



June 4, 2012

Mr. Graham Callis  
Wisconsin Economic Development Corporation  
201 W. Washington Street  
Madison, WI 53703

Re: Zoning Verification for West Bend Corporate Center (TK#'s, 1119-263-0101, 1119-263-0002, 1119-263-0005, 1119-263-0118, 1119-263-0105 & 1119-263-0111.

Dear Mr. Callis:

This letter is to certify that the 93.7 acre parcel located to the north of CTH NN, east of S. 18<sup>th</sup> Avenue, west of STH 45, and south of Corporate Center Drive is zoned M-3, Planned Business Park and NSW Non-Shoreland Wetland. Industrial uses are permitted within the M-3 Planned Business Park zoning district.

Attached you will find a copy of Section 17.35 (M-3) Zoning Code.

Sincerely,

Mark Piotrowicz, City Planner / Operations Manager  
Department of Economic & Community Development

2. Parcels adjacent to a residentially zoned property shall have a minimum rear yard setback of 25 feet. All other parcels shall have a minimum rear yard setback of 15 feet.

(7) TRAFFIC LOADING, PARKING AND ACCESS. See Section 17.38.

(8) PERFORMANCE STANDARDS. See Section 17.41.

(9) NONCONFORMING USES, STRUCTURES AND LOTS. See Section 17.42.

**17.35 M-3 PLANNED BUSINESS PARK DISTRICT.** (Rep. & Recr. Ord. #2375 - 9/25/00; Am. Ord. #2382 - 12/18/00). The M-3 Planned Business Park District is intended to provide for the development of an attractive planned grouping of light industrial uses, professional offices and intensive commercial uses, in a business park setting. The M-3 district is not intended for intensive commercial or industrial uses that may produce external effects such as noise, dust, smoke, odor, and vibrations. M-3 uses are also intended to be in structures which convey an aesthetically pleasing outward appearance with ample off-street parking and loading areas, increased yard space, landscape planting screens, and restricted outside storage. (1) PERMITTED USES. Permitted uses include the following: (a) Professional and business offices.

(b) Wholesaling operations.

(c) **Light industrial uses permitted in the M-1 Light Industrial District.**

(d) (Cr. Ord. #2650 – 4/20/09) Child Day Care Facilities.

(2) PERMITTED ACCESSORY USES. Permitted accessory uses include the following: (a) Garages for storage of vehicles used in conjunction with the operation of the business or for occupants of the premises.

(b) Ground-mounted and building-mounted earth station dish antennas.

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

(3) CONDITIONAL USES. Conditional uses include the following: (a) **Industrial uses permitted in the M-2 Heavy Industrial District provided that the intent of the M-3 introductory paragraph is complied with.**

(b) Experimental, testing and research laboratories.

(c) Motion picture production.

(d) Outside storage and manufacturing areas, provided that such uses shall be surrounded by a solid fence or evergreen planting screen completely preventing a view

- (m) Gymnasiums and athletic clubs.
- (n) Miniature golf.
- (o) Museums.
- (p) Planetaria.
- (q) Recreation centers.
- (r) Stadiums.
- (s) Swimming pools.
- (t) Tennis courts.
- (u) Utilities.
- (v) Zoos.

(4) LOT AREA AND WIDTH. (a) Lots in the P-1 Park, Recreation and Open Space District shall provide sufficient area for the principal structure and its accessory structures, off-street parking and loading areas, and all required yards.

(5) BUILDING HEIGHT. (a) No building or parts of a building shall exceed 35 feet in height.

(6) SETBACK AND YARDS. (a) A minimum setback of 50 feet from an existing or planned public street right-of-way shall be required.

(b) There shall be a minimum side yard of not less than 40 feet on a side.

(c) There shall be a rear yard of not less than 50 feet.

(d) A 5 foot street yard setback for all accessory structures, except buildings.

(7) TRAFFIC LOADING, PARKING AND ACCESS. See Section 17.38.

