VILLAGE OF HILLMAN
Ordinance No. 03 of 2022

AN ORDINANCE TO AMEND THE VILLAGE OF HILLMAN ZONING ORDINANCE ARTICLE 3 (GENERAL PROVISIONS), ARTICLE 4 (DISTRICT REGULATIONS), AND ARTICLE 7 (SUPPLEMENTAL REGULATIONS) TO ADDRESS LANDSCAPING STANDARDS, PARKING, STORMWATER MANAGEMENT, MIXED USES, PLANNED UNIT DEVELOPMENTS, AND GREEN INFRASTRUCTURE.

Section 1: Amendments to the Village of Hillman Zoning Ordinance Articles

That the Village of Hillman Zoning Ordinance, Section 4.0 (Table of Permitted and Special Land Uses) is hereby amended to read as follows:

TABLE OF PERMITTED USES & SPECIAL LAND USES

P=Permitted by right S=Permitted with a Special Use Permit *supplemental development regulations (article 7)	R-1	R-2	R-3	R-R	B-1	B-2	B-3	I
RESIDENTIAL USES								
Dwelling Units in Conjunction with Commercial Establishment and Mixed Residential/Non-Residential Uses					P*	P*		

That the Village of Hillman Zoning Ordinance, Section 4.9 (B-1) Central Business District) is hereby amended to read as follows:

C. Development Standards,

Lot & Structure

Minimum Lot Width	33 feet			
Maximum Building Height	2 Stories			
Minimum Floor Area (for One-family and two-family Residential	Efficiency 800 sq. ft.	1 BR: 550 sq. ft.	2BR: 600 sq. ft.	3BR: 700 sq.ft.
Minimum floor area for dwellings Units in commercial Establishment/mixed use buildings:	No minimum. Shall comply with building code.			

That the Village of Hillman Zoning Ordinance, Section 4.10 (B-2) General Business District) is hereby amended to read as follows:

C. Development Standards.
Lot & Structure Standards

Minimum Lot Area/Unit	8,712 sq. ft.			
Minimum Lot Width	66 feet			
Minimum Lot Depth	132 feet			
Maximum Building Height	2 Stories			
Minimum Floor Area (for one-Family and two-family residential)	Efficiency 800 sq ft	1BR: 550 sq ft.	2BR: 600 sq ft.	3BR: 700 sq ft.
Minimum floor area for dwelling Units in commercial Establishment/mixed use buildings:	No minimum, Shall comply with building code.			

That the Village of Hillman Zoning Ordinance, Section 7.8 (Dwelling Units in Conjunction with Commercial Establishment and Mixed Residential/Non-Residential Uses) is hereby amended to read as follows:

A. Dwelling units may be located on the second floor, in the basement or at ground level. If located on the ground-level, dwelling units shall not be located on the street-facing side of the building.
B. There shall be no minimum dwelling unit size, however dwelling units shall comply with the currently adopted building code.

That the Village of Hillman Zoning Ordinance, Section 7.17 (Planned Unit Developments) is hereby amended to read as follows:

C. Development Standards.
8. Flexibility of District Standards. Minimum development standards set forth by the original district in which the proposed PUD is located shall act as general guideline. To encourage flexibility and creativity consistent with the intent of PUB regulations, the Village may permit specific departures from the requirements of the Zoning Ordinance. Clustering of residential uses on lots and with setbacks smaller than the district minimum is encouraged.

That the Village of Hillman Zoning Ordinance, Section 3.21 (Stormwater Management) is hereby amended to read as follows:

D. Stormwater Runoff Control Regulations.

1. Stormwater Runoff Control Areas and Facilities. Stormwater runoff control areas and facilities, whether on-site or off-site, shall be designed, constructed, and maintained to prevent flooding and protect water

quality. The design of any stormwater runoff control system shall be based upon a 25-year frequency 24-hour duration storm event. In order to be approved, all site plan provisions for stormwater management must meet the following performance standards:

A. Runoff leaving the site shall be controlled to a non-erosive velocity, both during and after construction.

B. After development, runoff from the site shall approximate the rate of flow, volume, and timing of runoff that would have occurred following the same rainfall under predevelopment conditions. Stormwater management conveyance and storage facilities shall be designed to reduce flood hazards and water pollution related to runoff from the proposed development project.

