

**VILLAGE OF MARSHALL
ORDINANCE 2014-02**

**AN ORDINANCE AMENDING MUNICIPAL CODE TITLE 13, CHAPTER 1,
SECTION 34 B-P BUSINESS PARK REGULATIONS**

Ordinance introduced by: Village Administrator

Purpose of ordinance amendment: To allow a process for amending lot, yard and building requirements through a conditional use permit process in the Business Park District and removing the minimum lot coverage requirement.

The Village Board of the Village of Marshall, Dane County, Wisconsin ordains as follows that Title 13 Chapter 1, Section 34 are hereby amended as follows.

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

SEC. 13-1-34 B-P BUSINESS PARK 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-P District is established to provide an aesthetically attractive working environment exclusively for and conducive to the development of offices, non-nuisance type manufacturing operations and research and development institutions. The essential purpose of this District is to achieve development, which is an asset to the owners, neighbors and the Village, and to promote and maintain desirable economic development in a park-like setting.
- (b) **Permitted Uses.** The following land uses⁽¹⁾ are permitted in the B-P District:
- (1) State-classified manufacturing operations [31-33];
 - (2) Offices of construction firms, shops, display rooms and enclosed storage [23];
 - (3) Laboratories, research, development and testing, and manufacturing and fabrication in conjunction with such research and development and operations [54, 621];
 - (4) Service uses, including professional, scientific and technical services [54].

⁽¹⁾The meaning of the land uses shall be the same as that used in the North American Industry Classification System (NAICS), 1997 edition, published by the U.S. Printing Office. Also see www.census.gov/epcd/www/naics.html. The sector number in the [] is the intended NAICS number following the land use sector. Sector numbers are read from left to right; 2-digit sectors are the most general and 5-digit sectors are the most specific.

- (c) **Conditional Uses.** The following are conditional uses within the B-P District:
- (1) Public utilities [22];
 - (2) Hotel facilities [72111];
 - (3) Specified retail uses: building material dealers [444], convenience food with gasoline stations [447110], carpet cleaning [56174], restaurants [72200], and auto oil change & lube shops and car washes [81119];

- (4) Warehousing or distribution operations, not including predominantly retail sales to customers on site [42];

(d) **Lot, Yard and Building 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 twenty-five (25) feet.
b. Side Yard. Minimum fifteen (15) feet.
c. Rear Yard. Minimum thirty (30) feet.
(4) Building Height. Maximum thirty-five (35) feet.
(5) Percent of Lot Coverage. Minimum forty (40) percent.
Maximum seventy (70%) percent.

**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. Where a parcel zoned B-P 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. All areas not covered by buildings shall be landscaped. Landscaping should include native plantings and 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.
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 B-P District are subject to the following requirements:

- (1) No building or improvement shall be erected, placed or altered on any lands in the B-P district until the plans for such building or improvement including site, landscaping and building plan and specifications, have been approved by the Planning Commission.
- (2) All uses shall comply with Village performance standards for air pollution, fire and explosive hazards, glare and heat, liquid or solid wastes, noise and vibration, odors, radioactivity and electrical disturbances and refuse;
- (3) All business, servicing or processing, except off-street parking and loading and outside storage areas regulated by restrictive covenants, shall be conducted within completely enclosed buildings;

Adopted by a vote of () for, () against, () abstaining, and () absent this 8th day of April 2014.


Martin E. Hensler, Jr., Village President.


Michelle Murphy, Village Clerk

Published The Courier and posted (3)