

ORDINANCE NO. 19OR 014

An Ordinance creating Section 17.08.020 B-5 Gateway Business Park of the Viroqua Municipal Code.

Section 1: Section 17.08.020 B-5 Gateway Business Park of the Viroqua Municipal Code is created to read as follows:

1. **Intent.** Property in the "Gateway Business Park" is subject to the conditions, restrictions, and protections hereby declared to insure proper use and appropriate development and improvement of each building site therein. The City of Viroqua recognizes the importance of quality design in preserving the community's distinctive natural setting and high quality of life; in promoting sustainable design practices; and in maintaining competitiveness within area real estate markets. The purpose of the following zone standards is to ensure quality site planning and building design that:

- a. create high quality site improvements that meet applicable ordinances and building code;
- b. create reasonable development of property and locations thereon of buildings and parking lots;
- c. unify the natural and built features of the community specifically with regard to natural features;
- d. minimize environmental impacts including stormwater runoff, light spill, and air/waste discharge;
- e. prevent development that would adversely affect residents, workers and or the development of other properties in the Gateway Business Park;
- f. are compatible with and promote agribusiness and tourism as key industries within Vernon County;
- g. are compatible with and promote downtown Main Street as an essential component of a vibrant and robust community;
- h. establish benchmarks for future design; and
- i. encourage sustainability, conservation and energy efficiency.

2. **Permitted Uses.** In the Gateway Business Park District land or buildings may be used for the following purposes:

a. Commercial Retail. The following uses are only allowed within .25 miles of State Highway 14/61:

- (i). Auto dealerships, service and repair.
- (ii). Clothing stores.
- (iii). Convenience shopping.
- (iv). Department stores or shopping centers.
- (v). Discount retail stores.
- (vi). Drug stores and print shops.
- (vii). Event spaces.
- (viii). Food stores.
- (ix). Furnitures stores.
- (x). Gym, fitness or sports centers.
- (xi). Lodging facilities and tourist accommodations.
- (xii). Bars and restaurants.
- (xiii). Salons and spas.
- (xiv). Specialty retail stores and gift shops.
- (xv). Sporting goods stores.
- (xvi). Theaters.

b. Light Industrial. Retail uses are not permitted except as supporting principal use - limited to fifteen percent (15%) of the square footage of the development. Storage and wholesale to retailers from the premises of finished goods and food products is also allowed. The following uses are permitted but are not allowed directly adjacent to State Highway 14/61:

- (i). Breweries.
- (ii). Commercial screen printing (not including print shops).
- (iii). Custom-made product manufacturing, processing, assembling, packaging and fabrication of goods.
- (iv). Food production.
- (v). Freight handling and shipping.
- (vi). Labor intensive manufacturing, assembly and repair processes.
- (vii). Manufacturing, compounding of materials, processing, assembling, packaging, treatment or fabrication of materials.
- (viii). Storage and wholesaling of unrefined raw or semi-refined products requiring further processing or manufacturing.
- (ix). Truck services and terminals.

- (x). Warehousing within enclosed building.
- (xi). Wine and liquor wholesalers.

c. Commercial Non-Retail. The following uses are permitted throughout the B-5 Gateway Business Park.

- (i). Agricultural innovation and educational centers.
- (ii). Biotechnology, software, hardware development and electronics.
- (iii). Brewpubs and distilleries.
- (iv). Business support services.
- (v). Childcare facilities.
- (vi). Corporate/administrative offices.
- (vii). Governmental offices and community facilities.
- (viii). Greenhouses.
- (ix.) Single tenant or multi-tenant professional offices that do not conduct any retail or wholesale operations from the premises except for any incidental sales not significant in the operation of the business, such as: accountants, architects and engineers, art and music and dance studios, photography studios, medical and dental offices, insurance offices, business and tax consultants, law offices and real estate offices.
- (x). Research and development laboratories (no hazardous materials).

3. **Prohibited Uses.** Unless otherwise provided in this Title, land or buildings may not be used for the following uses:

- a. Abattoirs (slaughterhouses).
- b. Acid manufacture.
- c. Asphalt manufacture.
- d. Cement, lime, gypsum or plaster of paris manufacture.
- e. Explosive manufacture or storage.
- f. Fertilizer manufacture.
- g. Foundry.
- h. Garbage, rubbish, offal or dead animal reduction.
- i. Glue manufacture.
- j. Junk yards.
- k. LP Distributor.
- l. Mini-storage type Units.
- m. Paper mill.
- n. Petroleum refining.
- o. Residential.
- p. Sawmills.
- q. Sexually-oriented adult businesses.

- r. Smelting of ferrous and non-ferrous metal.
- s. Solid waste transfer stations.
- t. Stockyards.
- u. Tannery.
- v. Whey processing.

4. **Conformance to Codes.** Permitted uses shall be conducted within acceptable standards in local, state and national codes pertaining to noise, vibrations, smoke, toxic or noxious matter, odorous matter, fire and explosive hazards, glare or heat, air pollution, water pollution and maintenance of property.

