



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

CITY PLAN COMMISSION ZONING REPORT

Ordinance File No. [221295](#)

Proposal:

This file relates to various revisions to the zoning code. This zoning code text change includes the following revisions:

- Clarifying where dumpsters may be located and requiring consideration of dumpster location prior to building permit issuance. This places screening requirements on dumpsters or containers used for solid waste disposal that are not used by a wholly residential property with 4 units or less or located within the building they serve.
- Clarifying the uses that are permitted in the street-activating use area of a building.
- Making single-, 2-, and multi-family dwellings and live-work units a limited use, rather than a permitted use, in the LB3 commercial zoning district. This restricts dwelling units from being located on the street-level facing a principal arterial, minor arterial, or collector street. Dwelling units added to structures where the first floor is 30 inches above grade are exempt from this standard. These standards also restrict accessory parking, storage facilities, or mechanical equipment from occupying more than 40% of the interior street frontage zone at the street level.
- Clarifying glazing and street activation requirements. This requires the interior spaces behind street-activating glazing to have a depth of at least 15 feet. Display racks, fixtures, and partial walls placed inside behind street-activating glazing are restricted from obscuring more than 50% of the glazing area. Other opaque objects may not block this required glazing area either.
- Classifying general office, government office, medical office, business service, assembly hall, cultural institution and health club uses as permitted uses, rather than limited uses, in certain downtown zoning districts.
- Prohibiting hotel rooms in the interior street frontage zone of the street level area of a commercial hotel located on a principal arterial or minor arterial street in a downtown zoning district.

Zoning Code

Technical Committee: The Zoning Code Technical Committee met on March 22, 2023 and reviewed this item. It determined that with minor revisions, the file met the criteria with respect to legality and enforceability, administrative efficiency, and consistency with the format of the zoning code.

Staff

Recommendation: Currently, there are requirements related to dumpster and recycling storage area location within Chapter 79 (Solid Waste Regulations) of the Milwaukee Code of Ordinances. The Department of Public Works and the Department of Neighborhood Services have identified a number of implementation challenges and inefficiencies with having these requirements located within Chapter 79. This proposed zoning code text amendment would add language within the zoning code (Chapter 295) to achieve the spirit and intent of the dumpster location requirements that are currently contained within Chapter 79 so that these items could be reviewed for compliance at the time of building permit issuance along with the other site design requirements within the zoning code. While not part of this file, DCD anticipates a companion file being considered by the Common Council that would remove these standards from Chapter 79 when they are added to Chapter 295 so the requirements are not duplicated within the code.

The other elements of this proposed zoning code text amendment make technical adjustments to allowable uses and activation and glazing requirements within the first floor street frontage zone within the LB3 and Downtown zoning districts. These proposed changes advance the goals for pedestrian friendly and active commercial corridors found within the City's adopted Principals of Urban Design and Area Plans, as well as responding to public input related to street activation in high pedestrian traffic areas.

Since this text change improves administrative efficiency related to how dumpster placement is addressed in City ordinances, clarifies the intent of existing zoning standards relating to dumpsters, glazing and street activation requirements, and updates the use lists of certain zoning districts to align with those district goals relating to activation along streets, staff suggests that the City Plan Commission recommends approval of Proposed Substitute A.