

**TOWN OF CEDARBURG
ORDINANCE NO. 2010-13**

An ordinance to amend two sections of the Town of Cedarburg Code of Ordinances, Ozaukee County, Wisconsin: firstly § 320-19. B-1 Neighborhood Business District, particularly with respect to allowing, as a conditional use, “banquet facility” in the B-1 district; secondly to amend § 320-137. Definitions and word usage, particularly with respect to the addition of a definition for the term “banquet facility”

WHEREAS, the Town of Cedarburg regulates building activity and principal and conditional uses of property in Chapter 320: Zoning of the Town Code of Ordinances; and,

WHEREAS, the Plan Commission of the Town of Cedarburg, by a majority vote of the entire Commission, has recommended the Town Board adopt the following amendments to Chapter 320 of the Town Code of Ordinances; and

WHEREAS, a Class 2 notice, in accordance with Ch. 985, Wis. Stats, has been published in advance of the Town Board considering this ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Town Board of the Town of Cedarburg, Ozaukee County, Wisconsin, that Section 320, of the Town of Cedarburg Code of Ordinances is hereby amended to read as follows:

**(The text modified with a strikethrough shall be deleted).
(The text modified with an underline shall be added).**

§ 320-19. B-1 Neighborhood Business District.

[Amended 12-5-2001 by Ord. No. 2001-21; 11-6-2002 by Ord. No. 2002-11; 10-6-2004 by Ord. No. 2004-9; 1-7-2009 by Ord. No. 2009-2; 5-6-2009 by Ord. No. 2009-9]

A. Statement of purpose. The B-1 Neighborhood Business District is intended to provide for individual or small groups of retail and customer service establishments serving primarily the convenience of a local neighborhood, and the character, appearance, and operation of which are compatible with the character of the surrounding area. If the business is located within the Five Corners Master Plan area, the building construction and materials shall be consistent with the Five Corners Master Plan.

B. Principal uses: drug stores, delicatessens, florists, business and professional offices.

C. Conditional uses:

(1) Bakeries, banquet facilities, barbershops, bars, beauty shops, clinics, clothing stores, cocktail lounges, confectioneries, fish markets, florists, fruit stores, gift stores, grocery stores, hardware stores, hobby shops, home occupations, laundry, lodging, meat markets, optical stores, packaged beverage stores, private athletic clubs, self-service and pickup laundry and dry-cleaning establishments, soda fountains, sporting goods, supermarkets, tobacco stores, vegetable stores, and restaurants.

(2) Existing residences shall comply with all the provisions of the R-3 Residential District.

(3) Residential dwellings may be allowed in this zoning classification, even without having a retail component, with a valid conditional use permit issued by the Town Board

(4) A single residential unit to be used by the owner of the building or by the operator of a business in the same or contiguous building of the business.

(5) See §§ 320-56, 320-57, 320-59, 320-60 and 320-106.

D. Lot.

(1) Width: minimum 100 feet.

(2) Area: minimum 1/2 acre.

E. Building height: maximum 35 feet.

F. Yard setbacks.

(1) Street: minimum 25 feet.

(2) Rear: minimum 50 feet.

(3) Side: minimum 15 feet.

SECONDLY

ARTICLE XV. Definitions

§ 320-137. Definitions and word usage.

Editor's Note: The definitions of "lot, corner," "nonconforming uses" and "use, accessory" which appeared in this section were deleted 10-4-2006 by Ord. No. 2006-11. For the purposes of this chapter, the following definitions shall be used, unless a different definition is specifically provided for a section. Words used in the present tense include the future; the singular number includes the plural number; and the plural number includes the singular number. The word "shall" is mandatory and not permissive.

BANQUET FACILITY


A building or room for the purpose of hosting and catering of parties, banquets, weddings and other receptions, meetings, additional restaurant seating or other social events and activities subject to the terms of a conditional use permit.

**(The text modified with a strikethrough shall be deleted).
(The text modified with an underline shall be added).**

This ordinance shall be in full force and effect upon its passage and posting as provided by law.

PASSED AND ADOPTED by the Town Board of the Town of Cedarburg, Ozaukee County, Wisconsin, this 4th day of August, 2010.


Dawn Priddy
Town Clerk


David M. Valentine
Town Chairman