

Zoning, Neighborhoods & Development Committee Presentation

File No. 221295. An ordinance relating to various revisions to the zoning code.

- Dumpster Placement and Screening – City Wide

STREET LEVEL / GROUND FLOOR

- Glazing and Activation – City Wide
- Neighborhood LB3 and IM Districts -
Residential Limited Use Standards
- Downtown Districts –
Residential Limited Use Standards
- Downtown C9E District Use Changes

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Solid Waste Storage Area (Dumpsters)

Problem: Location for Dumpsters an Afterthought, Ending up in Alleys

Some Uptick with Existing Building Residential Conversions, especially in Denser Areas, such as Downtown

Past Solution: Created a new Code Chapter 79, in the Public Works Code chapters That Required Indoor Storage for most all projects and most all uses city-wide.

Result: While Solving Some Problem Situations, Caused Difficulties for Many Projects, Often Needing Appeal to Ch 79



Solid Waste Storage Area (Dumpsters)

Re-evaluation of Previous Problem:

Zoning code did not specify dumpster location.

Zoning Code Should More Clearly Identify
Acceptable Locations of Dumpsters

Process did not required dumpster location shown on plans

Permitting Process Should Identify Dumpster
Location in Project Permit Submission

Collaboration between DPW and DNS Development Center

Solid Waste Storage Area (Dumpsters)

Acceptable Locations – On Site

- Outdoors, Screened from Street View (Very Common)
- Behind the Building, Screened from View
- Inside Building - No Outdoor Space

Alternatives –

- Cooperation with Adjacent Neighbors,
- In Right-of-Way with Approval of Special Privilege



Solid Waste Storage Area (Dumpsters)

Does Not Change:

Landscape Screening Standards for Outdoor Dumpsters Still Apply

Does Not Change:

Ability to Request Special Privilege for Placement in Right-of Way (Alley or Sidewalk)

But DOES require this to be investigated for feasibility before project building permit issuance by DNS.

Updated Zoning Code will allow Chapter 79 in the Public Works Code to be removed.

TABLE 295-405-6-a OPTIONS FOR SCREENING MECHANICAL EQUIPMENT, TRASH AND RECYCLING COLLECTION EQUIPMENT AND DUMPSTER STORAGE AREAS FROM STREETS AND NON-INDUSTRIAL DISTRICTS			
	Option A	Option B	Option C
Minimum width of landscaped area	10 ft.	5 ft.	none
Type and minimum number of plants required in landscaped area	1 evergreen tree or 2 tall shrubs per 5 linear ft.	1 evergreen tree or 2 tall shrubs per 10 linear ft.	none
Fence/wall required	none	opaque fence or wall	masonry wall
Fence/wall minimum height	none	4 ft.	4 ft.
Fence/wall opacity requirement	none	portions below 4 ft. shall be 100% opaque	portions below 4 ft. shall be 100% opaque



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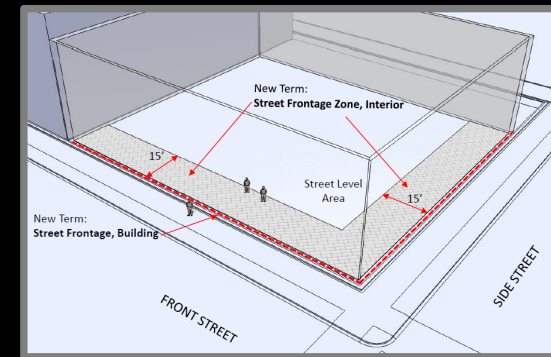
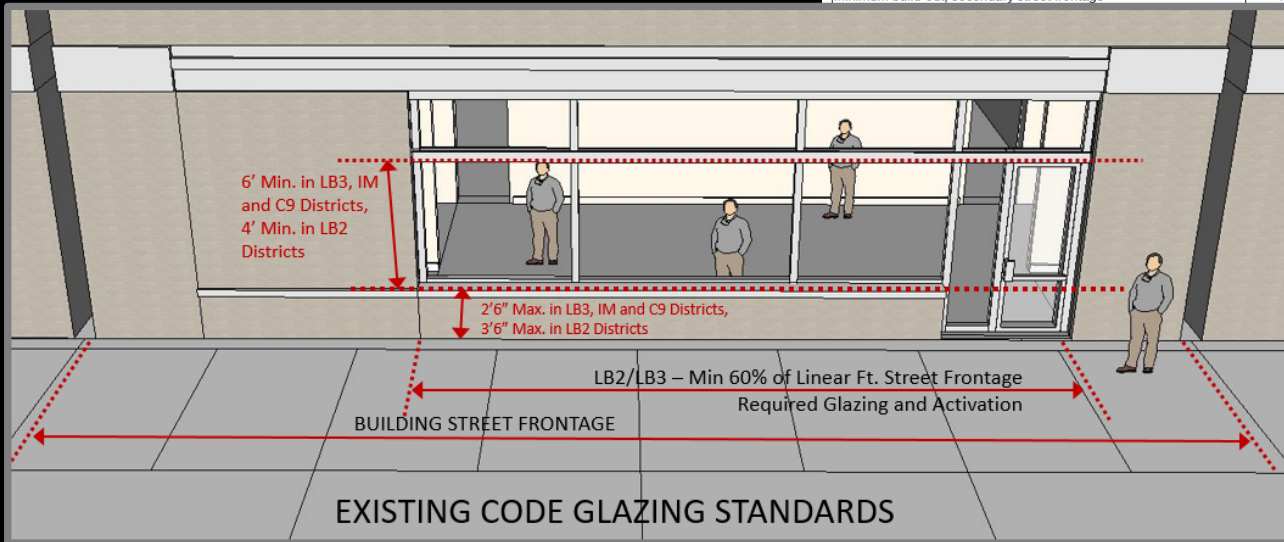
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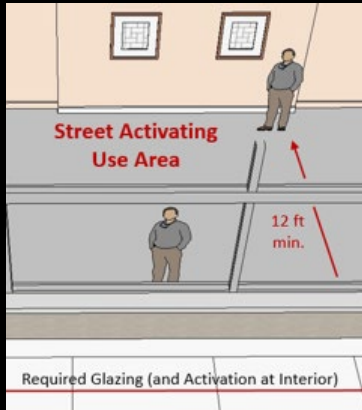
Existing Code – No Change to Glazing Percentages

- Existing Glazing Requirement Not Changing - A minimum width of façade, a minimum height, and maximum sill
- Existing Code Defines Terms
 - “Street Activating Uses”
 - “Interior Street Frontage Zone”
- Existing Code Currently Defines Obstructions Behind Glazing
- Does not change security allowance such as rolling gates at inside, etc.

TABLE 295-605-2 PRINCIPAL BUILDING DESIGN STANDARDS									
Design Standards for Non-residential and Multi-family Principal Buildings									
	NS1	NS2	LB1	LB2	LB3	RB1	RB2	CS	
Primary Street									
Front setback, minimum (ft.) (see s. 295-505-2-b)	average	none	none	none	none	average	none	none	
Front setback, maximum (ft.) (see s. 295-505-2-b)	50	average	70	average	average	none	70	average	
Secondary Street									
Side street setback, min. (ft.)	none	none	none	none	none	none	none	none	
Side street setback max. (ft.)	15	5	25	5	5	none	70	5	
Rear street setback, minimum (ft.)	none	none	none	none	none	none	none	none	
Rear street setback, maximum (ft.)	none	none	none	none	none	none	none	none	
Side setback, minimum (ft.)	none	none	none	none	none	none	none	none	
Side setback, maximum (ft.)	none	none	none	none	none	none	none	none	
Rear setback, minimum (ft.)	none	none	none	none	none	none	none	none	
Rear setback, maximum (ft.)	none	none	none	none	none	none	none	none	
Lot area per dwelling unit, minimum (sq. ft.)	2,400	1,200	1,200	800	300	1,200	800	1,200	
Lot area per dwelling unit, permanent supportive housing, minimum (sq. ft.)	1,200; 2,400 for a unit with 2 or more bedrooms	600; 1,200 for a unit with 2 or more bedrooms	600; 1,200 for a unit with 2 or more bedrooms	400; 800 for a unit with 2 or more bedrooms	150; 300 for a unit with 2 or more bedrooms	600; 1,200 for a unit with 2 or more bedrooms	400; 800 for a unit with 2 or more bedrooms	600; 1,200 for a unit with 2 or more bedrooms	
Lot area per transitional housing client, minimum (sq. ft.)	1,200	600	600	400	150	600	400	600	
Height, minimum (ft.)	none	18	none	18	30	none	24	none	
Height, maximum (ft.)	45	60	45	60	75	95	85	60	
Minimum glazed area, primary street frontage	40%	60%	30%	60%	60%	20%	30%	30%	
Minimum glazed area, secondary street frontage	10%	15%	10%	15%	15%	10%	15%	10%	
Minimum build-out, primary street frontage	none	30%	none	30%	75%	none	30%	none	
Minimum build-out, secondary street frontage	none	none	none	none	50%	none	none	none	
	yes	yes	yes	yes	yes	yes	yes	yes	
Single-family and Two-family Dwellings									
	NS2	LB1	LB2	LB3	RB1	CS			
	RM4	RM2	RM5	RM5	RM2	RM5	RM4		



