

**TOWN OF CEDARBURG
ORDINANCE NO. 2012-12**

An Ordinance amending § 320 Zoning, of the Town of Cedarburg Code of Ordinances, reducing the minimum lot size for M-2, B-2 and B-3 from 1 acre to 0.5 acres, reducing the rear yard setback in the B-1 district from 50 feet to 30 feet, and reducing the street yard setback in the B-3 district from 50 feet to 25 feet.

- WHEREAS,** The Town of Cedarburg is a body corporate and politic; and
- WHEREAS,** the Town Board exercises village powers by Ch. 61, Wis. Stats.; and
- WHEREAS,** The Town Board has identified the development of the Five Corners Business District as a priority; and,
- WHEREAS,** The Five Corners Master Plan calls for the creation of, "a vibrant and pedestrian-friendly town center, featuring mixed-use development and providing a focal point and gathering place for the town"; and, the Main Street Pedestrian sub-area of the Master Plan, "is prescribed for a higher level of density and activity with less auto-oriented development than that which would occur elsewhere"; and,
- WHEREAS,** Implementation of the Master Plan will diversify and expand the Town's tax base and provide new services to residents; and,
- WHEREAS,** Continuing to require larger minimum lot size and larger minimum setback requirements in business and M-2 lots could reduce flexibility for developers driving away potential development making it more difficult to realize the vision of the Five Corners Master Plan; and,
- WHEREAS,** In order to maximize potential development, the Town has elected to reduce the certain minimum lot size and minimum setback requirements for certain the B-1, B-2, B-3 and M-2 districts described herein; and,
- WHEREAS,** the Plan Commission has reviewed this ordinance and has made a favorable recommendation to the Town Board for its adoption; and
- WHEREAS,** the Town Board held a public hearing regarding this proposed amendment, a notice of which was published twice, once at least ten days prior to the date of the hearing,

NOW, THEREFORE, BE IT ORDAINED by the Town Board of the Town of Cedarburg, Ozaukee County, Wisconsin, that Chapter 320 Zoning 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).**

ARTICLE III. ZONING DISTRICTS

§ 320-19. B-1 Neighborhood Business District.

F. Yard setbacks.

- (1) Street: minimum 25 feet.
- (2) Rear: minimum ~~50~~ 30 feet.
- (3) Side: minimum 15 feet.

§ 320-20. B-2 Planned Business District.

D. Development.

- (1) Frontage: minimum 150 feet.
- (2) Area: minimum ~~one~~ one-half acre.

§ 320-21. B-3 Business District.

D. Lot.

- (1) Frontage: minimum 150 feet.
- (2) Area: minimum ~~one~~ one-half acre.

E. Building height: maximum 45 feet.

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

- (1) Street: minimum ~~50~~ 25 feet.
- (2) Rear: minimum 30 feet.
- (3) Side: minimum 15 feet.

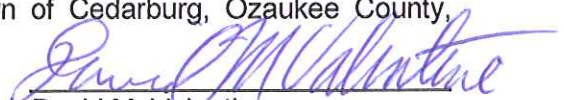
§ 320-23. M-2 Planned Industrial and Mixed-Use District.

- (1) Area: minimum ~~one~~ one-half acre.

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 6th day of June, 2012.


Debra Otto
Town Clerk


David M. Valentine
Town Chairman