

..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:

<b>Table 295-703-1 DOWNTOWN DISTRICTS USE TABLE</b>								
Y = Permitted Use L = Limited Use S = Special Use N = Prohibited Use Zoning Districts								
<b>Uses</b>	<b>C9A</b>	<b>C9B</b>	<b>C9C</b>	<b>C9D</b>	<b>C9E</b>	<b>C9F</b>	<b>C9G</b>	<b>C9H</b>
<b>RESIDENTIAL USES</b>								
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
<b>EDUCATIONAL USES</b>								
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
<b>COMMUNITY-SERVICES USES</b>								
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
<b>COMMERCIAL AND OFFICE USES</b>								
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

**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
<b>COMMERCIAL AND OFFICE USES</b>								
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
<b>HEALTH CARE AND SOCIAL ASSISTANCE USES</b>								
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
<b>GENERAL SERVICES USES</b>								
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
<b>MOTOR VEHICLE USES</b>								
<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





<b>Table 295-703-1 DOWNTOWN DISTRICTS USE TABLE</b>								
Y = Permitted Use L = Limited Use S = Special Use N = Prohibited Use Zoning Districts								
<b>Uses</b>	C9A	C9B	C9C	C9D	C9E	C9F	C9G	C9H
<b>UTILITY AND PUBLIC SERVICE USES</b>								
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
<b>TEMPORARY USES</b>								
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