



Department of City Development
City Plan Commission
Redevelopment Authority of the City of Milwaukee
Neighborhood Improvement Development Corporation

Lafayette L. Crump
Commissioner

Vanessa L. Koster
Deputy Commissioner

Ald. Bauman
4th Ald. District

CITY PLAN COMMISSION ZONING REPORT

Ordinance File No. [211537](#)

Proposal:

This file refers to zoning regulations for theaters in the downtown C9G zoning district. This ordinance changes the use classification of a theater in the C9G downtown zoning district from permitted use to limited use, with the limited use being that the capacity of the building shall not exceed 2,000 persons. If this standard is not met, the theater shall be a special use requiring Board of Zoning Appeals approval.

A theater is defined as an establishment or facility for presenting motion pictures or live performances for observation by patrons and is currently permitted in the Downtown C9B – C9H zoning districts. It is prohibited in the C9A (Downtown – High-Density Residential) district. The C9G (Downtown – Mixed Activity) district is designed and intended to permit a wide range of retail, service, light manufacturing and residential uses.

Zoning Code

Technical Committee:

The Zoning Code Technical Committee held a meeting on March 1, 2022. It determined that the criteria of legality and enforceability, administrative efficiency and consistency with the format of the zoning code have been met.

Recommendation:

This proposed text amendment would require theaters in the Downtown – C9G zoning district to receive a Special Use permit from the Board of Zoning Appeals if their capacity exceeds 2,000 people. C9G zoning districts are found in both the Downtown and Third Ward Plan areas, and C9G represents the predominant zoning in the Third Ward. Both the Downtown and Third Ward plans support expanded cultural uses and highlight the benefit of entertainment venues in contributing to the vibrancy of Downtown and the Third Ward, including encouraging that uses with regional appeal be located in the Third Ward and Downtown. The Third Ward Area Plan recommends that civic and cultural uses should “continue to be important components of the Third Ward Neighborhood. Their importance can be measured in terms of greater employment opportunities, additional visitors, and added prestige as well as enriching social and cultural life in the neighborhood.”

Staff would caution that this zoning code amendment has the potential to place

barriers to attracting the type of entertainment and cultural uses that are generally supported in the Third Ward and Downtown Area Plans. The amendment would also require additional zoning approvals for theaters in the Downtown-C9G area beyond those that are required in the City's local and regional business districts, where theaters are a permitted use. Therefore, staff are not recommending approval of this proposed zoning code text amendment.