



Legislation Details (With Text)

**File #:** 141537      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 1/21/2015      **In control:** COMMON COUNCIL

**On agenda:**      **Final action:** 3/3/2015

**Effective date:**

**Title:** A substitute ordinance relating to the zoning classification of indoor storage in the mixed activity (C9G) downtown zoning district.

**Sponsors:** ALD. BAUMAN

**Indexes:** ZONING

**Attachments:** 1. Zoning Code Technical Committee Letter, 2. Notice Published on 1-30-15 and 2-6-15, 3. City Plan Commission Letter, 4. Aerial View Map, 5. Hearing Notice List, 6. Notice Published on 3-18-15

Date	Ver.	Action By	Action	Result	Tally
1/21/2015	0	COMMON COUNCIL	ASSIGNED TO		
1/23/2015	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
1/23/2015	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
2/16/2015	0	CITY PLAN COMMISSION	RECOMMENDED FOR PASSAGE AND ASSIGNED	Pass	6:0
2/18/2015	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
2/18/2015	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
2/18/2015	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
2/18/2015	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
2/24/2015	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
2/24/2015	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	SUBSTITUTED	Pass	5:0
3/3/2015	1	COMMON COUNCIL	PASSED	Pass	15:0
3/10/2015	1	MAYOR	SIGNED		
3/18/2015	1	CITY CLERK	PUBLISHED		

141537  
SUBSTITUTE 1

ALD. BAUMAN

A substitute ordinance relating to the zoning classification of indoor storage in the mixed activity (C9G) downtown zoning district.

295-701-7 am

295-703-1 (table) am

- 295-703-2-o rn
- 295-703-2-o cr
- 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
- 295-703-2-u rn

This ordinance changes the use classification for an indoor storage facility in the mixed activity (C9G) downtown zoning district from permitted use to limited use, with the limited use standards being that the structure to be occupied by the indoor storage facility must have been constructed prior to the effective date of this ordinance and that the indoor storage facility is not located on the first floor of an existing structure. If these standards are not met, the use shall be prohibited. The ordinance also removes “warehousing” from the list of intended uses for the mixed activity district, as specified in the purpose statement for the district.

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

Part 1. Section 295-701-7 of the code is amended to read:

**295-701. Purposes.**

7. MIXED ACTIVITY (C9G). The mixed activity district is designed and intended to permit a wide range of retail, service, light manufacturing ~~[[, warehousing]]~~ and residential uses. Because of their operational characteristics, many of the uses allowed in the mixed activity district should be relegated to the peripheral portions of the downtown district.

Part 2. 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			Zoning Districts		
Uses	C9A	C9B	C9C	C9D	C9E	C9F	C9G	C
<b>RESIDENTIAL USES</b>								
Single-family	Y	Y	L	L	L	L	L	N
Two-family	Y	Y	L	L	L	L	L	N
Multi-family	Y	Y	L	L	L	L	L	N
Permanent	Y	Y	Y	Y	Y	Y	Y	N
Transitional	S	S	S	S	S	S	S	N
Attached	Y	Y	L	L	L	L	L	N
Live-work	Y	Y	L	L	L	L	L	S
Mobile home	N	N	N	N	N	N	N	N
Watchman	N	N	N	N	N	N	N	Y
Family day	L	L	L	L	L	L	L	N
<b>GROUP RESIDENTIAL USES</b>								
Rooming	S	S	S	S	S	S	S	N
Convent, n	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	L	L	L	L	L	L	L	N
Foster Home								
Foster family	Y	Y	Y	Y	Y	Y	Y	N
Small foster	L	L	L	L	L	L	L	N
Group home	L	L	L	L	L	L	L	N
Shelter Care								
Family support	Y	Y	Y	Y	Y	Y	Y	N
Small group	L	L	L	L	L	L	L	N
Large group	S	S	S	S	S	S	S	N
Community	L	L	L	L	L	L	L	N
<b>EDUCATIONAL USES</b>								
Day care center	S	S	S	S	S	S	S	S
School, elementary	Y	Y	Y	Y	S	Y	Y	S
College	S	S	S	Y	S	S	Y	Y
School, postsecondary	S	Y	Y	S	S	S	Y	S
<b>COMMUNITY-SERVING 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	N	N	N	N	N	N	N	N
Public safety	Y	Y	Y	Y	Y	Y	Y	Y
Correctional	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	L	Y	Y	Y	L	Y	Y	Y
Bank or other financial	L	Y	Y	Y	Y	Y	Y	N
Currency exchange	N	S	S	S	S	S	S	S
Installation	N	S	S	S	S	S	S	S
Cash-for-gold	N	S	S	S	S	S	S	S
Pawn shop	N	S	S	S	S	S	S	S
Retail establishment	L	Y	Y	S	Y	Y	Y	S
Garden supply	N	N	N	N	N	N	S	S
Home improvement	N	N	N	N	N	N	N	S
Secondhand	N	S	S	N	S	S	Y	S
Outdoor market	S	S	S	N	S	S	Y	S
Artist studio	L	Y	Y	N	L	L	Y	S
Adult retail	N	N	N	N	N	N	S	S