**17.33 M-1 LIGHT INDUSTRIAL DISTRICT** (Rep. & Recr. Ord. #2375 - 9/25/00; Am. Ord. #2382 - 12/18/00). The M-1 Light Industrial District is intended to provide for light industrial and related commercial uses including light manufacturing, warehousing, light assembly, packaging, distributing, wholesaling, and processing activities, conducted wholly within an enclosed building or within an approved screened outdoor storage area in accordance with Section 9.101 of the Municipal Code. The M-1 Light Industrial District is intended for light industrial operations or intensive commercial uses which are limited in nature and size, and which have physical and operational characteristics that are not

detrimental to the surrounding area or to the community as a whole by reason of noise, dust, smoke, odor, traffic, vibration, physical appearance or other similar factors. (1)

**PERMITTED USES.** Permitted uses include the following: (a) Professional and business offices.

(b) Construction or contractor firms such as plumbing, HVAC, building contractors, landscaping, surveyors, soil preparation services, painting, masonry, concrete, siding, roofing, and electrical.

(c) Processing, light manufacturing, assembly, packaging, distribution, wholesaling, and/or storage of the following:

1. Apparel, clothing, and related products.
2. Audio, video, photography and computer equipment and supplies.
3. Baked goods and bakery products.
4. Bottling and canning soft drinks and carbonated waters.
5. Cabinet making provided all activities are conducted indoors.
6. Carpet and rugs, except heavy manufacturing.
7. Communication structures without broadcast facilities or studios.
8. Ceramic products, except heavy manufacturing.
9. Dental, medical, mortician, and optical equipment, products, and supplies.
10. Electronic and electrical components, accessories, equipment, and supplies.
11. Engineering, laboratory, and scientific and research instruments and associates equipment.
12. Food processing and preparation.
13. Footwear, except heavy manufacturing.
14. Furniture and upholstery.
15. Hardware, hand tools, and cutlery, except heavy manufacturing.
16. Household and office furnishings and machines.

17. Household appliances, except heavy manufacturing.
18. Janitorial equipment and supplies, except heavy manufacturing.
19. Jewelers materials, jewelry, and precious metals.
20. Leather and leather products, except heavy manufacturing.
21. Lighting and wiring equipment and supplies.
22. Machinery, general and special, except heavy manufacturing.
23. Measuring and controlling instruments.
24. Metal products, except heavy manufacturing.
25. Metal working machinery, except heavy manufacturing.
26. Mini-warehousing.
27. Musical instruments and parts, except heavy manufacturing.
28. Office and art, equipment, products, and supplies.
29. Paper products and supplies, except paper mills and manufacturing of paper from pulpwood.
30. Partitions, shelving, and commercial fixtures, except heavy manufacturing.
31. Plumbing and heating equipment, not including manufacturing and outdoor storage of junk parts.
32. Printing, publishing, binding, and related uses.
33. Sand blasting operations, provided all activities are conducted indoors.
34. Service establishment equipment and supplies, except heavy manufacturing.
35. Signs and advertising displays, except heavy manufacturing.
36. Toys, amusement, sporting and athletic goods, except heavy manufacturing.

37. Watches, clocks, clockwork operated devices and parts.

38. Alcohol beverages, except manufacturing.

(d) (Cr. Ord. #2650 – 4/20/09) Child Day Care Facilities.

(2) PERMITTED ACCESSORY USES. Permitted accessory uses include the following: (a) Garages for storage of vehicles used in conjunction with the operation of the business or for occupants of the premises.

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

(c) Ground-mounted and building-mounted earth station dish antennas.

(d) Outdoor storage in conformance with Section 9.101 of the Municipal Code.

(3) CONDITIONAL USES. Conditional uses include the following: (a) Animal veterinary clinic and offices.

(b) Animal veterinary hospital, provided all activities are conducted indoors.

(c) Animal obedience school.

(d) Motion picture production.

(e) Service clubs and organizations.

(f) Truck repair and service establishments.

(g) Vehicle storage yards.

(4) LOT AREA AND WIDTH. (a) Lots shall have a minimum area of 20,000 square feet and shall not be less than 100 feet in width.

(5) BUILDING HEIGHT AND AREA. (a) No building or parts of a building shall exceed 35 feet in height.

(b) The sum total of the floor area of all principal and accessory buildings shall not exceed 50 percent of the lot area.

(6) SETBACK AND YARDS (a) There shall be a minimum building setback of 30 feet from the right-of-way of all streets.

(b) There shall be a side yard on each side of all buildings not less than 15 feet in width and the combined total of both side yards shall not be less than 35 feet.

(c) There shall be a rear yard of not less than 25 feet.

(d) A 5 foot street yard setback for all accessory structures, except buildings.

(7) TRAFFIC LOADING, PARKING AND ACCESS. See Section 17.38.