Adjustments and Clarity to Existing Code - Overview



- Adjusts Wall Location Allowed Behind Glazing
- Clarifies Existing “Street Activating Uses” Definition



- Adds Allowable Low/Narrow Partitions Near Glazing Exception



- Clarifies Obstructions and Fixtures That May or May Not Block Windows

Code Update - Dimension of Wall Behind Glazing

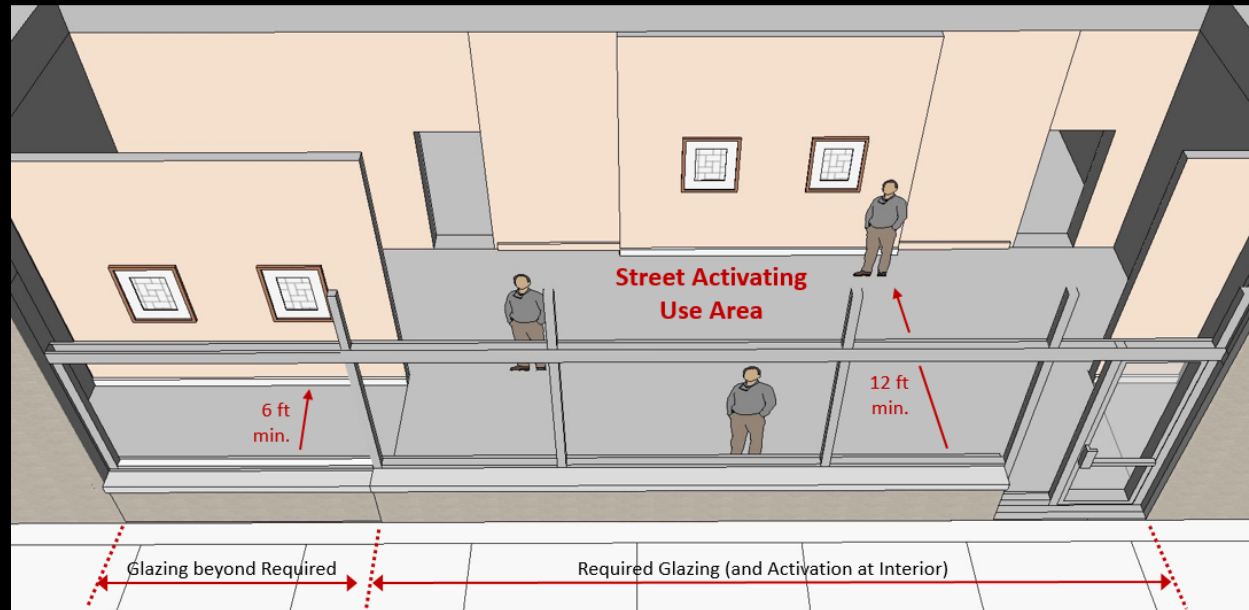
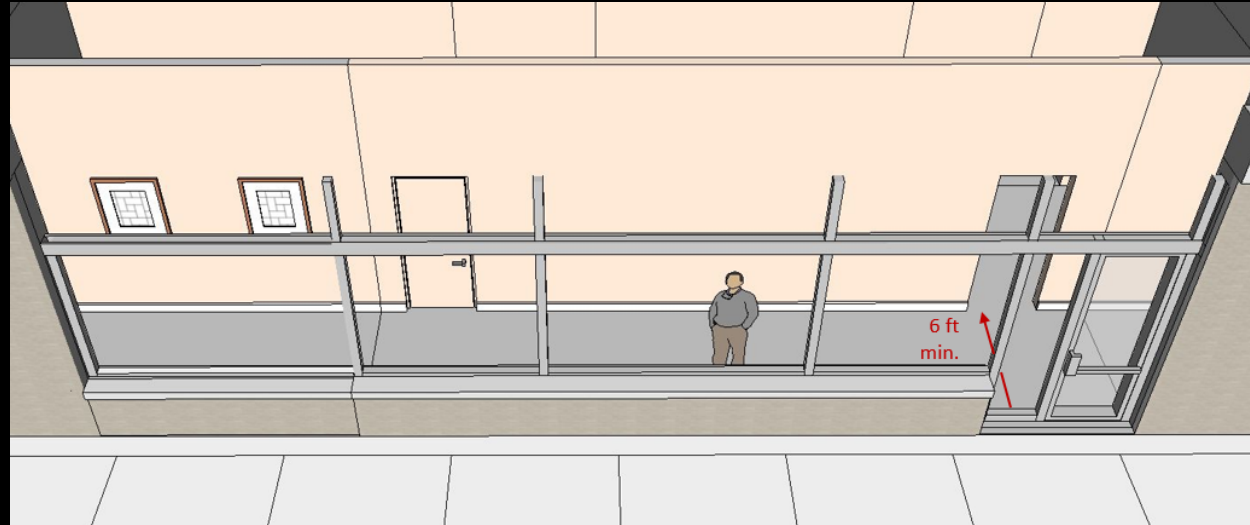
Existing Ordinance:

Interior walls parallel to required glazing shall be not less than 6 feet from the plane of the glazing.

Code Update:

Interior Spaces and Street Activating Uses.

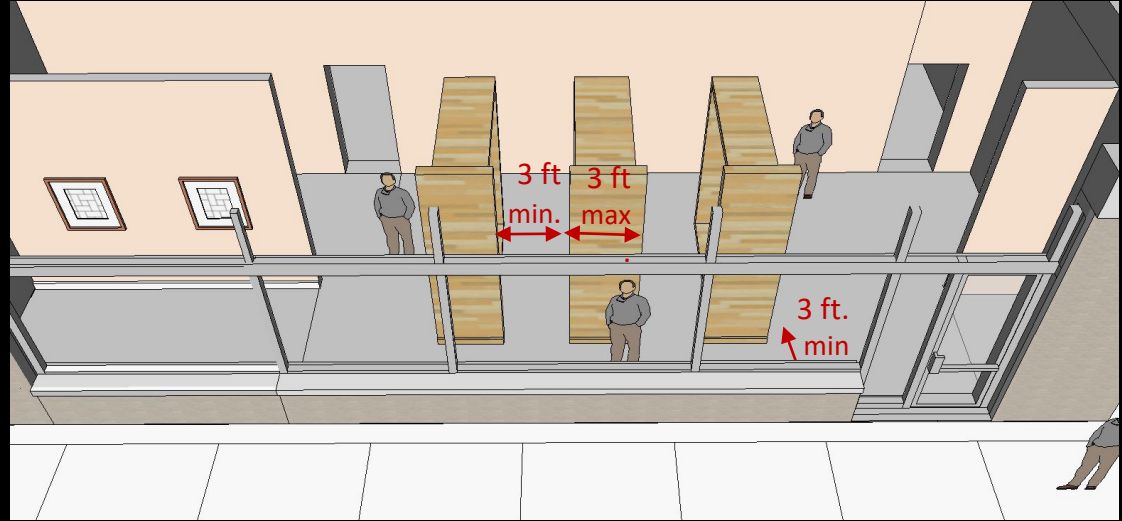
Interior spaces behind glazing that is required to meet the minimum linear street frontage glazing as found in the applicable district table shall be occupied by street-activating use areas (as defined in 295-201-636), to a minimum depth of 12 feet, unless a greater depth is required to meet a limited use standard.



