

Chapter 19.33 B-3 HIGHWAY COMMERCIAL AND LIGHT INDUSTRIAL DISTRICT

19.33.010 Purpose.

The B-3 highway commercial and light industrial district is established to accommodate nonnuisance type industrial commercial uses that are highway oriented or have large land area requirements. To ensure a minimum of disruption to residential neighborhoods, no development within this district shall take direct access to a local residential street, except by conditional use permit.

(Ord. No. 1914A, 2-18-2016)

19.33.020 Permitted uses.

Permitted uses in the B-3 district include:

- A. All uses listed as permitted uses in the B-1 district (Section 19.27.020);
- B. Agricultural services;
- C. General contracting shops;
- D. Lumberyards, building supply stores, and greenhouses;
- E. Private recreation facilities;
- F. Mini-warehouses;
- G. Public and semipublic uses;
- H. Other similar uses not specifically listed in this section that are consistent with the purpose of this district;
- I. The second or greater wireless telecommunications facility located on an alternative support structure already supporting a wireless telecommunications facility or on a pre-existing wireless telecommunications facility, per the requirements of Chapter 19.55.

(Ord. No. 1914A, 2-18-2016)

19.33.025 Permitted accessory uses.

Permitted accessory uses in the B-3 district include:

- A. Garages for storage of vehicles, equipment or materials in conjunction with operation of the principal use on the lot;
- B. Off-street parking and loading areas, subject to landscaping and screening requirements if applicable;
- C. Outside storage and trash dumpsters, which may be subject to screening as part of site plan review;
- D. Outside display of merchandise, which may be subject to limitations as part of site plan review;
- E. Outside display and temporary storage of motor vehicles where the principal use on the lot includes the sale, repair, or servicing of such motor vehicles. No vehicle in inoperable condition shall be stored for greater than thirty days;

-
- F. Outdoor seating for restaurants within designated areas;
 - G. Temporary retail uses, such as seasonal and special event sales, subject to the approval of the zoning administrator, who may require specific time and area limitations;
 - H. Vending machines for dispensing of a product but only if accessory to a commercial business use. If more than two vending machines are accessory to one business use, such vending machines shall be screened from the public right-of-way and adjacent properties. Vending machines may be lit only when the principal use on the lot is in operation, unless such machines are completely screened from the public right-of-way and adjacent properties;
 - I. Essential services;
 - J. Wireless telecommunications support facilities, per the requirements of Chapter 19.55.

(Ord. No. 1914A, 2-18-2016)

19.33.030 Conditional uses.

Conditional uses in the B-3 district include:

- A. Taverns and other establishments selling alcoholic beverages by the drink; for which consideration shall be given but is not limited to, conditions regarding the following issues:
 - 1. Parking;
 - 2. Type of business;
 - 3. Signage;
 - 4. Outdoor seating;
 - 5. Provisions for avoiding noise and lighting nuisances;
 - 6. Buffering and fencing;
 - 7. Compatibility with the immediately surrounding neighborhood or district.
- B. All uses with drive-through facilities;
- C. More than one principal structure on a lot;
- D. New and existing residential uses in conformance with the standards of the R-3 multifamily residence district;
- E. Automobile repair and service within a principal or accessory building;
- F. Automobile, boat, trailer and small engine vehicle sales and rental facilities, including incidental repair and service within a principal or accessory building;
- G. Car washes;
- H. Entertainment establishments, including clubs, but excluding adult entertainment;
- I. Funeral homes and crematory services;
- J. Gasoline service stations, including incidental repair and service within the principal building;
- K. Light industry;
- L. Motor freight transportation;
- M. Veterinary clinics, provided that no service including animal boarding is offered outdoors;

-
- N. Warehousing;
 - O. Wholesale trade of durable and nondurable goods;
 - P. Large retail and commercial service developments, as described and regulated in Chapter 19.485.
 - Q. Light manufacturing and retail uses;
 - R. All nonresidential uses with vehicular access onto a local (not a collector or arterial) street that is intended to provide access to mostly residential uses;
 - S. The first wireless telecommunications facility located on an alternative support structure only, per the requirements of Chapter 19.55.

T. Day care centers, adult and child.

(Ord. No. 1914A, 2-18-2016)

19.33.040 Lot area.

Minimum lot area in the B-3 district is ten thousand square feet.

(Ord. No. 1914A, 2-18-2016)

19.33.050 Lot width.

Minimum lot width in the B-3 district is one hundred feet.

(Ord. No. 1914A, 2-18-2016)

19.33.060 Yard requirements.

Minimum required yards for principal buildings, outside storage, and dumpsters in the B-3 district are:

- A. Front and street side, fifteen feet (but may be greater if needed to meet fire safety requirements);
- B. Interior side, fifteen feet (but may be greater if needed to meet fire safety requirements);
- C. Rear, twenty feet, except the rear yard setback to any railroad right-of-way shall be fifteen feet under a conditional use (but may be greater if needed to meet fire safety requirements);
- D. Shore yard, seventy-five feet. All shoreland shall be in compliance with Chapter 19.46, and in addition may require DNR approval.
- E. Any yard abutting a residential district or use, thirty feet or the height of the nearest principal building or structure being developed, whichever is greater. Such yards shall be subject to the landscape buffer yard requirements of Section 19.57.140, except where abutting a railroad right-of-way with the approval of the plan and architectural review commission.

(Ord. No. 1914A, 2-18-2016)

19.33.070 Lot coverage.

There is no maximum percentage lot coverage for buildings with the exception of the provisions needed for landscape, circulation, and other site planning considerations. Building size, coverage, and locations must still conform to the other regulations including stormwater management. Landscape and environmental features shall

follow principles of sustainability and environmental quality and shall locate landscape elements in highly visible locations, especially in the fronts of buildings, and should include canopy trees, understory and/or evergreen trees, and shrubs.

(Ord. No. 1914A, 2-18-2016)

19.33.080 Building height.

Maximum building height in the B-3 district is five stories or one hundred feet (whichever is greater), with the exception that the maximum building height is three stories within one hundred feet of a residential use or property zoned as a residential district.

The maximum building height is also subject to fire safety limitations. The maximum building height may be increased under the provisions of a conditional use permit which will include, but is not limited to, consideration of issues regarding shadows cast by buildings, views, impacts on neighbors, and microclimate.

(Ord. No. 1914A, 2-18-2016)

19.33.090 Plan review.

Plan review in accordance with Chapter 19.63 shall be required for any development in the B-3 district. Building design shall be consistent with the recommendations of the city's comprehensive (master) plan and include materials, colors, styles, and features tailored to the building's site and context. Landscaping shall be consistent with the recommendations of the city's comprehensive (master) plan; appropriate to the site, community and region; and in accordance with accepted professional standards.

(Ord. No. 1914A, 2-18-2016)

19.33.100 Park fees.

All residential development shall be subject to a park acquisition fee per dwelling unit and a park improvement fee per dwelling unit, payable before a building permit is issued. The fee will be recommended by the parks and recreation board and then approved by the common council. The fee will be on record at the city clerk's office. The amount of these fees may be reduced by any fee amount previously paid or credited at the time of subdivision, or by fifty percent if the new housing units are created as a result of the conversion or remodeling of a preexisting building. The park acquisition fee may also be reduced if sufficient land area was provided for park purposes at the time of subdivision, based on the calculations in Section 18.04.030(a)(1) of the Whitewater Municipal Code.

(Ord. No. 1914A, 2-18-2016)