

CHAPTER 22
Zoning

22.34 B-2 Central Business District

(Rep. & recr. #66-01)

(1) **PURPOSE.** To provide appropriate regulations to ensure the compatibility of the diverse uses typical of the downtown area without inhibiting the development of commercial, cultural, entertainment, and other urban activities which contribute to its role as the "heart" of the City.

(2) **PERMITTED PRINCIPAL USES.**

- a. Antique and collectors stores.
- b. Appliance stores.
- c. Art Galleries.
- d. Bakeries.
- e. Banks, savings and loan associations, and other financial institutions.
- f. Barber shops.
- g. Beauty shops.
- h. Book or stationery stores.
- i. Business offices.
- j. Camera and photographic supply stores.
- k. Catering services.
- l. Clinics.
- m. Clothing stores.
- n. Computer and computer supply stores.
- o. Confectioneries, soda fountains, and ice cream stores.
- p. Delicatessens.
- q. Department stores.
- r. Discount stores.
- s. Drug stores.
- t. Fish markets.
- u. Florists.
- v. Fruit stores.
- w. Furniture stores.
- x. Furriers and fur apparel.
- y. Gift stores.
- z. Grocery stores.
- aa. Hardware stores.
- bb. Hobby and craft shops.
- cc. Hotels and motels.
- dd. Insurance sales offices.
- ee. Janitorial services.
- ff. Jewelry stores.
- gg. Law offices.
- hh. Martial arts studios.

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- ii. Meat markets.
- jj. Music stores.
- kk. Newspaper and magazine stores, subject to Section 22.20.
- ll. Newspaper printing and publishing.
- mm. Office supplies and business machine stores.
- nn. Optical stores.
- oo. Packaged beverage stores.
- pp. Paint, glass, and wallpaper stores.
- qq. Parking lots and structures.
- rr. Pet and pet supply stores.
- ss. Physical fitness centers.
- tt. Plumbing and heating supplies.
- uu. Post office and postal services.
- vv. Printing, including photocopying.
- ww. Professional offices.
- xx. Publishing houses.
- yy. Radio and television broadcast studios without transmitting or receiving towers.
- zz. Real estate sales offices.
- aaa. Restaurants, except drive-in restaurants.
- bbb. Self service laundry and dry-cleaning establishments.
- ccc. Shoe stores and leather goods stores.
- ddd. Sporting goods stores.
- eee. Tailor or dressmaking shops.
- fff. Tobacco stores.
- ggg. Travel agencies.
- hhh. Variety stores.
- iii. Vegetable stores.
- jjj. Video tape sales and rental, subject to Section 22.20.

(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.
- c. Residential quarters for the owner, proprietor, commercial tenant, employee or caretaker located in the same building as the business.
- 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.

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(4) CONDITIONAL USES.

- a. (Am. #8-11) Residential dwelling units provided they are not located in the front fifty percent of the ground level and provided that there shall be a minimum floor area of three hundred (300) square feet for an efficiency apartment, four hundred fifty (450) square feet for a one-bedroom dwelling unit, six hundred (600) square feet for a two-bedroom dwelling unit, and seven hundred (700) square feet for a three-bedroom dwelling unit.
- b. Automobile service stations provided that all gas pumps are set back at least twenty-five (25) feet from the street and are not closer than forty (40) feet to a rear or side lot line.
- c. Church-operated meal programs, charitable institutions, and social service agencies, provided they do not occupy more than twenty-five (25) percent of any block face.
- d. Commercial adult and child care centers, provided they do not occupy more than twenty-five percent (25%) of any block face.
- e. Commercial recreation facilities, such as arcades, bowling alleys, clubs, dance halls, driving ranges, indoor firearm and archery ranges, gymnasiums, miniature golf facilities, pool and billiard halls, and indoor skating rinks.
- f. Drive-in restaurants.
- g. Funeral homes provided all principal uses and structures are not less than twenty-five (25) feet from any lot line.
- h. Lodges and clubs, provided they do not occupy more than twenty-five percent (25%) of any block face.
- i. Outdoor display of retail merchandise.
- j. Outdoor storage provided such storage complies with all storage requirements of the Municipal Code.
- k. (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.
- l. Solar energy collectors erected as an accessory structure.
- m. Tattoo parlors.
- n. Taverns and cocktail lounges.
- o. Theaters and other amusement places.
- p. Temporary uses as set forth in Section 22.63
- q. Trailers used for storage.
- r. Utility substations, municipal wells, pumping stations, and towers provided that the use is not less than fifty (50) feet from any lot line.
- s. Wireless communications facilities as set forth and under conditions authorized in Section 22.21.
- t. Uses similar to and reasonably related to principal permitted uses.

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(5) LOT AREA AND WIDTH. Lots in the B-2 district shall have no required lot area or width, provided, however, all applicable setback and parking requirements must be met.

(6) BUILDING HEIGHT AND AREA. There shall be no maximum height for a principal building. No accessory building shall exceed fifteen (15) feet in height.

(7) SETBACK AND YARDS.

- a. There shall be a minimum street yard building setback of one (1) foot from the right-of-way of all streets.
- b. Subject to Section 22.14 no minimum side or rear yard is required.
- c. There shall be a minimum shoreyard setback of seventy-five (75) feet from the ordinary highwater mark of a navigable body of water.

(8) EROSION CONTROL. The uses and structures in the B-2 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.

(9) 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 B-2 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.

(10) 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.