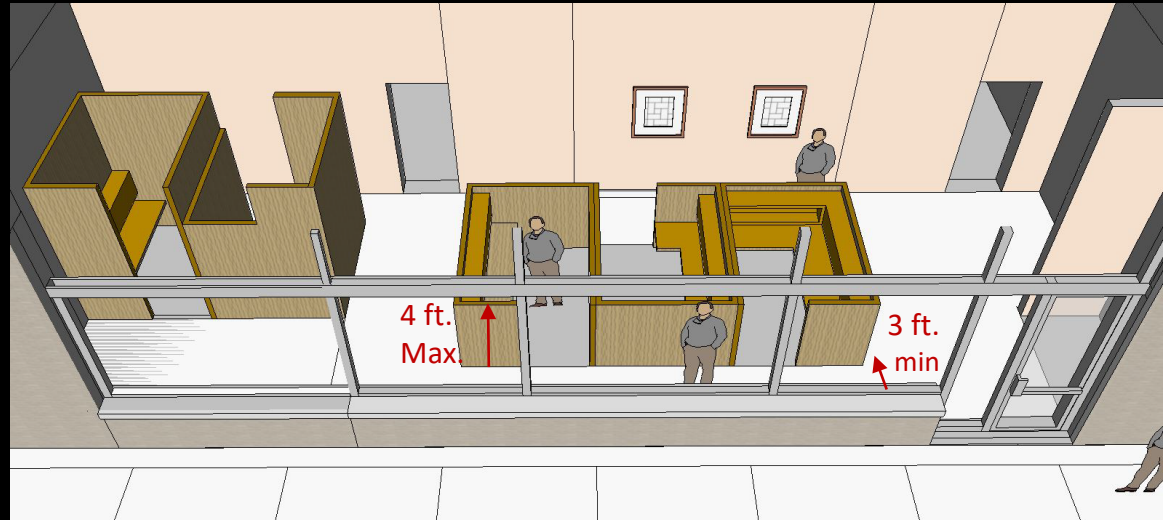
Code Update – Partitions Exceptions Behind Glazing

i-3-f. Partial Walls.

Walls parallel to the glazing such full-height walls parallel to the glazing that are less than 3 feet wide and not closer than 3 feet apart, for an end cap of shelves or similar furnishing, shall be permitted if not less than 3 feet from the plane of the glazing, even if in the area of required glazing.



Walls parallel to the glazing and less than 4 feet high, such as for workspace cubicles shall be permitted if not less than 3 feet from the plane of the glazing, even if in the area of required glazing.



Code Update – Update and Clarify “Street Activation Use” Definition



Residential – Communal Spaces, Exercise Rooms



Restaurant – Dining Rooms



Office – Conference Spaces, Lobby
See c. Below for detail



Retail – Sales Area, Showroom



Hotel – Lobby Seating Areas



Common Spaces - Entrances, Lobbies, Gathering, Reception Areas

c. In **commercial** and office uses, **and healthcare and social assistance uses**, lobbies, reception areas, waiting rooms, conference rooms, amenity spaces, communal working spaces, teller areas, break rooms, and cafeterias, **but not spaces such as individual offices, exam rooms or similar spaces where privacy needs are contrary to the intent of visual activation of the street.**

Glazing and Activation Standards – Acceptable Obstructions



Obstructions to Glazing - i-3-f. Display Racks, Fixtures and Partial Walls.

Open-backed display racks, merchandise displays and other **non-opaque fixtures**, in combination with permitted signs, may obscure not more than 50% of the glazing area.

Opaque interior objects shall not block the required glazed area. Examples of items **not permitted include**, but are not limited to, **cabinets, refrigerated merchandise coolers, mechanical equipment** and seating booth backs greater than 4 feet high.

Glazing and Activation Standards – Acceptable Obstructions



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Glazing and Activation Standards – Acceptable Obstructions



Active, Interior Storefront Displays Encouraged!

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STREET LEVEL / GROUND FLOOR – Planning Considerations

Residential Limited Use Standards, in:

- LB3 Local Business and IM Industrial Mixed Districts
- C9B – C9H Downtown Districts



Example of Townhouse Type Units at Street Level



Example of Retail Space at Street Level

On “**local street**”, more passive residential units are appropriate at the street level, however, On “**main streets**”, more active commercial or active communal space may be needed.

These code adjustment address the denser commercial districts and most downtown districts.

Neighborhood LB3 and IM Districts

Zoning Districts – Most “Urban” Neighborhood Districts

Commercial District



Local Business 3 (LB3)

The LB3 district is the most urban and is characterized by design standards appropriate for neighborhood commercial hubs, centers, corridors and transit-oriented development areas that have a denser level of development and may have taller buildings, all of which promote compact, walkable, sustainable neighborhoods.

Industrial Districts

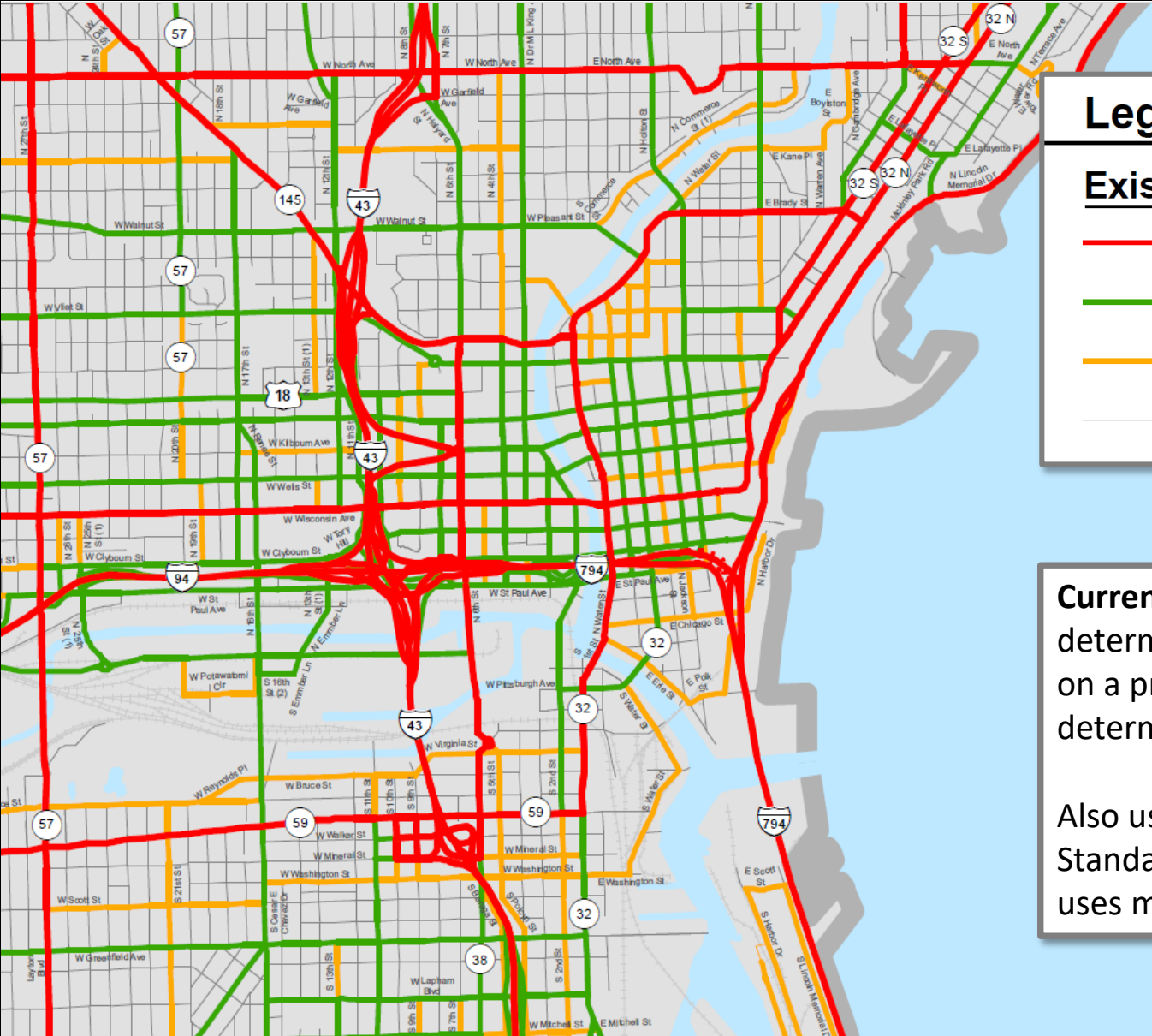


Industrial Mixed (IM)