2. Stormwater Storage Facilities. Stormwater storage facilities, which protect water quality and prevent adverse flooding on-site and off-site, shall be required for all sites where on (1) acre or more will be disturbed in order to improve the quality of stormwater runoff and reduce the discharge of sediment into local wetlands and watercourses.

A. Techniques. One or more of the following techniques shall be used:

1) Infiltration of runoff, provided that soils and groundwater conditions are suitable.
2) Retention basins with a fixed minimum water elevation between runoff events (e.g., wet ponds) or may be dry at various times throughout the year.
3) Detention basins which could retain water or drain completely after a storm event (e.g., dry basins) but which discharge storm water to wetlands or constructed basins which trap sediment carried by storm water runoff.

B. Standards. The following standards shall be used:

1) Detention basins shall be designed to hold stormwater for more than 24 hours before completely draining to become a dry basin (extended detention basin).
2) Detention basins with a positive outlet shall be designed to hold runoff from a 25-year storm event, as a minimum. Retention basins without a positive outlet shall be designed to hold runoff from a 100-year storm event.
3) The banks of detention basins shall not exceed a 1:6 slope unless a fence is constructed.

4) Natural watercourses shall not be dredged, cleared of vegetation, deepened, widened, straightened, stabilized or otherwise altered without approval from the MDEQ and County Drain Commission.
5) The use of stormwater runoff control areas and vegetated buffer areas as open space, recreation, and conservation areas shall be encouraged.
6) Stormwater detention/retention ponds, with banks which exceed a 1:6 slope, located in all districts shall be completely enclosed with a permanent substantial fence with two 3'-foot swinging gates mounted for an unobstructed opening of at least 6' with a minimum of four (4) feet in height above the ground level. All gates shall be kept locked to prevent unauthorized access. Any such ponds located in a front yard or visible from the public right-of-way shall be landscaped and fencing shall be open decorative in design (no chain link, or solid material) as approved by staff or the Planning Commission.
7) Fencing may be waived by the Planning Commission at the site plan review process when pond design is part of an overall landscape plan, or adequate justification is provided.
8) Natural vegetation (e.g. created wetlands, vegetative buffer strips) shall be used in stormwater designs to assist with the removal of pollutants in the stormwater.
9) Isolation distances from septic systems and potable water wells shall be in conformance with the rules and regulations of the District Health Department.
10) A 25 ft. vegetative buffer shall be maintained fron water bodies. Natural vegetation shall be maintained, to the extent possible, along lakeshores and streambanks to preserve natural stormwater collection and treatment. Supplemental or replacement plant materials shall be consistent with those found naturally occurring adjacent to the water body.
11) A 25 ft. vegetative buffer shall be maintained from wetlands, and runoff control systems shall not be constructed in regulated wetlands. (Proper state and federal permits are needed to discharge stormwater or utilize wetlands for a stormwater structure). Supplemental or replacement plant materials shall be consistent with those found naturally occurring adjacent to the wetland.
12) Be regularly maintained for optimum performance. A maintenance plan may be required for approval that as a minimum

could include, but not be limited to: removal of accumulated sediment, periodic structural repairs, reseeding or replacement of vegetative cover.

13) Have an emergency overflow system. The overflow system shall be designed to accommodate flow from the 100-year storm event, or as otherwise required by the appropriate State of Michigan Agency.
14) Designed to distribute stormwater runoff volume evenly over the floor of the basin or trench and to prevent flooding.

C. Stormwater Calculation/Designs.

1) Stormwater runoff volumes and discharge rates for predevelopment and post-development of the site shall be calculated by the USDA Natural Resource Conservation Service method, rational method, or other documented design method approved by the Enforcing Agent.
2) Temporary stormwater control measures shall be designed to detain the runoff from the disturbed site for a 2-year, 24 hour storm event.
3) The allowable peak discharge rate from each stormwater control facility shall be equal to or less than the peak discharge of the site prior to the proposed development for all storm events up to a 25-year, 24-hour storm event.
4) In lieu of a staged discharge, the allowable peak discharge rate from each stormwater control facility may be a constant equal to the peak discharge rate of the watershed prior to development in a 2-year, 24 hour storm event.
5) Sites that have multiple drainage courses shall perform calculations for each separate drainage course impacted by the proposed development.

