



**CHAPTER 22**  
**Zoning**

**22.40 M-3 Limited Business and Industrial Park District**

(Rep. & recr. #66-01)

(1) **PURPOSE.** To provide for the development of an attractive and aesthetic grouping of limited light industrial uses, offices, corporate headquarters, and support facilities in a park-like setting. The district is further intended to promote properly arranged traffic and parking facilities, and to promote landscaping which will provide for an attractive setting, minimizing adverse effects upon the adjoining or surrounding areas.

(2) **PERMITTED PRINCIPAL USES.** Office and light manufacturing facilities including:

- a. Accounting, auditing, and bookkeeping services.
- b. Animal hospitals, veterinary services, and boarding of animals.
- c. Architectural services.
- d. Banks, savings and loan associations, and other financial institutions.
- e. Chiropractor services.
- f. Corporate headquarters, manufacturing offices, and sales and distribution centers.
- g. Dental services.
- h. Dry cleaning and dyeing establishments.
- i. Engineering services.
- j. Food, beverage, and milk processing and soft drink bottling plants.
- k. General or clerical offices.
- l. Health and recreational facilities.
- m. Land surveying services.
- n. Legal services.
- o. Medical clinics.
- p. Optometrists.
- q. Osteopaths.
- r. Physician and surgeon services.
- s. Printing, lithographing, blueprinting, and photocopying establishments.
- t. Professional offices.
- u. Research offices and laboratories.
- v. Testing centers.
- w. Training schools for employment in the fields of industry or manufacturing.
- x. Warehousing.
- y. Urban planning services.
- z. Wholesalers and distributors.

(3) **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.

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- 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 shall certify that the structure is adequate to support the load.
- e. Earth station dish antennas located on the roof of the principal or accessory structure or in the rear yard. Where the earth station dish is roof-mounted, a registered engineer or registered architect shall certify that the structure is adequate to support the load.

**(4) CONDITIONAL USES.**

- a. Adult and child day care centers, provided that such uses are necessitated by employees, customers and visitors to offices, business and plants in the district, and provided that such day care centers shall not be located closer than two hundred (200) feet from any through highway unless approved by the Plan Commission.
- b. Automobile service stations provided that all gas pumps meet the setback requirements of the district and are located not closer than forty (40) feet to any side lot line. Automobile service stations in the M-3 district shall not be located closer than two hundred (200) feet from an arterial highway unless approved by the Plan Commission.
- c. Commercial service facilities, such as restaurants, convenience food stores, fueling stations, and adult and child care centers, provided that all such services are physically and saleswise oriented toward industrial district users and employees and that other users are only incidental customers. Commercial service facilities in the M-3 district shall not be located closer than two hundred (200) feet from an arterial highway unless approved by the Plan Commission.
- d. Hotels and motels provided that such facilities, when located in the M-3 district, shall not be located closer than two hundred (200) feet from an arterial highway unless approved by the Plan Commission.
- e. (Am. #28-08) Public passenger transportation terminals, such as bus and rail depots, but not including airports, airstrips, heliports, helipads and landing fields. Any such use shall be located not less than one hundred (100) feet from any residential district boundary.
- f. Radio, television, and electronics assembly, not to be located within five hundred (500) feet of any residential district.
- g. Solar energy collectors erected as an accessory structure.
- h. Temporary uses as set forth in Section 22.63.
- i. Transmitting towers, receiving towers, and relay and microwave towers without broadcast facilities or studios.
- j. Utility substations, municipal wells, pumping stations, and towers provided that the use is not less than fifty (50) feet from any lot line.

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- k. Wireless communications facilities as set forth and under conditions authorized in Section 22.21.
- l. (Cr. #11-16) Buildings exceeding forty (40) feet in height when adjacent to a residential district.

(5) LOT AREA. Lots shall have a minimum area of twenty thousand (20,000) square feet and shall be not less than ninety (90) feet in width.

(6) LOT COVERAGE AND OPEN SPACE.

- a. Lot coverage by buildings, accessory structures, and surface parking and driveways shall occupy a maximum of seventy-five (75) percent of the lot area. Landscaped open space not covered by buildings, accessory structures, and surface parking and driveways shall occupy a minimum of twenty-five (25) percent of the lot area. The open space may include storm water retention/detention areas.
- b. All operations and activities of all uses within this district shall be conducted wholly inside a building or buildings. Any outdoor storage areas shall occupy an area no larger than 10% of the area of the building and shall be screened from view by an approved solid wall, fence or hedge.

(7) BUILDING HEIGHT. (Am. #11-16) Subject to subsection (4) above, there shall be no maximum height for a principal building. No accessory building shall exceed twenty (20) feet in height.

(8) SETBACK AND YARDS.

- a. There shall be a minimum street yard setback of forty (40) 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 ten (10) feet.
- c. There shall be a rear yard of not less than twenty-five (25) feet.
- d. There shall be a minimum shoreyard setback of seventy-five (75) feet from the ordinary highwater mark of a navigable body of water.
- e. No building in the M-3 district shall be located closer than one hundred (100) feet from a residential district boundary unless a buffering plan has been prepared by the developer and approved by the Plan Commission.

(9) EROSION CONTROL. The uses and structures in the M-3 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.

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(10) PLANS AND SPECIFICATIONS TO BE SUBMITTED TO THE PLAN COMMISSION. (Am. #38-02) To encourage a business environment that is compatible with the residential character of the City, building permits for permitted uses in the M-3 District shall not be issued nor shall any substantial changes be made to any site improvements without review and approval of the Plan Commission in accordance with Section 22.15. Plan Commission review shall include consideration of such factors as open space utilization, ingress, egress, parking, landscaping, building plans and the general layout in relationship to the surrounding area.

(11) PLANNED UNIT DEVELOPMENTS. (Cr. #38-02) 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 Section 22.52.