

**VILLAGE OF MARSHALL
ORDINANCE 2015-08**

**AN ORDINANCE AMENDING MUNICIPAL CODE TITLE 13, CHAPTER 1,
SECTION 32 B-H HIGHWAY BUSINESS DISTRICT AND MUNICIPAL CODE
TITLE 13, CHAPTER 1, SECTION 33 M-I INDUSTRIAL DISTRICT**

Ordinance introduced by: Village Clerk

Purpose of ordinance amendment: To allow a process for amending lot, yard and building requirements through a conditional use permit process in the Highway Business District and the Industrial District.

The Village Board of the Village of Marshall, Dane County, Wisconsin ordains as follows that Title 13 Chapter 1, Section 32 and Title 13 Chapter 1, Section 33 are hereby amended as follows.

(Double underlined areas are being added, strike through areas are being removed)

SEC. 13-1-32 B-H HIGHWAY BUSINESS DISTRICT.

(Advisory Note: The following requirements are applied in conjunction with this entire Code of Ordinances. Other sections of this Code of Ordinances may also be applicable to any given situation and should be reviewed as well as the following requirements.) (Rev. 12/97)

- (a) **Purpose.** The B-H District is intended to provide for commercial business and activities in locations where there is adequate access to major streets or highways.
- (b) **Permitted Uses.** The following uses are permitted in the B-H District:
 - (1) Establishments engaged in the retail sale of automobiles, trailers mobile homes, or campers.
 - (2) Stores for the sale and installation of tires, batteries, mufflers, or other automotive accessories.
 - (3) Restaurants, lunch rooms and other eating places, including drive-in type establishments.
 - (4) Establishments engaged in the daily or extended-term rental or leasing of house trailers, mobile homes or campers.
 - (5) Establishments engaged in daily or extended-term rental or leasing of passenger automobiles, limousines or trucks, without drivers, or of truck trailers or utility trailers.
 - (6) Commercial parking lots, parking garages, or parking structures.
 - (7) Establishments for the washing, cleaning or polishing of automobiles, including self-service car washes.
 - (8) Hotels, motor hotels, or motels.
 - (9) General grocery stores.
 - (10) Accessory buildings not exceeding two hundred (200) square feet.
- (c) **Conditional Uses.** The following uses are conditional within the B-H District.
 - (1) Seasonal roadside stands for the sale of vegetables, fruit, or other farm products, but not other types of products or merchandise.

- (2) Establishments or facilities for the sale, rental, service, repair, testing, demonstration, or other use of motorcycles, motorized bicycles, go-karts, snowmobiles, aircraft, or other motorized vehicles or other components.
- (3) Establishments or facilities for the sale, rental, service, repair, testing, demonstration, or other use of motorboats, other watercraft, marine supplies, motors for watercraft, or their components.
- (4) Rooming and boarding houses.
- (5) Miscellaneous amusement and recreation services.
- (6) Camps and recreational vehicle parks.
- (7) Drive-in and convenience establishments not mentioned above.
- (8) Automobile repair shops, including shops for general mechanical repairs, automobile body repair, and repair of tires, but not including establishments for rebuilding, re-treading, recapping, vulcanizing, or manufacturing tires.
- (9) Establishments primarily engaged in specialized automobile repair, such as electrical, battery and ignition repair, radiator repair, glass replacement and repair, carburetor repair, and wheel alignment service.
- (10) Community living arrangements, including day care.
- (11) Highway passenger and motor freight transport.
- (12) Retail/wholesale establishments.
- (13) Gasoline service stations, provided that all gasoline pumps, storage tanks, and accessory equipment must be located at least thirty (30) feet from any existing or officially proposed street line.
- (14) Other businesses similar to the above specifically named businesses.
- (15) Accessory buildings in excess of two hundred (200) square feet. (Rev. 7/98)

(d) **Lot, Building and Yard Requirements.** **

- (1) Lot Frontage. Minimum eighty (80) feet.
 - (2) Lot Area. Minimum twelve thousand (12,000) square feet.
 - (3) Principal Building Setbacks.
 - a. Front Yard: Minimum thirty-five (35) feet.
 - b. Side Yards: Minimum ten (10) feet.
 - c. Rear Yard: Minimum thirty (30) feet.
 - (4) Building Height. Maximum thirty-five (35) feet.
 - (5) Percent of Lot Coverage. Maximum forty percent (40%).
- **Requirements may be modified by conditional use permit.

