



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

Rocky Marcoux
Commissioner
rmarco@milwaukee.gov

Martha L. Brown
Deputy Commissioner
mbrown@milwaukee.gov

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To the Honorable Members of the
Zoning, Neighborhoods and Development Committee
City of Milwaukee
City Hall, Room 205

Dear Committee Members:

File No. 121382 relates to zoning regulations for the raising of crops or livestock. This file clarifies the city's zoning regulations for agricultural and agriculture-related land uses. Specifically, the file:

1. Divides the currently-used term "raising of crops or livestock" into 2 terms, "raising or crops" and "raising of livestock."
2. Defines the term "aquaculture" and includes aquaculture in the definition of "raising of livestock".
3. Classifies a personal instruction school as a limited use in the RS1-RS5, RT1-RT3 and RM1-RM2 residential zoning districts, as well as the PK parks district. The limited use standard is that the school shall provide instruction in the raising of crops or livestock. Currently, a personal instruction school is a prohibited use in these zoning districts.

Based on feedback from the Dept. of Neighborhood Services (DNS), a substitute file is being prepared, and will address the following:

1. Create definitions and use tables for Community Gardens and Commercial Farming enterprises.
2. Create definitions for accessory structures that are used to support "raising of crops", Community Gardens, and Commercial Farming Enterprises.
3. Establish lot coverage, height and quantity regulations for accessory agricultural buildings on residentially zoned parcels.
4. Permit an accessory building on a residentially-zoned lot not containing a principal building, provided the principal use of the lot is for a community garden or a Commercial Farming Enterprise. Presently, accessory buildings are prohibited on lots that do not contain principal buildings.
5. Establish setback regulations for accessory agricultural buildings located on a residentially-zoned lot not containing a principal building.
6. Change the raising of livestock from a permitted use to a limited use with the limited use standard being compliance with chapter 78 of the Milwaukee Code of Ordinances. (This has the effect of prohibiting the raising of livestock except chickens & bees.)



The Zoning Code Technical Committee met on February 20, 2013 and determined that its criteria with respect to administration efficiency, legality and consistency with the format of the zoning code were met. However, there was discussion by the Dept. of Neighborhood Services (DNS) that enforceability would be difficult given the proposed language of the draft ordinance. As such, DNS requested that changes to the file be made in order to improve enforceability, specifically with regard to hoop houses. There are setback and dimensional rules for accessory agricultural buildings in residential zoning districts and on residentially-zoned parcels that are used for agricultural purposes, but do not contain a principal building. A proposed substitute file, which is being drafted, is designed to address these concerns. Additional changes may be necessary in other chapters of the Milwaukee Code of Ordinances in order to alleviate concerns of DNS.

Since the proposed amendment meets the standards of legality, enforceability, administrative efficiency, and consistency with the zoning code, the City Plan Commission at its regular meeting on April 7, 2014, recommended approval of the file.

Sincerely,

Rocky Marcoux
Executive Secretary
City Plan Commission of Milwaukee

c: E. Richardson