This district is intended to provide for the orderly conversion of certain older industrial and warehousing areas with multi-story buildings to residential, commercial or office uses for which the buildings, at the present time, may be better suited. These areas have an urban character. Buildings were typically built without setbacks or yards and often with little or no off-street parking.

- New Residential Limited Use Standard Applies to LB3 and IM Districts
- Restricts Street Level Dwelling Units on “Main” Streets
- New Restrictive Standard DOES NOT Apply in LB2 Districts (Very prevalent district)

Functional Classification Map (Street Hierarchy) – Code Background



Legend

<u>Existing</u>	<u>Planned*</u>	
— (Red)	- - - - - (Red)	Principal Arterial
— (Green)	- - - - - (Green)	Minor Arterial
— (Yellow)	- - - - - (Yellow)	Collector
— (Grey)	- - - - - (Grey)	Local

Currently used in zoning code to determine the hierarchy of streets on a property for the purpose of determining the “front” of the lot.

Also used in some Limited Use Standards as to where commercial uses may be allowed.

Limited Use Standards – Code Background

In the Zoning Use Tables of each district, "L" indicates a limited use.

This use is permitted only when the use meets the standards of sub. 2.

If the use cannot meet these standards, it shall be permitted only upon board approval of a special use permit pursuant to s. 295-311-2, unless otherwise prohibited by sub. 2

USES	Zoning Districts							
	NS1	NS2	LB1	LB2	LB3	RB1	RB2	CS
EDUCATIONAL USES								
Day care center	L	L	L	L	L	L	L	L
School, elementary or secondary	S	S	S	S	S	S	S	S
College	Y	Y	Y	Y	Y	Y	Y	Y
School, personal instruction	Y	Y	Y	Y	Y	Y	Y	Y
COMMUNITY-SERVING USES								
Library	Y	Y	Y	Y	Y	Y	Y	Y
Cultural institution	Y	Y	Y	Y	Y	Y	Y	Y
Community center	S	S	S	S	S	S	S	S
Religious assembly	S	S	S	S	S	Y	Y	Y
Cemetery or other place of interment	N	N	N	N	N	N	N	N
Public safety facility	Y	Y	Y	Y	Y	Y	Y	Y
Correctional facility	N	N	N	N	N	N	N	N
COMMERCIAL AND OFFICE USES								
General office	Y	Y	Y	Y	Y	Y	Y	Y
Government office	Y	Y	Y	Y	Y	Y	Y	Y
Bank or other financial institution	Y	Y	Y	Y	Y	Y	Y	Y
Currency exchange, payday loan or title loan agency	S	S	S	S	S	S	S	S
Installment loan agency	S	S	S	S	S	S	S	S
Cash-for-gold business	S	S	S	S	S	S	S	S
Pawn shop	S	S	S	S	S	S	S	S
Retail establishment, general	L	L	L	L	L	L	L	L
Garden supply or landscaping center	N	N	Y	Y	Y	Y	Y	Y
Home improvement center	N	N	S	S	S	Y	Y	Y
Secondhand store	L	L	L	L	L	L	L	L
Outdoor merchandise sales	S	S	S	S	S	S	S	S
Artist studio	Y	Y	Y	Y	Y	Y	Y	Y

Neighborhood LB3 and IM Districts

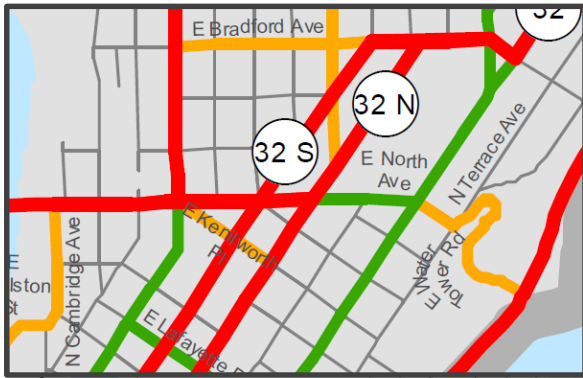
- Residential Limited Use Standard

2. LIMITED USE STANDARDS.

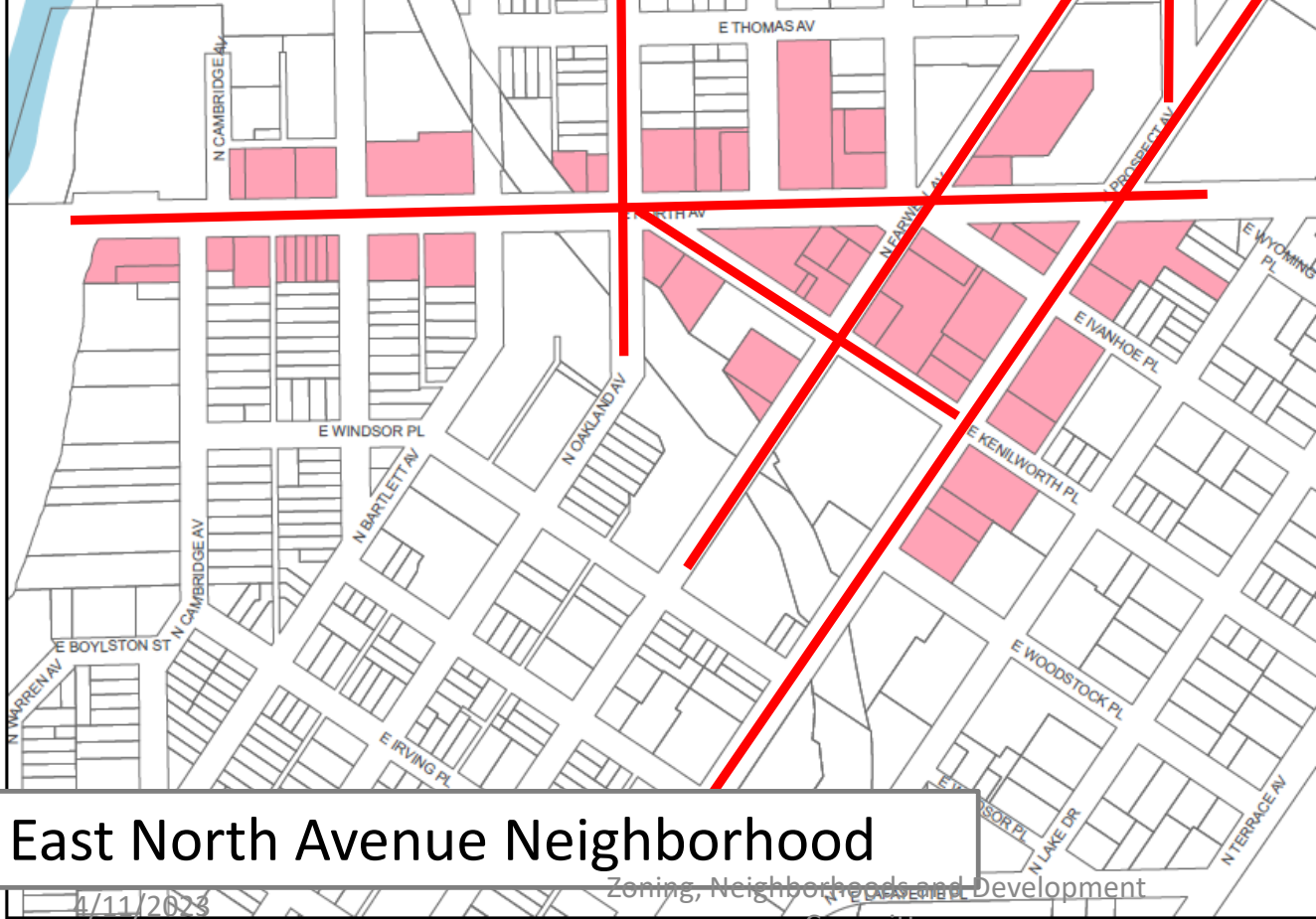
a. Single-family Dwelling, Two-family Dwelling, Multi-family Dwelling, Attached Single-family Dwelling or Live-work Unit. a-1. At the street level of the primary street, accessory parking, storage facilities or mechanical equipment shall occupy not more than 40% of the interior street frontage zone of the street level area. The interior street frontage zone, which requires street-activating uses, shall be 15 feet in depth in this district.

