

..Number
040386
..Version
SUBSTITUTE 1
..Reference

..Sponsor
THE CHAIR

..Title
A substitute ordinance relating to zoning regulations for cultural institutions and parking lots.

..Sections
295-201-133 am
295-203-3-b am
295-703-1 (table) am
295-703-2-L rn
295-703-2-L cr
295-703-2-m rn
295-703-2-n rn
295-703-2-o rn
295-703-2-p rn
295-703-2-q rn
295-703-2-r rn
295-703-2-s rn
295-703-2-t rn

..Analysis
This ordinance changes the zoning code definition of “cultural institution” to include for-profit institutions.

This ordinance also changes the use classification of principal-use and accessory-use parking lots in the C9G (Downtown – Mixed Activity) zoning district from special use to limited use. The limited use standard requires the parking lot to be located in a redevelopment project area, which is 10 acres or more and under common ownership or control.

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 295-201-133 of the code is amended to read:

295-201. Definitions.

133. CULTURAL INSTITUTION means ~~[[a nonprofit]]~~ >>an<< institution that displays or preserves objects of interest to the arts or sciences. This term includes, but is not limited to, a museum, art gallery, aquarium or planetarium.

Part 2. Section 295-203-3-b of the code is amended to read:

295-203. Use Definitions.

3. COMMUNITY-SERVING USES.

b. "Cultural institution" means ~~[[a nonprofit]]~~ an institution that displays or preserves objects of interest to the arts or sciences. This term includes, but is not limited to, a museum, art gallery, aquarium or planetarium.

Part 3. Table 295-703-1 of the code is amended to read:

Table 295-703-1 DOWNTOWN DISTRICTS USE TABLE								
Y = Permitted Use L = Limited Use S = Special Use N = Prohibited Use Zoning Districts								
Uses	C9A	C9B	C9C	C9D	C9E	C9F	C9G	C9H
RESIDENTIAL USES								
Single-family dwelling	Y	Y	L	L	L	L	L	N
Two-family dwelling	Y	Y	L	L	L	L	L	N
Multi-family dwelling	Y	Y	L	L	L	L	L	N
Attached single-family dwelling	Y	Y	L	L	L	L	L	N
Live-work unit	Y	Y	L	L	L	L	L	S
Mobile home	N	N	N	N	N	N	N	N
Watchman/service quarters	N	N	N	N	N	N	N	N
Family day care home	L	L	L	L	L	L	L	N
<i>Group Residential</i>								
Rooming house	S	S	S	S	S	S	S	N
Convent, rectory or Monastery	Y	Y	Y	Y	Y	Y	Y	N
Dormitory	S	S	S	S	S	S	S	N
Fraternity	S	S	S	S	S	S	S	N
Adult family home	L	L	L	L	L	L	L	N
<i>Foster Homes</i>								
Foster family home	Y	Y	Y	Y	Y	Y	Y	N
Small foster home	L	L	L	L	L	L	L	N
Group home or group foster home	L	L	L	L	L	L	L	N
<i>Shelter Care Facilities</i>								
Family shelter care facility	Y	Y	Y	Y	Y	Y	Y	N
Small group shelter care facility	L	L	L	L	L	L	L	N
Large group shelter care facility	S	S	S	S	S	S	S	N
Community living arrangement	L	L	L	L	L	L	L	N
Transitional living facility	S	S	S	S	S	S	S	N
EDUCATIONAL USES								
Day care center	S	S	S	S	S	S	S	S
School, elementary or secondary	Y	Y	Y	Y	S	Y	Y	S
College	S	S	S	Y	S	S	Y	Y
School, specialty or personal instruction	S	Y	Y	S	S	S	Y	S
COMMUNITY-SERVICES USES								
Library	Y	Y	Y	Y	S	Y	Y	N
Cultural institution	L	L	Y	Y	S	Y	Y	N
Community center	S	S	S	S	S	S	S	S
Religious assembly	Y	Y	Y	Y	L	Y	L	N
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	S	N	N	N	N
COMMERCIAL AND OFFICE USES								
General office	L	Y	Y	Y	L	Y	Y	Y
Government office	L	Y	Y	Y	L	Y	Y	Y
Bank or other financial institution	L	Y	Y	Y	Y	Y	Y	N