(e) **Site Design and Architectural Requirements.** In addition to the requirements in Article M, Section 13-1-174, the following shall apply:

- (1) Activation.
 - a. At least one public pedestrian entrance should be provided along the street façade of each building. Dominant corner entrances are strongly encouraged on corner sites.
 - b. Ground floor uses should have clear glazing that accounts for a majority of the façade from approximately two feet to eight feet above grade.
- (2) Building Form and Materials.
 - a. Building façades should be composed with distinct base, middle and top elements, and structural column lines should be evident or expressed on the façade.
 - b. Building elements, especially windows, should be vertically proportioned (height greater than width).
 - c. All façades should be constructed of high-quality building materials. Examples include brick, stone, decorative concrete masonry units.
- (3) Landscaping and Screening Requirements.

- a. Where a commercial site adjoins a residential site, the perimeter shall be properly screened with decorative fencing, a garden wall, or compact vegetative screen no more than six (6) feet in height. All fencing and walls should be constructed with durable materials such as poured-in-place concrete, stone, masonry, wood and metal elements consistent with adjacent architecture and approved by the Plan Commission.
 - b. Dumpsters shall be located and screened in accordance with Plan Commission and Village Board approval.
 - c. The minimum Landscape Surface Ratio (the area of the lot which is planted and continually maintained in vegetation) is twenty-five (25) percent and shall include native plantings. Trees shall have an initial caliper of no less than one (1) inch and a height of at least six (6) feet.
- (4) On-Site Circulation.
- a. A clear, safe, and complete pedestrian circulation system must be incorporated into all site designs.
 - b. Service and loading areas, trash receptacles, and ground floor mechanicals should be placed at the rear or sides of buildings. Such areas must be effectively screened from public view.
- (5) Parking. In addition to the requirements of Article G, Section 13-1-92, the following requirements shall apply:
- a. Parking areas should preferably be located under, behind and/or on the sides of buildings.
 - b. Parking areas fronting the street shall be properly screened with decorative fencing, a garden wall, or compact vegetative screen no more than six (6) feet in height. All fencing and walls should be constructed with durable materials such as decorative concrete, stone, masonry, wood and metal elements consistent with adjacent architecture and approved by the Plan Commission.
 - c. A landscaped island equivalent to the size of a parking stall shall be present for each twelve parking stalls in the parking area. Parking islands should incorporate elements of bioswale design to encourage stormwater filtration. Parking lot edges should also be screened and/or landscaped in accordance with Article C, Section 13-1-32(e)(5)(b).

SEC. 13-1-33 M-I INDUSTRIAL DISTRICT.

(Advisory Note: The following requirements are applied in conjunction with this entire Code of Ordinances. Other sections of this Code of Ordinances may also be applicable to any given situation and should be reviewed as well as the following requirements.) (Rev. 12/97)

- (a) **Purpose.** The M-I District is intended to provide an area for manufacturing and industrial activities. It is also intended to provide an area for a variety of uses which require relatively large installations, facilities or land areas, or which would create or tend to create conditions of public or private nuisance, hazard or other undesirable conditions, or which for these or other reasons may require special safeguards, equipment, processes, barriers, or other forms of protection, including spatial distance, in order to reduce, eliminate or shield the public from such conditions.
- (b) **Permitted Uses.** The following are permitted uses within the M-I District:

- (1) Offices of construction firms, shops, display rooms and enclosed storage.
- (2) Business services.

(c) **Conditional Uses.** The following are conditional uses within the M-I District: (Rev. 7/98)

- (1) State-assessed manufacturing operations including, but not limited to:
 - a. Printing and publishing,
 - b. Industrial machinery and equipment.
 - c. Dairy products.
 - d. Plastic materials and synthetics.
 - e. Fabricated metal products.
 - f. Furniture and fixtures.
 - g. Instruments and related products.
 - h. Medicinal chemicals and biological products.
- (2) Warehousing or distribution operations, not including predominantly retail sales to customers on site.
- (3) Laboratories.
- (4) Engineering and management services.
- (5) Fire stations.
- (6) Public utilities and public services.
- (7) Telecommunications facilities.
- (8) Ancillary retail sales and service operations that serve employees within the industrial park.
- (9) Sewage treatment plants.
- (10) Highway passenger and motor freight transport.
- (11) Accessory buildings.
- (12) Recreational uses.