(8) PERFORMANCE STANDARDS. See Section 17.41.

(9) NONCONFORMING USES, STRUCTURES AND LOTS. See Section 17.42.

**17.34 M-2 HEAVY INDUSTRIAL DISTRICT.** (Rep. & Recr. Ord. #2375 - 9/25/00; Am. Ord. #2382 - 12/18/00). The M-2 Heavy Industrial District is intended to provide for general industrial uses including manufacturing, warehousing, assembly, packaging, distributing, wholesaling, processing, and related industrial activities, conducted wholly within an enclosed building or within an approved screened outdoor storage area in accordance with Section 9.101 of the Municipal Code. M-2 uses are intended to be of a more general nature than the limited uses in the M-1 Light Industrial District. M-2 Heavy Industrial uses may be characterized as activities where goods are generally mass produced on a large scale through the use of an assembly line or similar process, usually for sale to wholesalers or other industrial or manufacturing uses and may produce external effects such as noise, dust, smoke, odor, and vibrations. (1) **PERMITTED USES.** Permitted uses include the following: (a) (Am. Ord. #2650 – 4/20/09). Those uses permitted in the M-1 Light Industrial District except Child Day Care Facilities.

(b) Processing, manufacturing, assembly, packaging, distribution, wholesaling, and/or storage of the following:

1. Aircraft and parts.
2. Alcohol beverages.
3. Brick, block, and structural clay tile.
4. Carpet and rugs.
5. Ceramic products.
6. Coating, engraving and allied services.
7. Residential, commercial, industrial, and farm machinery equipment and supplies, not including outdoor storage of junk parts.

- of cement.
- equipment.
- processing.
8. Concrete and concrete products, not including the manufacturing
  9. Construction, mining, and materials handling machinery and
  10. Engines and turbines.
  11. Flour and other grain mill products.
  12. Fluid milk, cream and milk beverages.
  13. Fresh or frozen fruits, fruit juices, vegetables, and specialties.
  14. Footwear.
  15. Hardware, hand tools, and cutlery.
  16. Hardwood and flooring, veneer and plywood manufacturing or
  17. Heating apparatus and plumbing fixtures.
  18. Household appliances.
  19. Janitorial equipment and supplies.
  20. Leather and leather products.
  21. Machinery, general and special.
  22. Metal products, fabricated.
  23. Metal working machinery.
  24. Millwork, lumber yards, saw mills, and planing mills.
  25. Automobile, motorcycles, bicycles and parts and equipment.
  26. Musical instruments and parts.
  27. Partitions, shelving, and commercial fixtures.
  28. Plastic injection molding.



29. Plumbing and heating equipment, not including outdoor storage of junk parts.

30. Processing and manufacturing of feeds prepared for animals and fowl, wholesaling and warehousing of animal feeds, fertilizer, seeds, garden and lawn supplies, animal health products and lawn equipment, provided that all operations are conducted within an enclosed building.

31. Rubber products.

32. Screw machine products.

33. Service industry machines.

34. Ship and boat building and repairing.

35. Signs and advertising displays.

36. Stone, clay, and glass products.

37. Toys, amusement, sporting and athletic goods.

38. Transportation equipment.

39. Wire products, fabricated.

(2) PERMITTED ACCESSORY USES. Permitted accessory uses include the following: (a) Garages for storage of vehicles used in conjunction with the operation of the business or for occupants of the premises.

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

(c) Ground-mounted and building-mounted earth station dish antennas.

(d) Outdoor storage in conformance with Section 9.101 of the Municipal Code.

(3) CONDITIONAL USES. Conditional uses include the following: (a) Bottling plants.

(b) Construction and prefabrication of wood buildings and structural members, and construction of wooden containers.

(c) Experimental, testing and research laboratories.

provision shall be interpreted in light of the Wis. Adm. Code NR 117 standards in effect on the date of the adoption of this Subchapter or in effect on the date of the most recent text amendment of this Subchapter.

17.72 SHORELAND-WETLAND ZONING DISTRICT. (1) OFFICIAL SHORELAND-WETLAND ZONING MAPS. The following maps are hereby adopted and made a part of this Subchapter and are on file in the office of the City Clerk: (a) Wisconsin Wetland Inventory Map(s), stamped "FINAL" on September 3, 1985.

(b) The Official Zoning Map in accordance with sub. (2) below.