D. Required Storage Volumes.

1) Permanent stormwater control facilities shall be sized to detain the runoff from the developed watershed less the allowable staged discharge from the site for a 25-year, 24-hour storm.
2) If a staged discharge is not used, stormwater storage facilities may be sized to detain the increased runoff (post-development minus

pre-development) due to the proposed construction for a 25-year, 24-hour storm event.

3. Discharge from stormwater conveyance facilities shall be routed through swales, vegetated buffer strips, stormwater basins, hydrological isolated wetlands, and other facilities designed to decrease runoff velocity and volume, allow for natural infiltration, allow suspended solids to settle, and remove pollutants.
4. If wetlands are proposed for stormwater detention, runoff must be diffused to non-erosive velocities before it reaches the wetlands.
5. Vegetated buffer strips shall be created, or retained in their natural state along the edges of all watercourses and wetlands. The width of the buffer shall be sufficient to prevent erosion, trap the sediment from overland runoff, and buffer structures from periodic flooding.
6. Driveway drainage, drainage from adjacent parking or storage areas on private property, and driveway culverts shall be designed according to Michigan Department of Transportation driveway criteria standards, Rule 61 of the Administrative Rules Regulating Driveways, Banners and Parades on and over Highways.
7. The Village may approve other green infrastructure techniques to meet the stormwater management goals of this Section during site plan review. Other techniques include, but are not limited to, rain gardens, bioswales, green roofs, and permeable pavement.

That the Village of Hillman Zoning Ordinance, Section 3.19 (Landscaping and Buffering) is hereby amended to read as follows:

C. Landscaping Standards.

11. In order to ensure proper maintenance of plantings, plant species utilized in landscaping shall be low maintenance plantings and/or species native to the Hillman area.

That the Village of Hillman Zoning Ordinance, Section 3.22 (Circulation and Parking) is hereby amended to read as follows:

A. Motor Vehicle Parking: Multi-Family and Nonresidential Uses.

13. Parking Standards in Nonresidential Districts.

d. Designs Standards.

2. Parking Lot Design

(C) A parking lot providing fifty (50) or more parking spaces shall reserve a minimum of five (5) percent of the parking lot area for interior landscaping. A parking lot providing forty-nine (49) or fewer parking spaces shall reserve a minimum of two (2) percent of the parking lot area for interior landscaping. This required landscaping may be transferred to the perimeter of the lot(s) if interior landscaping is not possible.

Section 2: Severability
If any clause, sentence, paragraph or part of this Ordinance shall for any reason be finally adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment is rendered.

Section 3: Saving Clause
The Village of Hillman Zoning Ordinance, except as herein or heretofore amended, shall remain in full force and effect. The amendments provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

Section 4: Effective Date
The ordinance changes shall take effect upon the expiration of seven days after the publication of the notice of adoption.

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Village of Hillman President

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Village of Hillman Clerk

I, Brenda South, Clerk for the Village of Hillman, hereby certify that the foregoing is a true and correct copy of Ordinance No. 03 of 2022 of the Village of Hillman, adopted by at a meeting of the Village Council held on Tuesday, October 4, 2022.

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A copy of the complete ordinance text may be inspected or purchased at the Hillman Village Offices at 24220 Veterans Memorial Highway, Hillman, Michigan.

Adopted: October 4, 2022, Published Effective , subject to PA 110 of 2006 as amended.

A motion was made by Trustee Smith and supported by Trustee Orlandi to adjourn the meeting. Yeas: Orlandi, Bouchey, Smith, Brown. Nays: None, Abstain: Hornbacher. Motion carried. The meeting adjourned at 7:50 p.m.

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Dave Hornbacher, President Brenda South, Clerk/Treasurer