(d) **Lot, Building and Yard Requirements. ****

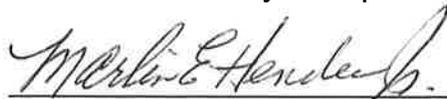
- (1) Lot Frontage. Minimum one hundred (100) feet.
 - (2) Lot Area. Minimum twenty thousand (20,000) square feet.
 - (3) Principal Building Setbacks.
 - a. Front Yard. Minimum fifty (50) feet.
 - b. Side Yards. Minimum twenty (20) feet.
 - c. Rear Yard. Minimum thirty (30) feet.
 - (4) Building Height. Maximum forty-five (45) feet.
 - (5) Percent of Lot Coverage. Maximum seventy percent (70%).
- **Requirements may be modified by conditional use permit.

(e) **Site Design and Architectural Requirements.** In addition to the requirements in Article M, Section 13-1-174, the following shall apply:

- (1) Activation.
 - a. At least one public pedestrian entrance should be provided along the street façade of each building. Dominant corner entrances are strongly encouraged on corner sites.
 - b. Clear glazing on a majority of the front façade is strongly encouraged.
- (2) Building Form and Materials.
 - a. Building façades should be composed with distinct base, middle and top elements, and structural column lines should be evident or expressed on the façade.
 - b. All façades should be constructed of high-quality building materials. Examples include brick, stone, decorative concrete masonry units.
- (3) Landscaping and Screening Requirements.

- a. Dumpsters shall be located and screened in accordance with Plan Commission and Village Board approval.
- (4) On-Site Circulation.
 - a. A clear, safe, and complete pedestrian circulation system must be incorporated into all site designs.
 - b. Service and loading areas, trash receptacles, and ground floor mechanicals should be placed at the rear or sides of buildings. Such areas must be effectively screened from public view.
- (5) Parking.
 - a. Parking areas should preferably be located under, behind and/or on the sides of buildings.
 - b. Parking areas fronting the street must be screened with landscape elements. See Article C, Section 13-1-31(e)(3)(a).
 - c. A landscaped island equivalent to the size of a parking stall shall be present for each twelve parking stalls in the parking area. Parking islands should incorporate elements of bioswale design to encourage stormwater filtration.
- (f) **Additional Requirements.** Permitted and conditional uses in the M-I District are also subject to the following requirements:
 - (1) Where an M-I Industrial District abuts a residential district, there shall be provided along any rear, side or front line, coincidental with any industrial/residential boundary, a buffer strip not less than forty (40) feet in width as measured at right angles to said lot line. The buffer strip shall be located in the M-I District. Plant materials at least six (6) feet in height of such variety and growth habits as to provide a year-round, effective visual screen when viewed from the residential district shall be planted in the exterior twenty-five (25) feet abutting the residential district. If the required planting screen is set back from the industrial-residential boundary, the portion of the buffer strip facing the residential district shall be attractively maintained. Fencing may be used in lieu of planting materials to provide said screening. The fencing shall be not less than five (5) nor more than eight (8) feet in height, and shall be of such materials as to effectively screen the industrial area. The exterior twenty-five (25) feet of the buffer strip shall not be devoted to the parking of vehicles or storage of any material or accessory uses. The interior fifteen (15) feet may be devoted to parking of vehicles.
 - (2) The minimum landscape surface ratio (the area of the lot which is planted and continually maintained in vegetation) is twenty-five percent (25%).
 - (3) Cross reference: See Article I, Performance Standards.
 - (4) All rezonings to the M-I District intended for industrial or business parks shall be deed restricted.

Adopted by a vote of (6) for, (0) against, (0) abstaining, and (1) absent this 8th day of September 2015


 Marlin E. Hensler, Jr., Village President.


 Michelle Murphy, Village Clerk
 Published The Courier and posted (3)