a-2. No dwelling unit shall be permitted in the street-level area on a principal arterial, minor arterial or collector street, as classified on the functional classification of streets and highways map. Street-level dwelling units are permitted on local streets.

a-3. A newly-established residential use within an existing building where the first floor is more than 30 inches above grade is exempt from the standards of this paragraph.






Functional Classification Map











East North Avenue Neighborhood

Legend

-  Waterway
-  LB3 (Local Business)
-  Parcel

Legend

Existing	Planned*	
		Principal Arterial
		Minor Arterial
		Collector
		Local

Residential Limited Use Standard applies to parcels both in

LB3 Sub-District and on a Principal Arterial, Minor Arterial or a Collector Street

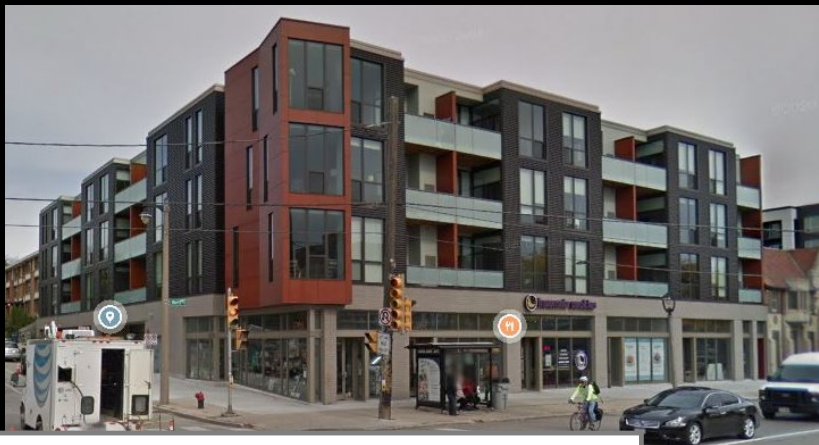


Neighborhood LB3/IM Street Level Restrictions



At the street level of the primary street, accessory parking, storage facilities or mechanical equipment shall occupy not more than **40%** of the interior street frontage zone of the street level area. The interior street frontage zone, which requires street-activating uses, shall be 15 feet in depth in this district.

No dwelling unit shall be permitted in the street-level area on a **principal arterial, minor arterial or collector street**, as classified on the functional classification of streets and highways map. Street-level dwelling units **are permitted on local streets**.

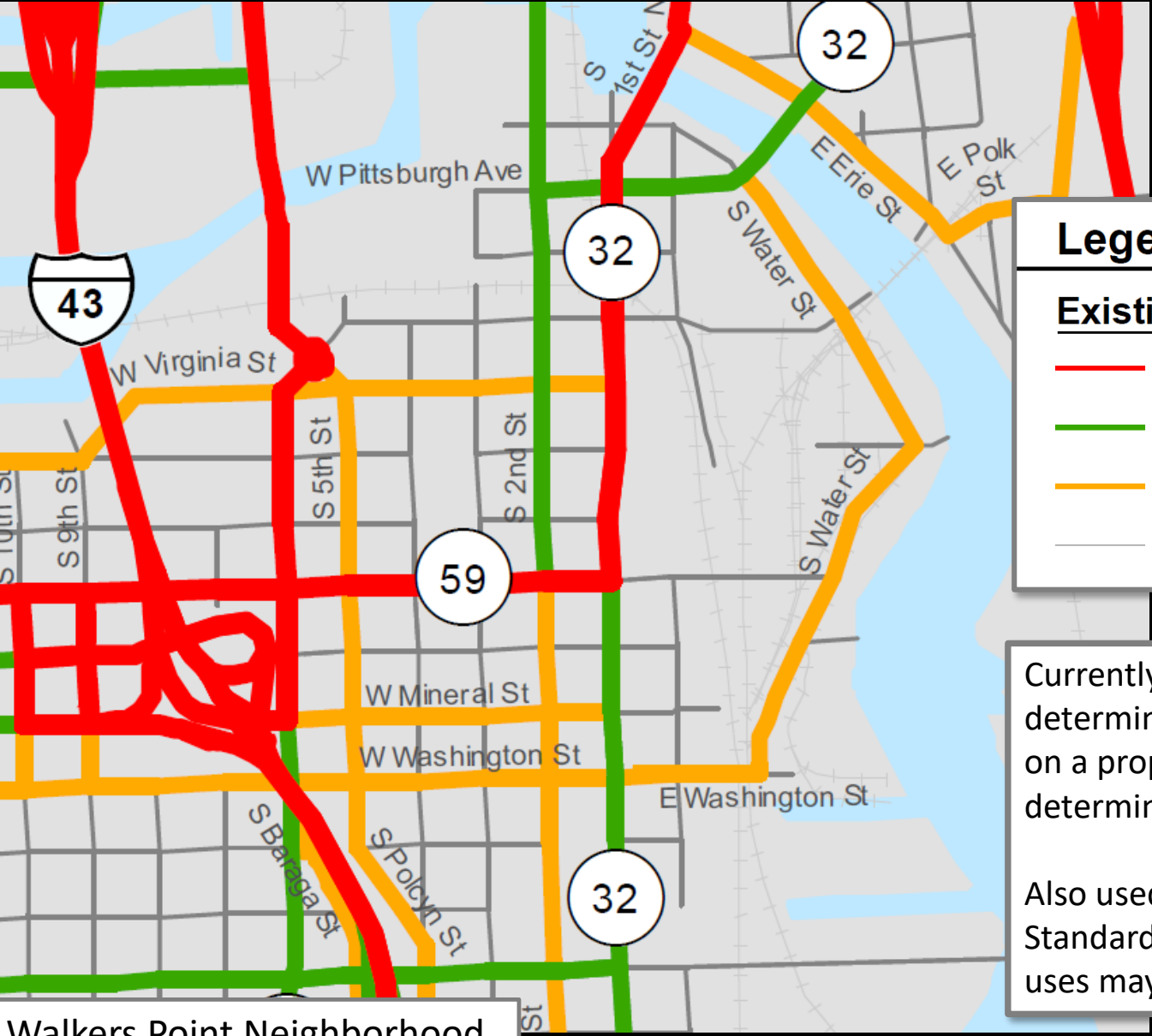


East North Avenue Neighborhood



A newly-established residential use within an existing building where the first floor is more than 30 inches above grade is exempt from the standards of this paragraph.

