pilasters, columns, dormers, and awnings.
- (3) Window area shall make up at least twenty (20) percent or more of the exterior wall area facing any street. This requirement may be modified by the Planning Commission upon a finding that this requirement is excessive due to the nature of the use and surrounding land uses, the location of the site, or architectural incompatibility.
- (4) In addition, a portion of the on-site landscaping shall abut the walls so that the vegetation combined with the architectural features significantly reduces the visual impact of the building mass as viewed

from any street. Additional landscaping requirements of this ordinance must also be satisfied.

- (5) Overhead doors shall not face a public street or residential district. The Planning Commission can modify this requirement upon a determination that there is no reasonable alternative, and the visual impact will be moderated through use of building materials, architectural features and landscaping beyond that required.
- (6) Additions to existing buildings must complement the current building design regarding height, proportions, scale, materials, and rhythm of openings.

(b) Building materials.

- (1) Durable building materials which provide an attractive, quality appearance must be utilized.
- (2) The predominant building materials should be quality materials that are characteristic of Michigan such as earth-toned brick, decorative tilt-up panels, wood, native stone, and tinted/textured concrete masonry units and/or glass products.
- (3) Other materials such as smooth-faced concrete block, undecorated tilt-up concrete dry fit panels, or prefabricated steel panels should only be used as accents and not dominate the building exterior of the structure.
- (4) Metal roofs may be allowed if deemed by the Planning Commission to be compatible with the overall architectural design of the building.

(c) Building and sign colors.

- (1) Exterior colors shall be of low reflectance, subtle, neutral, or earth tone colors. The use of high intensity colors such as neon, metallic, or fluorescent for the facade and/or roof of the building are prohibited except as approved by the Planning Commission for building trim.
- (2) The use of trademark colors not meeting this requirement shall be approved by the Planning Commission.
- (3) Mechanical and service features such as gutters, ductwork, service doors, etc. that cannot be screened must be of a color that blends in with the color of the building.

(d) *Roof design.*

- (1) Roofs should be designed to reduce the apparent exterior mass of a building, add visual interest, and be appropriate to the architectural style of the building.
- (2) Variations in architectural style are highly encouraged. Visible roof lines and roofs that project over the exterior wall of a building enough to cast a shadow on the ground are highly encouraged, with a minimum overhang of twelve (12) inches.
- (3) Architectural methods shall be used to conceal flat roof-tops and mechanical equipment.
- (4) Overhanging eaves, peaked roofs, and multiple roof elements are highly encouraged.

(e) *Customer entrances.* Clearly defined, highly visible customer entrances may be included in the design. Features such as canopies, porticos, arcades, arches, wing walls, and integral planters are highly encouraged to identify such entrances.

(f) *Community amenities.* Community amenities such as patio/seating areas, water features, artwork or sculpture, clock towers, pedestrian plazas with park benches, or other features located adjacent to the primary entrance to the building(s) are highly encouraged.

(g) *Signs.* Signs shall be in accordance with Chapter VI - Article X. All sign bases shall be constructed of materials compatible with the architecture of the building(s) located on the premises.

(h) *Natural features.* Buildings shall be sited to protect existing natural areas such as steep natural grades, trees, significant groupings of healthy vegetation (shrubs and trees), and rock outcroppings. To the extent practical, these areas shall be incorporated into the overall site plan.

SECTION 2: Chapter VI, Article III, Section 6-45 (e) (3) is amended to read as follows:

- (3) The Zoning Administrator reviews Type-3 and Type-4 site plans that have been reviewed and found in conformance with sections 6-44, 6-45, and 6-76 and other ordinances or state law to Planning Commission for review and appropriate action.

SECTION 3: Chapter VI, Article III, Section 6-45 (C) (2) is amended to read as follows:

- (2) The Zoning Administrator reviews the application and site plan for compliance with Sections 6-45 and 6-76 filing requirements and confers with the Planning Commission chair as required.

SECTION 4: If any section, subsection, sentence, clause, or phrase of this Ordinance is, for any reason, held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Village of Stockbridge declares that it would have passed this Ordinance and each section, subsection, clause, or phrase hereof, irrespective of the fact that any one or more section, subsections, sentences, clauses, and phrases be declared unconstitutional.

SECTION 5: That this Ordinance and the related rules, regulations, provisions, requirements, orders, and matters established shall take effect immediately upon publication, except any penalty provisions which shall take effect twenty (20) days after publication, pursuant to MCL66.1.

SECTION 6: Repealer - All Ordinances or parts of Ordinances in conflict with this Ordinance are repealed only to the extent necessary to give all provisions of this Ordinance full effect.

Adopted at a Regular Meeting of the Village of Stockbridge held on _____, 2024.

Moved by: _____

Seconded by: _____

YEAS: _____.

NAYS: _____.

ABSENT: _____.

ABSTAIN: _____.

Village of Stockbridge

By: Jill Ogden
Its: Village President

Certification of Clerk

I hereby certify that the foregoing is a true and complete copy of an Ordinance adopted by the Village Council of the Village of Stockbridge, County of Ingham, State of Michigan, at a regular meeting held on the ____th day of _____, 2024, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the Minutes of said meeting were kept and will be or have been made available as required by said Act, and the foregoing Ordinance was published in a newspaper of local circulation on _____, 2024.

Village of Stockbridge

By: Heather Armstrong
Its: Village Clerk

Drafted by: John L. Gormley (P53539)
Attorney for the Village of Stockbridge and
It's Planning Commission
Gormley Law Offices, PLC
101 Grand River Ave.
Fowlerville, Michigan 48836
517.223.3758