

City of Waukesha, Wisconsin

Ordinance No. 12-17

**An Ordinance Creating Section 22.405 of the Waukesha Municipal Code,
Regarding the MM-1 Mixed-Use Manufacturing District**

The Common Council of the City of Waukesha do ordain as follows:

Section 1. Section 22.405 of the Waukesha Municipal Code is created, to read in its entirety as follows:

22.405 MM-1 Mixed-Use Manufacturing District

- (1) Creation and Purpose.** The MM-1 Mixed-Use Manufacturing District is hereby created. The purpose of the MM-1 district is to provide for a variety of light industrial and manufacturing uses, also incorporating retail, service, and commercial uses activity along high-traffic arterial corridors within, and adjoining the district. The MM-1 district may be used to serve as a transition between heavy industrial areas and other districts.
- (2) Definitions.** Capitalized terms are as defined in Municipal Code §22.05.
- (3) Permitted Principal Uses.** Permitted Principal Uses in the MM-1 district are light industrial and manufacturing uses, which do not require large-scale buildings, do not generate heavy truck or rail traffic, and do not produce noise, vibration, smoke or odors in the surrounding area, along with retail and commercial uses that are either associated with the industrial and manufacturing uses or are not out of character with those uses. The following are Permitted Principal Uses in the MM-1 district:
 - (a)** The assembly, processing, manufacturing and storage of products including, or similar in character to and having an impact on the surrounding area similar to:
 - (i)** Furniture and household items.
 - (ii)** Apparel and textiles.
 - (iii)** Medical devices and equipment.
 - (iv)** Office supplies and printed items.
 - (v)** Electronic devices, small-scale machinery, and appliances.

(vi) Food and beverage preparation and packaging.

(b) Automotive customization, automotive accessories, auto body shops, and automobile service stations provided that all gas pumps meet the setback requirements for the district and are located not closer than 40 feet from any side lot line.

(c) Warehousing and wholesaling.

(d) Construction services including but not limited to general building contractors, carpentry, flooring, concrete services, masonry, roofing services, siding and gutter services, sheet metal services, and water well drilling services.

(e) Business offices and financial institutions.

(f) Professional medical offices and clinics.

(g) Clubs, indoor sports facilities, recreation facilities, and fitness establishments.

(h) Restaurants and taverns.

(i) Retail commercial services included but not limited to grocery stores, hardware stores, variety stores, sporting goods stores, art galleries, and art studios.

(j) Personal services including but not limited to laundromats, hair salons and barber shops, informational and instructional services, tailors, and shoe repair shops.

(4) Permitted Accessory Uses.

(a) Garages used for storage of vehicles used in conjunction with the operation of the business.

(b) Off-street parking and loading areas.

(c) Office, storage, power supply, and other uses normally auxiliary to the principal industrial operation.

(d) Roof-mounted solar collectors provided that a registered engineer or registered architect has certified that the structure is adequate to support the load.

(5) Conditional Uses.

(a) Commercial adult and child care centers.

(b) Outdoor display of retail merchandise.

(c) Outdoor storage, provided it is screened from view by an appropriate wall, fence, or hedge.

- (d) Residential dwelling units provided they are limited to the upper stories and not located on the ground level, provided that there shall be a minimum floor area of 300 square feet for an efficiency apartment, 450 square feet for a one-bedroom dwelling unit, 600 square feet for a two-bedroom dwelling unit, and 700 square feet for a three-bedroom dwelling unit.
 - (e) Government structures, such as fire and police stations.
 - (f) Drive-in or drive-through facilities.
 - (g) Uses similar to and reasonably related to principal permitted uses.
- (6) Nuisance Avoidance.**
- (a) All operations and activities of all uses within this district shall be conducted wholly inside a building or buildings.
 - (b) All uses should be conducted in such a manner that they will not be detrimental to the surrounding area or to the City as a whole by reason of smoke, noise, dust, odor, traffic, physical appearance, or other similar factors.
- (7) Lot Area and Width.** Lots shall provide sufficient area and width for the principal building and its accessory buildings, off-street parking and loading areas, and required yards.
- (8) Building Height.** There shall be no maximum height for a principal building. No accessory building shall exceed 20 feet in height.
- (9) Setback and Yards.**
- (a) There shall be a minimum street yard setback of 25 feet from the right-of-way of all streets.
 - (b) There shall be a side yard on each side of all buildings of not less than 10 feet.
 - (c) There shall be a rear yard of not less than 25 feet.
 - (d) There shall be a minimum shore yard setback of 75 feet from the ordinary highwater mark of a navigable body of water.
- (10) Erosion Control.** The uses and structures in the MM-1 District are subject to Chapter 32 of the City of Waukesha Municipal Code, Chapter 21 of the Wisconsin Uniform Dwelling Code, and any other applicable State laws and administrative rules.
- (11) Plans and Specifications to Be Submitted to the Plan Commission.** To encourage a business environment that is compatible with the residential character of the City, building permits for permitted uses in the MM-1 District shall not be issued, and no substantial changes shall be made to any site improvements without review and approval by the Plan

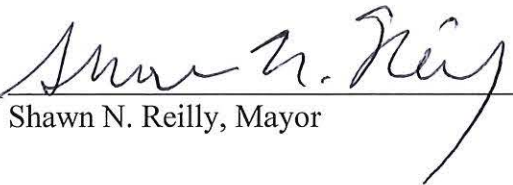
Commission in accordance with Municipal Code §22.15. Plan Commission review shall include consideration of factors such as open space utilization, ingress, egress, parking, landscaping, building plans and the general layout in relationship to the surrounding area.

(12) Planned Unit Developments. The restrictions on lot area, lot width, building height, setbacks, and yards may be reduced or increased if the property is part of a Planned Unit Development Overlay District in accordance with Municipal Code §22.52.

Section 2. All ordinances, or portions of ordinances, inconsistent with this ordinance are hereby repealed.

Section 3. This Ordinance shall be effective immediately upon its publication.

Passed the 7th day of November, 2017.


Shawn N. Reilly, Mayor


Attest: Gina L. Kozlik, City Clerk