Functional Classification Map (Street Hierarchy)



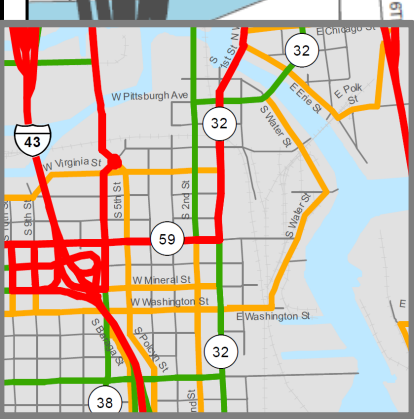
Legend	
Existing	Planned*
	Principal Arterial
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	Collector
	Local

Currently used in zoning code to determine the hierarchy of streets on a property for the purpose of determining the “front” of the lot.

Also used in some Limited Use Standards as to where commercial uses may be allowed.

Walkers Point Neighborhood

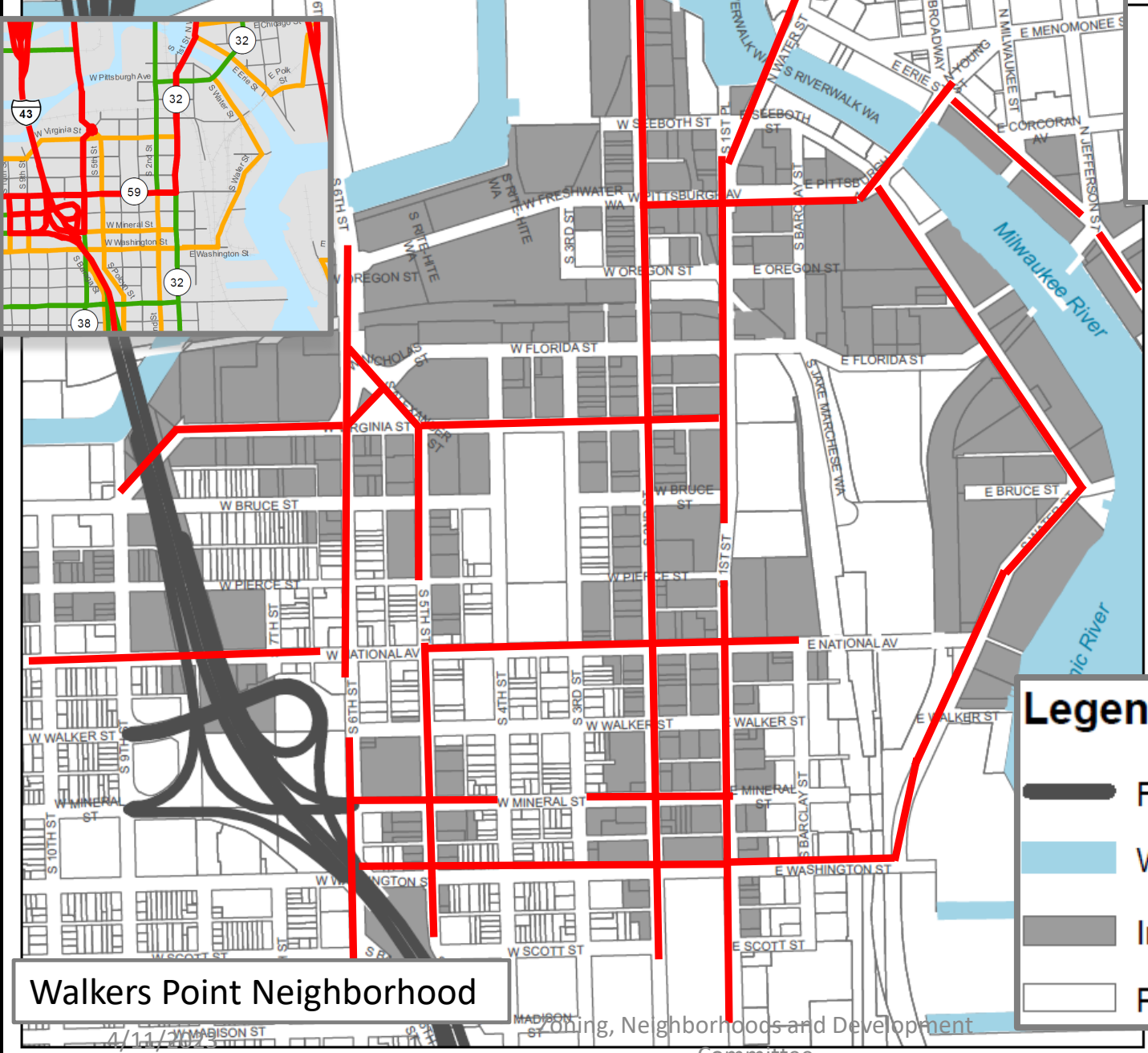
WALKERS POINT AREAS ZONED IM – Industrial Mixed



Legend	
Existing	Planned*
	Principal Arterial
	Minor Arterial
	Collector
	Local

Residential Limited Use Standard applies to parcels both in

IM Sub-District and on a Principal Arterial, Minor Arterial or a Collector Street



Legend	
	Freeway
	Waterway
	Industrial - Mixed Zoning
	Parcel

Walkers Point Neighborhood

Neighborhood LB3/IM Districts

This example demonstrate compliance



This example demonstrates compliance with proposed code.
Street Level Residential Dwelling Units are not located on either street

Walkers Point Neighborhood

Neighborhood LB3/IM Districts

This example demonstrate compliance



This example demonstrates compliance with proposed code.

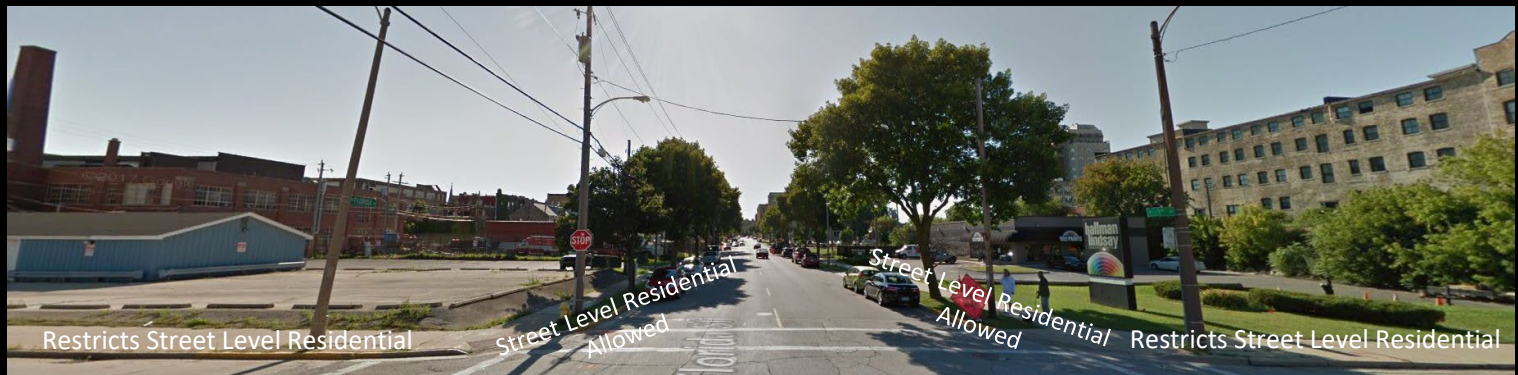
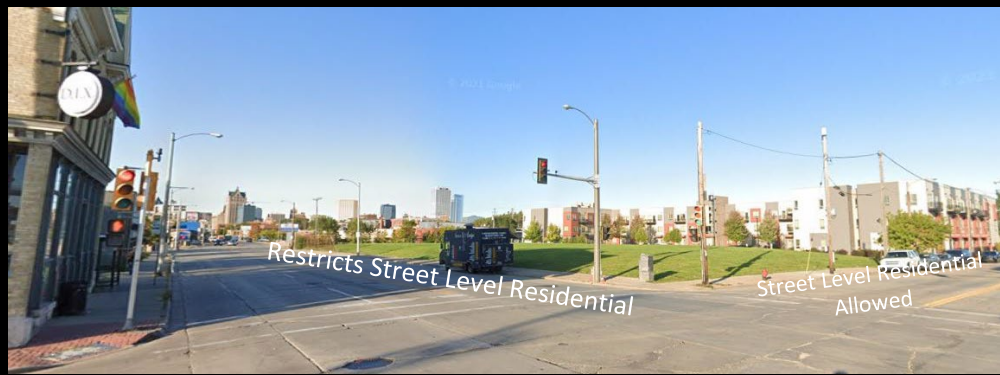
Street Level Residential Dwelling Units are located on the designated Local Street. On the Principal Street, residential communal spaces are present, allowed by proposed code.