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Uses	C9A	C9B	C9C	C9D	C9E	C9F	C9G	C9H
COMMERCIAL AND OFFICE USES								
Currency exchange, payday loan or title loan agency	N	S	S	S	S	S	S	S
Retail establishment, general	L	Y	Y	S	Y	Y	Y	S
Garden supply or landscaping center	N	N	N	N	N	N	S	S
Home improvement center	N	N	N	N	N	N	N	S
Secondhand store	N	S	S	N	S	S	Y	S
Mobile home	N	N	N	N	N	N	N	N
Outdoor merchandise sales	S	S	S	N	S	S	Y	S
Artist studio	L	Y	Y	N	L	L	Y	S
Adult retail establishment	N	N	N	N	N	N	S	S
HEALTH CARE AND SOCIAL ASSISTANCE USES								
Medical office	L	Y	Y	Y	L	Y	Y	Y
Health clinic	S	S	S	S	L	Y	Y	N
Hospital	S	S	S	S	N	S	S	N
Medical research laboratory	N	S	S	S	S	Y	Y	Y
Medical service facility	N	N	N	N	S	S	S	S
Social service facility	S	S	S	S	S	S	S	S
Emergency residential shelter	N	S	S	S	N	N	S	N
Nursing home	S	S	S	N	N	N	N	N
GENERAL SERVICES USES								
Personal service	L	Y	Y	S	Y	Y	Y	N
Business service	S	Y	Y	Y	L	Y	Y	Y
Building maintenance service	N	S	S	N	L	Y	Y	Y
Catering service	L	S	S	N	N	N	Y	Y
Funeral home	N	S	S	N	N	N	Y	N
Laundromat	S	Y	Y	N	S	Y	Y	N
Dry cleaning establishment	L	Y	Y	Y	Y	Y	Y	N
Furniture and appliance rental and leasing	N	S	S	N	S	S	S	S
Household maintenance and repair service	N	Y	Y	N	Y	N	Y	Y
Tool/equipment rental facility	N	S	S	N	S	N	S	S
<i>Animal Services</i>								
Animal hospital/clinic	N	N	S	N	S	S	S	S
Animal boarding facility	N	N	N	N	N	N	N	N
Animal grooming or training facility	N	N	S	N	S	S	S	S
MOTOR VEHICLE USES								
<i>Light Motor Vehicle</i>								
Sales facility	N	N	N	N	N	N	S	Y
Rental facility	N	L	L	L	L	L	L	L
Repair facility	N	S	S	N	S	S	S	S

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UTILITY AND PUBLIC SERVICE USES								
Broadcasting or recording Studio	N	Y	Y	Y	L	Y	Y	Y
Transmission tower	L	L	L	L	L	L	L	L
Water treatment plant	S	S	S	S	S	S	S	S
Sewage treatment plant	S	S	S	S	S	S	S	S
Power generation plant	N	N	N	N	N	N	N	N
Substation/distribution equipment, indoor	S	S	S	S	S	S	S	Y
Substation/distribution equipment, outdoor	L	L	L	L	L	L	L	Y
TEMPORARY USES								
Seasonal market	L	L	L	L	L	L	L	L
Temporary real estate sales office	L	L	L	L	L	L	L	L
Concrete/batch plant, temporary	L	L	L	L	L	L	L	L
Live entertainment special event	L	L	L	L	L	L	L	L

..LRB
APPROVED AS TO FORM

Legislative Reference Bureau
Date:_____

..Attorney
IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney
Date:_____

..Requestor
Department of City Development
..Drafter
LRB04268-2
JDO
8/12/2004