



Department of City Development

Housing Authority
Redevelopment Authority
City Plan Commission
Historic Preservation Commission

March 10, 2004

To the Honorable Common Council
Zoning, Neighborhoods and
Development Committee
City of Milwaukee

Dear Committee Members:

Attached is File No. 031422 being a substitute ordinance revising various provisions of the zoning code.

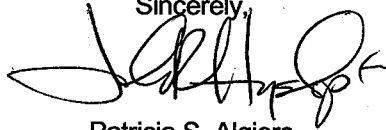
This ordinance makes various corrections, clarifications and minor substantive changes to the zoning code. The changes should be considered house keeping and are illustrated by the following highlights:

1. The use classification of drive-through facilities in RO1/RO2 (Residential and Office) districts is changed from prohibited use to limited use, with the limited use standard being that such facility is to be attached to an existing bank or other financial institution.
2. A tavern shall be classified as a prohibited use in an RS6, RT4 or RM3 to RM7 district unless the structure to be occupied was constructed prior to October 1, 2002 and was originally designed and intended to be occupied by a non-residential use. Previously, a tavern that did not meet these conditions could have been allowed by special use permit.
3. In a residential district, no garage may exceed 24 feet or the height of the principal building, whichever is less. Previously, the maximum height was simply 24 feet, creating the potential for garages that were taller than the houses to which they were accessory.
4. Family day care homes shall be classified as a limited use, rather than a permitted use, in commercial zoning districts. The limited use standards require that the operator reside in the dwelling (except in the case of a 2-family dwelling), that there be no other family day care home in the building and that the family day care home not be in operation between 10 p.m. and 6 a.m.
5. Requirements for the provision of "usable open space" in downtown zoning districts are eliminated.
6. Certain motor vehicle uses in the Industrial-Office district have been shifted from the prohibited category to permitted if they are pre-existing.
7. Two tables in the Industrial chapter have been modified for easier use.

The Zoning Code Technical Committee reviewed this ordinance on February 25, 2004. The committee found that the proposed ordinance met the required standards for legality, enforceability, administrative efficiency and consistency with the zoning code.

Based on this information, the City Plan Commission, at its regular meeting of March 8, 2004 recommended the approval of the attached substitute ordinance.

Sincerely,

A handwritten signature in black ink, appearing to read 'Patricia S. Algiers', written in a cursive style.

Patricia S. Algiers
Executive Secretary
City Plan Commission of Milwaukee

attachment
File