5. **Land/Building Ratio.** No more than sixty percent (60%) of any site shall be covered surface pavement or other covering materials which are impervious to surface water absorption unless sufficient stormwater management practices are implemented to offset the impact of development beyond the standard. Prior to the issuance of a building permit, the Public Works Director will determine whether the stormwater management practices undertaken are deemed sufficient.

6. **Minimum Lot Sizes.** No platted parcel shall be further divided into parcels smaller than one (1) acre. In no instance shall such division create a parcel which is not developable in compliance with this ordinance or which would violate any applicable state or local laws, ordinances or regulations regulating the subdivision of lands.

7. **Setbacks.** The following yard or building setback requirements shall apply to all parcels that are located in the Gateway Business Park:

a. Commercial Setback. All commercial buildings, as defined above, shall have a setback minimum of twenty-five (25) feet from parcel lines abutting any public street.

b. Industrial Setback. All industrial buildings, as determined by the Wisconsin Department of Revenue taxation classification, shall have a setback minimum of twenty-five (25) feet from parcel lines abutting any public street.

c. Side Yard Setback. All buildings shall have a setback minimum of twenty (20) feet from any parcel line shared in common with another parcel owner within the Property and which joins a parcel line abutting a public street ("Side Yard Line"). Corner Lots shall be deemed to have two side lot lines. In the event that two adjoining sites shall be owned by the Grantee and in the improvement of such sites a building shall be erected on these combined sites, then the side yard requirements on the interior lines are waived.

d. Rear Yard Setback. All buildings shall have a setback minimum of twenty (20) feet from the rear lot line. In the event that two adjoining sites shall be owned by the same Landowner and in the improvement of such sites a building shall be erected on these combined sites, the rear yard requirements are waived.

e. Residential Buffer Zone Setback. All buildings that are located on parcels that abut a residential district shall have a forty (40) foot "buffer zone" setback minimum from any parcel line abutting the residential district.

8. **Secondary Structures.**

a. Accessory Structures. Accessory structures are permitted. Such structures shall be setback from front building line and otherwise meet the same setback requirements as the primary structure. Building materials, colors and roof lines shall be consistent with primary building.

b. Temporary Structures. No building or structure of temporary character shall be used on any lot at any time except for construction trailers during the period of construction. The use of cargo containers as a temporary storage facility is prohibited.

9. **Utility Control**. All utilities, including all electric power, telephone, gas, water, storm and sanitary sewers shall be located underground unless such location would prevent or detract from the utilization of renewable energy sources.

10. **Building Design.**

a. Landowners shall ensure that the scale and design of new buildings are compatible with adjacent buildings.

b. At pedestrian areas, the scale of the building should be lowered. Strategies include, but are not limited to, the use of awnings, landscaping, windows and doors.

c. Landowners shall locate utility meters and exhaust vents on the side or rear of building.

11. **Building Materials**. The following requirements shall apply to all parcels:

a. Exterior Walls. The exterior walls of each building shall be constructed of durable, permanent architectural materials.

b. Front Façade. At least thirty-three percent (33%) of the front facade and street side(s) facades shall incorporate brick, stone, architectural block, architectural

concrete panels, architectural wood and/or glass into their design. Front facade materials shall be continued for not less than twenty (20) feet on each side from the front surface.

c. Pole Buildings. Pole buildings are permitted but must include sufficient architectural elements as described above in addition to roof overhangs, porches, windows that would enhance the overall attractiveness of the building. It is encouraged that pole buildings not exceed eighty (80) feet in width.

12. **Building Exteriors and Lighting.**

a. Except as otherwise provided herein, the sides and rear of all buildings shall be finished in an attractive manner in keeping with the accepted standards used for commercial and industrial buildings.

b. Breaking up large building sections with such elements as awnings, variable planes, projections, setbacks or changes in the roof line is encouraged.

c. All elevations of the building shall be designed in a consistent and coherent architectural manner. Changes in material, color and/or texture shall occur at points relating to the massing and overall design concept of the building.

d. HVAC and Miscellaneous Building Systems. Cooling towers, rooftop and ground-mounted mechanical and electrical units and other miscellaneous equipment shall either be integrated into the design of the building or screened from view from the primary public street unless doing so would prevent or detract from the utilization of renewable energy sources.

e. Building Lighting. Except for lighting near building access points and prominent architectural features, buildings should be darkened in the evenings to avoid 'glowing'. The size, scale and location of light and luminate should match site and building scale, color and theme.

f. Driveway, Sidewalk, and Parking Lot Lighting. Lighting shall be high cutoff luminaries which keep off-site overspill and night sky lighting to a minimum. Location of the fixtures shall emphasize intersections and pedestrian access routes yet provide a uniform level of illumination. Scale of fixtures shall be lowered in pedestrian areas to emphasize walking surfaces.

g. All outdoor lighting or nonresidential uses shall be designed, located and mounted so that the maximum illumination, as measured horizontally at the lot line, does not exceed 9.6 foot candles.