Walkers Point Neighborhood

Neighborhood IM Districts

Walkers Point Neighborhood - Potential Future Sites

Street Level Dwelling Units Allowed based on Street Frontage Classification



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Residential Limited Use Standards

- Downtown C9E District Use Changes

Downtown C9B – C9H Districts

- Residential Limited Use Standard

2. LIMITED USE STANDARDS.

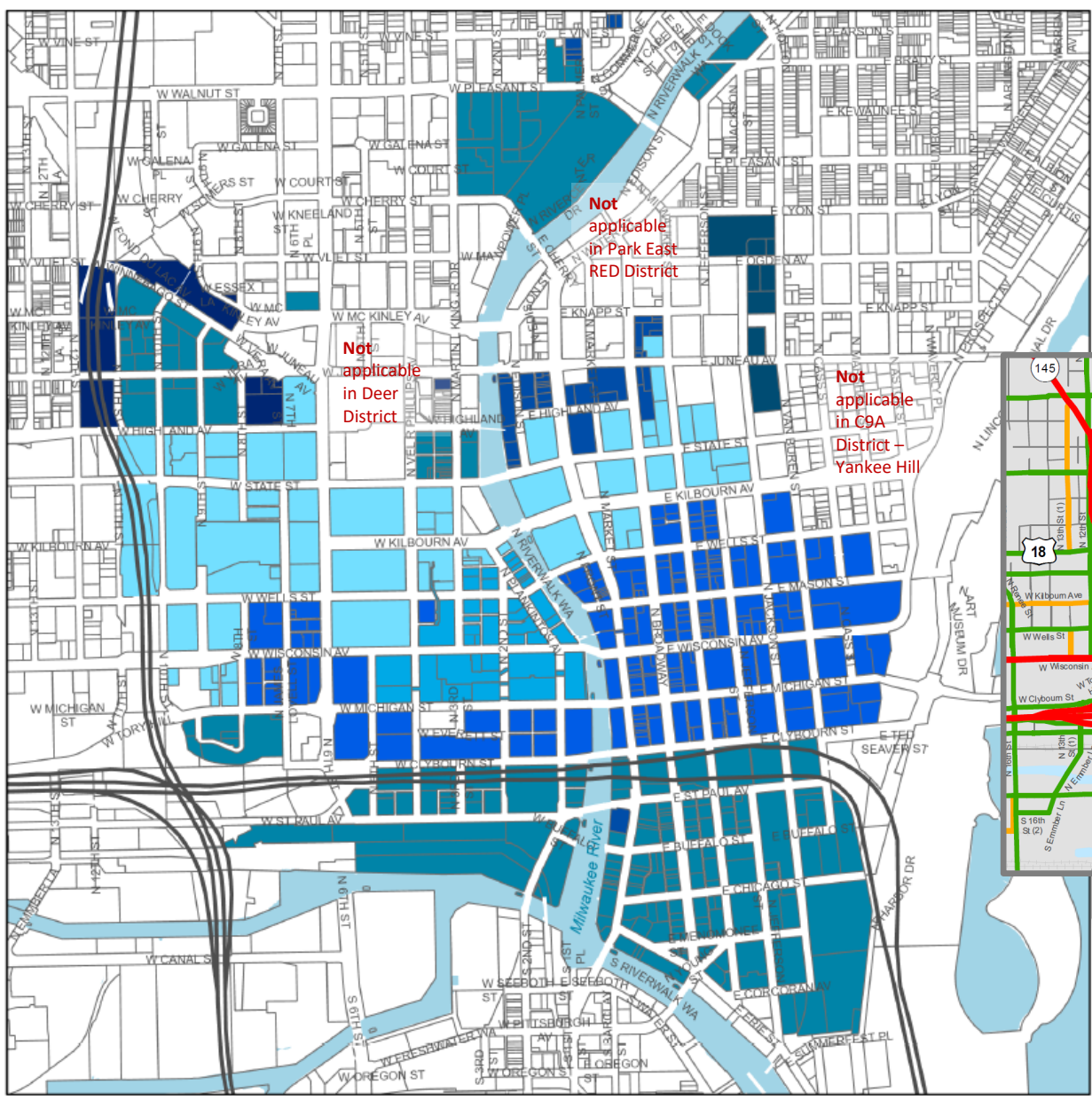
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a-2. No dwelling unit shall be permitted in the street-level area on a principal arterial or minor arterial street, as classified on the functional classification of streets and highways map. Street-level dwelling units are permitted on collector and local streets.

NOTE: This is LESS RESTRICTIVE than current code

a-3. A newly-established residential use within an existing building where the first floor is more than 30 inches above grade is exempt from the standards of this paragraph.

Downtown C9B – C9H Districts - Residential Limited Use Standard



Legend

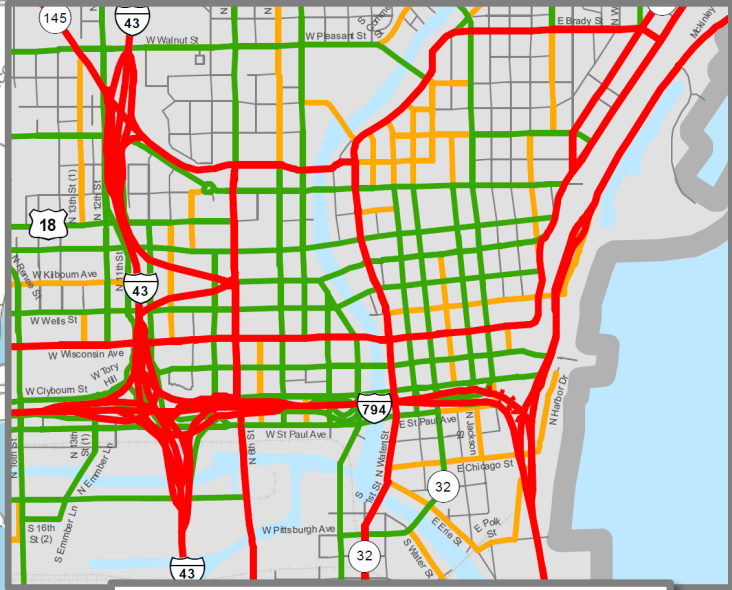
- C9B
- C9C
- C9D
- C9E
- C9F
- C9G
- C9H
- Parcel

Residential Limited Use Standard applies to when both Zoned C9B-C9H Downtown Sub-District **and** on being located on a Principal **(Red)** Arterial or Minor Arterial **(Green)** Street.