(2) DISTRICT BOUNDARIES. (a) The Shoreland-Wetland Zoning District includes all wetlands in the City which are 5 acres or more and are shown on the final Wetland Inventory Map that has been adopted and made a part of this Subchapter in sub. (1) above and which are:

1. Within 1,000 feet of the ordinary high-water mark of navigable lakes, ponds or flowages. Lakes, ponds or flowages in the City shall be presumed to be navigable if they are listed in the Department publication "Surface Water Resources of Washington County" or are shown on the United States Geological Survey quadrangle maps or other zoning base maps which have been incorporated by reference and made a part of this Subchapter in sub. (1) above.

2. (Rep. & Recr. Ord. #1798 - 2/17/86) Within 300 feet of the ordinary high-water mark of navigable rivers or streams, or to the landward side of the flood plain, whichever distance is greater. Rivers and streams shall be presumed to be navigable if they are designated as either continuous or intermittent waterways on the United States Geological Survey quadrangle maps covering the City of West Bend or other zoning base maps which have been incorporated by reference and made a part of this Subchapter in sub. (1) above. The Supplementary Floodland Zoning Map, City of West Bend, Wisconsin, dated December 6, 1982; the Flood Insurance Rate Maps and the Flood Boundary and Floodway maps dated August 2, 1982; and the Washington County Soil Survey Maps dated June, 1971, or other existing community flood plain zoning maps used to delineate flood plain areas which have been adopted by the City shall be used to determine the extent of flood plain areas in the City.

(b) Boundaries of lands zoned NSW Non-Shore land Wetland as established in accordance with Section 17.12 (4) (b) of this Chapter.

(c) Determinations of navigability and ordinary high-water mark shall initially be made by the Zoning Administrator. When questions arise, the Zoning Administrator shall contact the appropriate District Office of the Department for a final determination of navigability or ordinary high-water mark.

(d) When an apparent discrepancy exists between the Shoreland-Wetland District boundary shown on the Official Zoning Map and the actual field conditions at the

September 3, 1985, which accompany and are herewith made a part of this Chapter. Such boundaries shall be construed to follow: corporate limits; U.S. Public Land Survey lines; lot or property lines; centerlines of streets, highways, alleys, easements and railroad rights-of-way or such lines extended. Where district boundary lines do not follow lines of record, boundaries shall be scaled.

(3) Rep. Ord. #2286 - 8/25/97--see 17.51 (3).

(4) WETLAND DISTRICT BOUNDARIES. (a) Boundaries of the SW Shoreland Wetland District as shown on the City Official Zoning Map, were determined from the use of the Wisconsin Wetland Inventory Maps for the City of West Bend dated September 3, 1985, stamped "FINAL," as established in Subchapter III of this Code.

(b) Boundaries of the NSW Non-Shoreland Wetland District as shown on the City Official Zoning Map were determined from the use of the Wisconsin Wetland Inventory Maps for the City of West Bend dated September 3, 1985, and stamped "FINAL." Nonshoreland wetland areas shall be protected and regulated in accordance with the provisions of Subchapter III of this Code, except that urban uses may be permitted by the City Plan Commission providing the purpose of Subchapter III as established in 17.70 (3) is maintained.

(5) Vacation of public streets and alleys shall cause the land vacated to be automatically placed in the same district as the abutting side or sides to which the vacated land reverts as determined by the location of the former public street or alley centerline where applicable.

(6) OFFICIAL ZONING MAP. (a) The Official Zoning Map, together with the Supplementary Floodland Zoning Map and the Wisconsin Wetland Inventory Map are adopted as part of this Chapter and are available to the public in the office of the Zoning Administrator. Changes to the general zoning districts shall be entered by the City Clerk and attested on the map. Changes in the floodland districts shall not become effective until approved by the Wisconsin Department of Natural Resources (DNR) and the Federal Emergency Management Agency (FEMA), and changes in the Shoreland-Wetland districts shall not become effective until approved by the Wisconsin Department of Natural Resources (DNR).

(b) Uses within the FWW and FPW districts shall conform to the general use regulations of Subchapter II and Subchapter III of this Chapter.

17.13 COMMUNITY LIVING ARRANGEMENTS. FAMILY DAY CARE HOMES. The provisions of Wisconsin Statutes Section 62.23(7)(i), 66.1017 and 50.032, are hereby adopted by reference and shall supersede all permitted and conditional uses as stated in this Chapter.

(1) Permitted Uses.