13. **Parking, Driveways and Sidewalks.**

a. Parking Setbacks. Parking areas shall be located at least twenty-five (25) feet from any public street and at least ten (10) feet from any parcel line.

b. On-site Parking Required. Parking shall be provided to sufficiently accommodate for employee and visitor vehicles. Employee, customer or visitor parking will not be permitted on public streets in the Gateway Business Park. Shared parking with adjacent property owners is encouraged.

c. Minimum Parking Area. Total parking space shall be a minimum of one hundred and eighty (180) square feet per parking stall, excluding drives and approaches.

d. Bike racks and/or storage shall be provided as needed to meet the demand of employees and visitors.

e. Surfaces. All driveways, walks and permanent parking areas shall be surfaced with asphalt concrete, cement concrete or pervious pavers.

14. **Loading and Storage Areas.**

a. Loading Docks. Shall not be located on sides of any building facing any public street. No loading or unloading shall be permitted on, or which results in obstruction of public streets; loading areas shall be hard surface paved and dust free. Pervious surfaces to allow water infiltration are also permitted.

b. Outdoor Storage Provisions. Outdoor storage shall be limited to the rear two-thirds of the property and within building setback lines, be hard surface paved and dust free, and be screened from public view behind a visual barrier and be limited to the following permitted uses:

(i). Materials, supplies, merchandise, garbage dumpsters or equipment; or

(ii). Finished manufactured goods scheduled for delivery.

c. Screening. Screening shall be attractive in appearance and in keeping with the architectural quality of the main structure. Screening methods – including fences, walls or hedges - may not extend forward of building setback lines.

d. Oil and Bulk Fluids. Storage of fuel oil or other bulk fluids must be screened from public view, or on the rear two-thirds of the property.

e. Finished manufactured goods for the purpose of sales or promotional display are not subject to the conditions set herein for Loading and Storage Areas.

15. **Landscaping.**

a. Approved Landscaping Plans. All unimproved areas of every site on which a building is constructed in the Gateway Business Park shall be landscaped in accordance with submitted plans. All landscaping, planting, etc. shall be done in suitable manner so that it will produce an acceptable appearance, excepting only those areas as may be required for driveways, visitor parking or walks. Plans shall include a landscape care and maintenance manual or plan to ensure long-term viability of plantings. All trees shall be from the list adopted by the Tree Board in accordance with Viroqua Municipal Code Chapter 8.36.

b. Setback Landscape. The setback area abutting streets shall be landscaped with a combination of deciduous canopy trees, shrubbery and ground cover. At least one tree at least six (6) feet in height for each thirty (30) feet of street frontage shall be planted in the setback area. Plantings in any public way shall comply with the requirements of Viroqua Municipal Code Chapters 8.36 and 12.12.

c. Buffer Zone Landscape. Any "buffer zone", shall be a minimum of forty (40) feet wide and planted with plant materials at least six (6) feet in height of such variety and growth habits as to provide a year-round, effective screen.

d. Parking Area Landscape. All on-site parking areas that serve twenty (20) vehicles or more shall be provided with landscape areas totaling not less than ten (10) percent of the surfaced area.

e. Landscaping Timeline. All landscaping shall be completed within ninety (90) days of issuance of a certificate of occupancy or similar document allowing occupation and use of such property by the governmental or public authority having jurisdiction thereof. If the certificate of occupancy is issued after October 1st of any given year, the landscaping completion date shall be June 30th of the following year.

16. **Stormwater Management**. All developments regardless of size shall meet or exceed the following performance standards:

a. Wisconsin Code NR 151 - Sub-Chapter III - Non-Agricultural Performance Standards.

b. Peak discharge shall meet pre-development rates for the 1 through 100-year design storm events based on NOAA Atlas 14 rainfalls.

c. All culverts shall be sized at a minimum to convey the twenty-five (25) year design storm event, with minimum diameter of fifteen (15) inches. All storm water conveyance channels must have a safe overland flow route that do not impact structures and minimize the inundation of roadways.

17. **Property Maintenance.**

a. Building Maintenance. The owner of any tract in the Gateway Business Park must at all times keep the premises, buildings, improvements and appearance in a safe, neat and clean condition and comply in all respects with all government, health and local policy requirements.

b. Waste and Refuse. The owner will remove at his or her own expense any rubbish of any character whatsoever which may accumulate on said property with the exception of ordinary city garbage collection. No waste material or refuse may be dumped or permitted to remain on any part of the property outside of the buildings.

Section 2: This ordinance shall take force and be in effect upon passage and publication, or publication of a "summary" meaning a brief, precise, and plain-language description that can be easily understood.

Karen M. Mischel Date: 10/15/2019
Karen M. Mischel, Mayor

Lori Polhamus Date: 10/15/2019
Lori Polhamus, Clerk

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