

**TOWN OF CEDARBURG
ORDINANCE NO. 2011-5**

An Ordinance to amend two sections of the Town of Cedarburg Code of Ordinances, Ozaukee County, Wisconsin: firstly § 320-21. B-3 Business District, secondly § 320-137.

Definitions and word usage, particularly with respect to allowing “business offices” in the B-3 district as a conditional use and defining the term “business offices”

WHEREAS, the Town of Cedarburg regulates building activity and principal and conditional uses of property in Chapter 320: Zoning of the Town Code of Ordinances; and,

WHEREAS, the Plan Commission of the Town of Cedarburg, by a majority vote of the entire Commission, has recommended the Town Board adopt the following amendments to Chapter 320 of the Town Code of Ordinances; and

WHEREAS, a Class 2 notice, in accordance with Ch. 985, Wis. Stats, has been published in advance of the Town Board considering this ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Town Board of the Town of Cedarburg, Ozaukee County, Wisconsin, that Section 320, of the Town of Cedarburg Code of Ordinances is hereby amended to read as follows:

(The text modified with a strikethrough shall be deleted).

(The text modified with an underline shall be added).

§ 320-21. B-3 Business District.

[Amended 3-1-2000 by Ord. No. 2000-8; 1-7-2009 by Ord. No. 2009-2; 5-6-2009 by Ord. No. 2009-9]

A. Statement of purpose. The B-3 Business District is intended to provide for commercial or light manufacturing activities of a general retail and wholesale nature, so long as they are not offensive to the surrounding area by virtue of dust, noise, smoke, traffic, physical appearance or other similar facts, generally within the purview of light manufacturing, as determined by the Plan Commission of the Town of Cedarburg. If the business is located within the Five Corners Master Plan area, the building construction and materials shall be consistent with the Five Corners Master Plan.

B. Principal uses: professional offices, retail shops and stores.

C. Conditional uses:

(1) Business offices, general merchandising establishments, general wholesaling establishments, automotive body repair, cleaning, commercial greenhouses, community service facilities, distributors, farm machinery sales and service, food locker plants, general warehousing or warehousing in connection with any permitted use, laboratories, laundry, pressing and dyeing establishments, trade and contractor's offices and yards, printing and publishing, storage and sale of machinery and equipment, studios, tool and die design and production, transportation terminals, upholstery, woodworking shops not requiring outside dust collection equipment, or any other use that is in substantial conformity with the expressed intention of this district may be made a conditional use

when recommended by the Plan Commission of the Town of Cedarburg and approved by the Town Board.

(2) See also §§ 320-56, 320-57, 320-59, 320-60 and 320-106.

D. Lot.

(1) Frontage: minimum 150 feet.

(2) Area: minimum one acre.

E. Building height: maximum 45 feet.

F. Yard setbacks (except as specifically addressed under § 320-57).

(1) Street: minimum 50 feet.

(2) Rear: minimum 30 feet.

(3) Side: minimum 15 feet.

SECONDLY

ARTICLE XV. Definitions

§ 320-137. Definitions and word usage.

Editor's Note: The definitions of "lot, corner," "nonconforming uses" and "use, accessory" which appeared in this section were deleted 10-4-2006 by Ord. No. 2006-11. For the purposes of this chapter, the following definitions shall be used, unless a different definition is specifically provided for a section. Words used in the present tense include the future; the singular number includes the plural number; and the plural number includes the singular number. The word "shall" is mandatory and not permissive.

BUSINESS OFFICES

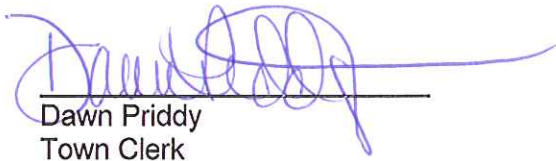
Office work other than that classified as a professional office being of a non retail and non warehouse nature and performed in a non residential district.

(The text modified with a strikethrough shall be deleted).

(The text modified with an underline shall be added).

This ordinance shall be in full force and effect upon its passage and posting as provided by law.

PASSED AND ADOPTED by the Town Board of the Town of Cedarburg, Ozaukee County, Wisconsin, this 3rd day of August, 2011.


Dawn Priddy
Town Clerk


David M. Valentine
Town Chairman