Not applicable in Park East RED District

Not applicable in Deer District

Not applicable in C9A District - Yankee Hill



Functional Classification Map (Street Hierarchy)

Legend

- | Existing | Planned* |
|---|---|
| | Principal Arterial |
| | Minor Arterial |
| | Collector |
| | Local |

C9 Exceptions due to Street Classification

– Residential Units Acceptable on Local Streets



Properties with street frontages on “Local Streets” per Functional Classification Map



Example of Townhouse-Type Units Possible on Connector and Local Streets

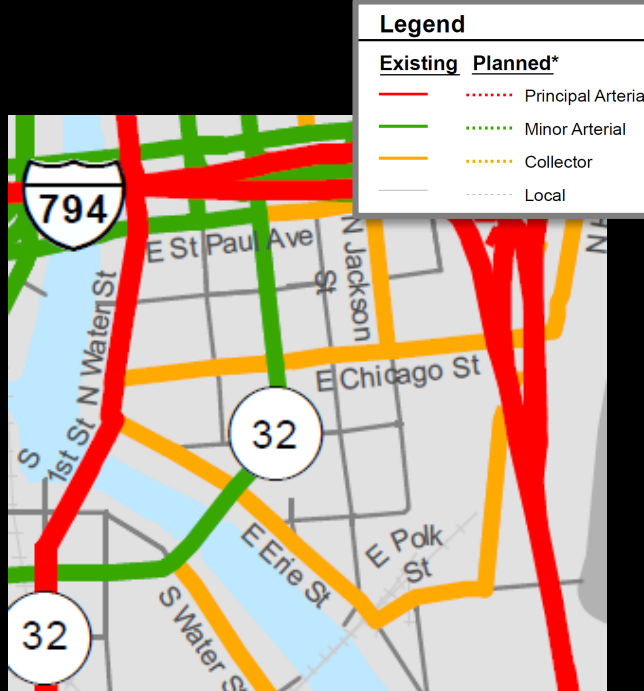


C9 Exceptions due to Street Classification

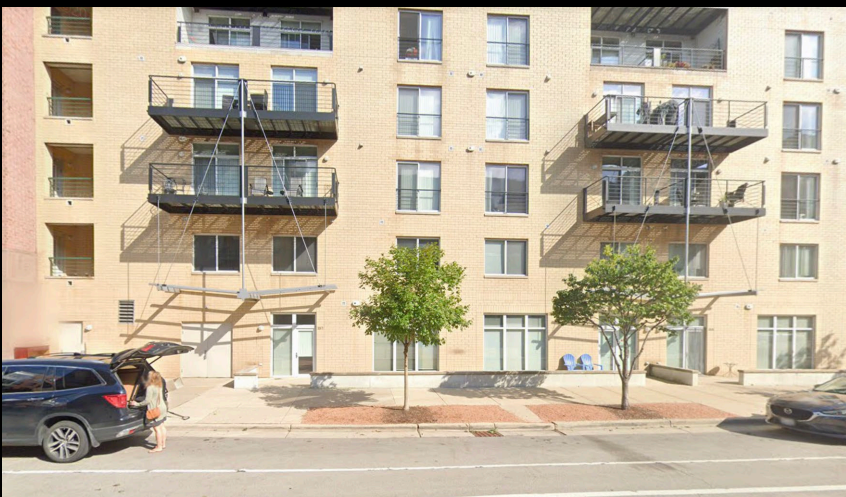
– Residential Units Acceptable on Local Streets



The eastern portion of the Third Ward would allow street level dwelling units located in C9G Districts and on Collector or Local Streets per Functional Classification Map



Functional Classification Map



C9 Exceptions to Allow Street Level Residential Units

- Existing building with raised first floor height



A newly-established residential use within an existing building where the first floor is more than 30 inches above grade is exempt from the standards



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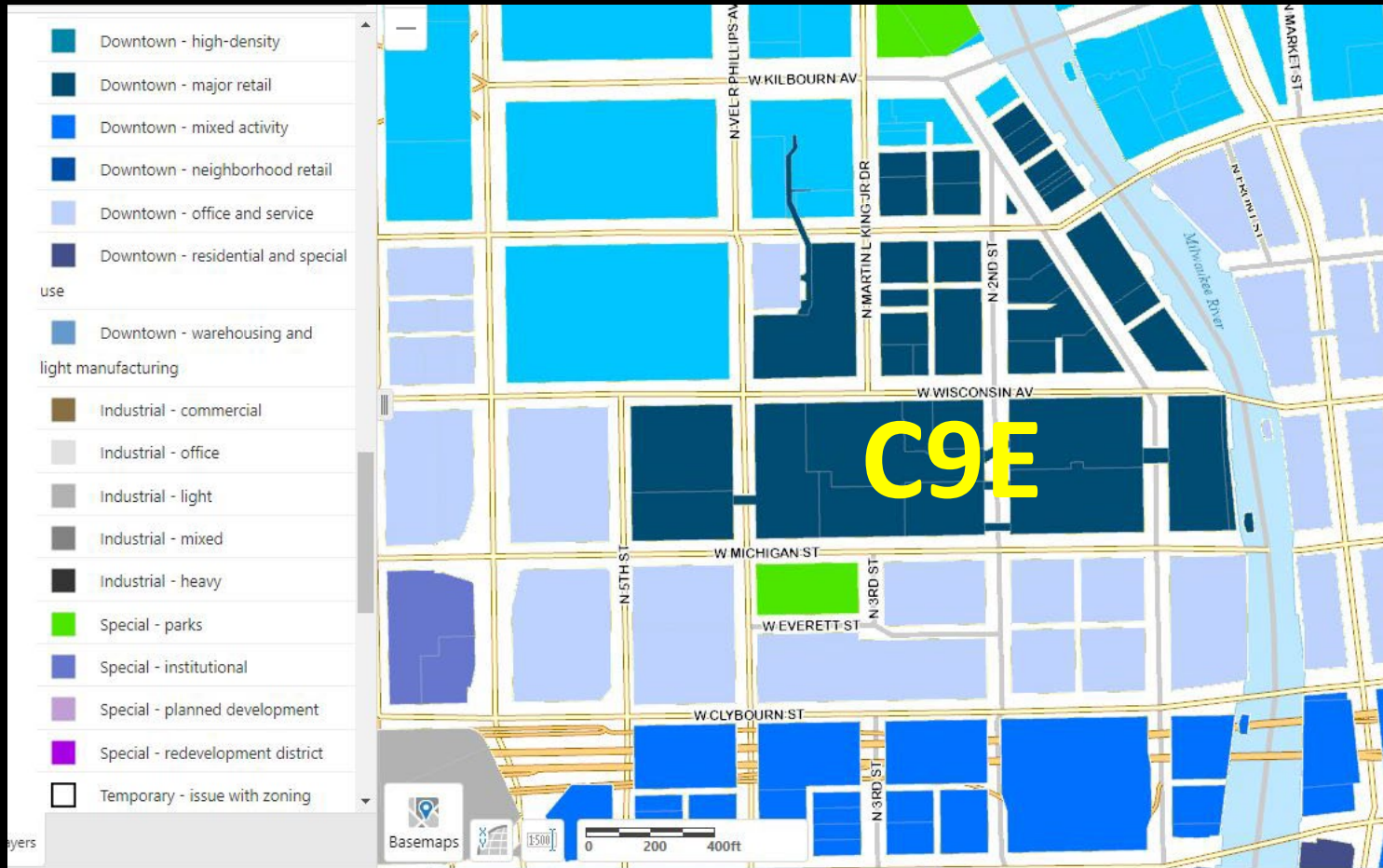
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Downtown Sub District C9E – Major Shopping Changes

Proposal is to remove street level restriction for offices and select other uses, and to make more permitted uses more uniform with the downtown sub-districts.



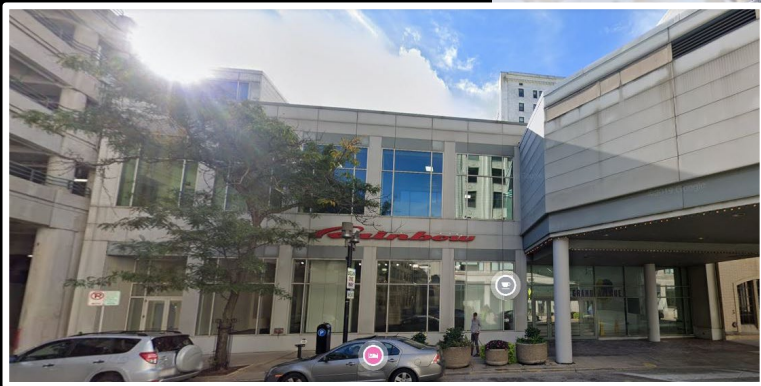
Original Intent of the C9E District in the 1980's was a very shopping intense district, especially at street level. The area is now successfully redeveloping as a modern mixed use district that allows more than traditional retail at street level.

Downtown Sub District C9E Changes



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Downtown Sub District C9E Changes



The continued redevelopment of the "Avenue", 3rd St. Market, and the former Boston Store building, now Hub 640 for Fiserv Headquarters will better align with proposed changes.

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