19.27.010 - Purpose.

The B-1 community business district is established to accommodate retail shopping and service needs in a manner compatible with the desired community character. The district should be located in relative proximity to residential areas and major traffic routes.

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

19.27.020 - Permitted uses.

Permitted uses in the B-1 district include:

A. Art, music and school supply stores and galleries;
B. Antique, hobby and craft shops;
C. Automotive and related parts stores, without servicing;
D. Hotels and motels;
E. Small appliance repair stores, computer or software sales and service;
F. Barbershops and beauty parlors;
G. Banks and other financial institutions without drive-through facilities;
H. Camera and photographic supply stores;
I. Caterers;
J. Clothing and shoe stores and repair shops;
K. Clinics, medical and dental;
L. Department stores;
M. Drugstores;
N. Florist shops;
O. Food and convenience stores without gasoline pumps;
P. Furniture stores;
Q. Hardware stores;
R. Insurance agencies;
S. Jewelry stores;
T. Liquor stores without drive-through facilities;
U. Meat markets;
V. Resale shops;
W. Paint, wallpaper, interior decorating and floor covering stores;
X. Professional offices;
Y. Restaurants without drive-through facilities;
Z. Self-service laundries and drycleaning establishments;
AA. Sporting goods stores;
BB. Stationery stores, retail office supply stores;

CC. Variety stores;

DD. Movie theaters;

EE. Charitable or nonprofit institutions and facilities;

FF. Tourist homes and bed and breakfasts;

GG. Existing residences must meet the following standards:

1. Limited to no more than four unrelated persons.
2. Number of parking spaces is determined using the R-3 parking regulations for the residential units.

HH. Any other similar uses not specifically listed above that are consistent with the purpose of this district;

II. 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.

JJ. Light assembly uses including electronics, pottery, printing, contractor shops (heating, electrical, plumbing, general contracting) provided that there are no significant environmental emissions (odor and waste).

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

19.27.025 - Permitted accessory uses.

Permitted accessory uses in the B-1 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 where applicable;

C. Outside storage and trash dumpsters where located outside of the required yards in Section 19.27.060 of this chapter and enclosed by a decorative opaque fence, wall or landscaping designed to provide a total visual screen;

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. Up to two vending machines for dispensing of a product, but only if accessory to a commercial business use. Vending machines may be lit only when the principal use on the lot is in operation, unless such machines are screened from the public right-of-way and adjacent properties;

G. Outdoor seating for restaurants within designated areas;

H. Temporary retail uses, such as seasonal and special event sales, subject to the approval of the zoning administrator, who may set specific time and area limitations;

I. Essential services;

J. Wireless telecommunications support facilities, per the requirements of Chapter 19.55.

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

19.27.030 - Conditional uses.

Conditional uses in the B-1 district include:

A. Entertainment establishments, including clubs, but excluding adult entertainment;
B. All uses with drive-in and drive-through facilities (for which the conditions shall, among other issues, maintain visual continuity and attractive pedestrian movement along the street fronts);
C. Automobile and small engine vehicle sales or rental facilities, including incidental repair and service within the principal building;
D. Automobile repair and service within the principal building;
E. Car washes;
F. Private recreation uses;
G. Public and semipublic uses;
H. Taverns and other places 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 consistency;
    7. Compatibility with the immediately surrounding neighborhood or district.
I. Light assembly/retail uses not permitted elsewhere in this district. Subject to the following restrictions:
    1. No environmental emission (noise, odor, waste);
    2. All truck delivery during weekdays;
    3. All of the requirements of Chapter 19.51, traffic, parking and access, and Chapter 19.57, general performance standards, to be met;
J. Gasoline service stations, including incidental repair and service within the principal building;
K. Day care centers, adult and child;
L. Funeral homes and crematory services;
M. Veterinary clinics, provided that no service including animal boarding is offered outdoors;
N. More than one principal structure on a lot;
O. Large retail and commercial service developments, as described and regulated in Chapter 19.485.
P. The first wireless telecommunications facility located on an alternative support structure only, per the requirements of Chapter 19.55.

Q. New residential construction or existing residential modification resulting in addition of units or bedroo residential unit must meet the following standards:

1. A limit of four unrelated persons.
2. Three hundred fifty square feet of usable open space shall be required for each dwelling unit for structures with two or more units.
3. Number of parking spaces is determined using the R-3 parking regulations for the residential units.
4. A first floor residential unit may be permitted if it meets the following standards:
    a. The unit is ADA compliant.
    b. Any residential unit access must:
        i. Exit from the rear of the principal structure; or
        ii. Have a main street access which must be through a common entryway used by a nonresidential use.
    c. Not occupy more than fifty percent of the first floor.

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

19.27.040 - Lot area.

Minimum lot area in the B-1 district is seven thousand square feet for lots existing at the time of adoption of the ordinance codified in this chapter, and fifteen thousand square feet for all other lots.

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

19.27.050 - Lot width.

Minimum lot width in the B-1 district is fifty feet.

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

19.27.060 - Yard requirements.

Minimum required yards for principal buildings, outside storage, and dumpsters in the B-1 district are:

A. Front and street side, fifteen feet (but may be greater if needed to meet fire safety requirements);
B. Interior side, ten feet, except that no side yard will be required for buildings designed for common wall construction;
C. Rear, twenty feet, except the rear yard setback to any railroad right-of-way shall be at least fifteen feet under a conditional use;
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 residential use, thirty feet or the height of the nearest principal building or structure on the lot 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;

F. There shall be no accessory buildings within the required front yard setback.

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

19.27.070 - 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 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)

19.27.080 - Building height.

Maximum building height in the B-1 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 a 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)

19.27.090 - Plan review.

Plan review in accordance with Chapter 19.63 shall be required for any development in the B-1 district. Building design shall be consistent with the recommendations of the city's comprehensive (master) plan; contribute to the uniqueness and character of the neighborhood, district and community; and include materials, colors, styles and features tailored to the building's site and context. Substantial modifications to standardized prototype and corporate franchise designs may be required to meet these criteria. Landscaping shall be consistent with the recommendations of the city's comprehensive (master) plan; generous in quantity; aesthetically pleasing; appropriate to the site, community and region; and in accordance with accepted professional standards.

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

19.27.100 - 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 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. The fee amounts shall be set by the city council. 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.

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