HEALTH CARE AND SOCIAL ASSISTANCE USES								
Medical of	L	Y	Y	Y	L	Y	Y	Y
Health clin	S	S	S	S	L	Y	Y	N
Hospital	S	S	S	S	N	S	S	N
Medical re	N	S	S	S	S	Y	Y	Y
Medical se	N	N	N	N	S	S	S	S
Social serv	S	S	S	S	S	S	S	S
Emergenc	N	S	S	S	N	N	S	N
Nursing hc	S	S	S	N	N	N	N	N
GENERAL SERVICE USES								
Personal s	L	Y	Y	S	Y	Y	Y	N
Business s	S	Y	Y	Y	L	Y	Y	Y
Building m	N	S	S	N	L	Y	Y	Y
Catering s	L	S	S	N	N	N	Y	Y
Funeral hc	N	S	S	N	N	N	Y	N
Laundrom	S	Y	Y	N	S	Y	Y	N
Dry cleani	L	Y	Y	Y	Y	Y	Y	N
Furniture a	N	S	S	N	S	S	S	S
Household	N	Y	Y	N	Y	N	Y	Y
Tool/equip	N	S	S	N	S	N	S	S
<i>Animal Se</i>								
Animal h	N	N	S	N	S	S	S	S
Animal b	N	N	N	N	N	N	N	N
Animal g	N	N	S	N	S	S	S	S
MOTOR VEHICLE USES								
<i>Light Moto</i>								
Sales fa	N	N	N	N	N	N	S	Y
Rental fa	N	L	L	L	L	L	L	L
Repair fa	N	S	S	N	S	S	S	S
Body sho	N	N	N	N	N	N	N	S
Outdoor	N	N	N	N	N	N	N	S
Wholesa	N	L	L	N	L	L	L	L
<i>Heavy Mo</i>								
Sales fa	N	N	N	N	N	N	N	S
Rental fa	N	N	N	N	N	N	S	S
Repair fa	N	N	N	N	N	N	N	S
Body sho	N	N	N	N	N	N	N	S
Outdoor	N	N	N	N	N	N	N	S
<i>General M</i>								

Filling station	N	S	S	S	S	S	S	S
Car wash	N	S	S	S	S	S	S	S
Drive-thru	N	S	S	S	S	S	S	S
<b>Parking</b>								
Parking	S	S	S	L	S	S	L	S
Parking	L	S	S	L	S	S	L	S
Parking	S	S	L	S	L	L	S	S
L	L	L	L	L	L	L	L	L
Heavy manufacturing	N	N	S	S	S	S	S	Y
Heavy manufacturing	S	S	S	S	S	S	S	Y
<b>ACCOMMODATION AND FOOD SERVICE USES</b>								
Bed and breakfast	S	Y	Y	N	L	L	Y	N
Hotel, commercial	S	Y	Y	Y	Y	Y	Y	N
Hotel, residential	Y	Y	Y	N	Y	Y	Y	N
Tavern	S	Y	Y	Y	Y	Y	Y	Y
Assembly	S	S	Y	Y	L	Y	Y	Y
Restaurant	L	Y	Y	Y	Y	Y	Y	Y
Restaurant	L	L	L	L	L	L	L	L
<b>ENTERTAINMENT AND RECREATION USES</b>								
Park or playground	Y	Y	Y	Y	Y	Y	Y	Y
Festival grounds	N	N	N	N	N	N	N	N
Recreation	S	S	Y	Y	Y	Y	Y	Y
Recreation	N	S	S	S	N	N	S	S
Health club	L	L	Y	Y	L	Y	Y	Y
Sports facility	S	S	Y	Y	Y	Y	Y	Y
Gaming facility	S	S	S	S	S	S	S	S
Theater	N	Y	Y	Y	Y	Y	Y	Y
Convention	N	N	N	Y	Y	Y	Y	N
Marina	N	Y	Y	Y	Y	Y	Y	Y
Outdoor recreation	N	N	N	N	N	N	N	N
<b>STORAGE, RECYCLING AND WHOLESALE TRADE</b>								
Recycling	N	S	S	N	N	N	S	S
Mixed-waste	N	N	N	N	N	N	N	N
Material recovery	N	N	N	N	N	N	N	N
Salvage operation	N	N	N	N	N	N	N	N
Salvage operation	N	N	N	N	N	N	N	N
Wholesale	N	S	S	N	N	S	Y	Y
Wholesale	N	N	N	N	N	N	N	N
Storage Facility								

Indoor	N	S	S	N	N	S	[[Y]] >>L<<Y	
Outdoor	N	N	N	N	N	N	N	N
Hazardous	N	N	N	N	N	N	N	N
<b>TRANSPORTATION USES</b>								
Ambulance	N	N	N	N	N	N	S	S
Ground transportation	N	N	N	N	N	N	S	Y
Passenger	S	S	S	S	S	S	Y	Y
Helicopter	N	S	S	S	S	S	S	S
Airport	N	N	N	N	N	N	N	N
Ship terminal	N	N	N	N	N	N	Y	Y
Truck freight	N	N	N	N	N	N	N	N
Railroad station	N	N	N	N	N	N	Y	Y
<b>INDUSTRIAL USES</b>								
Manufacturing	N	L	L	N	L	L	Y	Y
Manufacturing	N	N	N	N	N	N	N	N
Manufacturing	N	N	N	N	N	N	N	N
Research	N	Y	Y	N	Y	Y	Y	Y
Processing	N	N	N	N	N	N	N	N
Contractor	N	N	N	N	N	N	S	Y
Contractor	N	N	N	N	N	N	S	Y
<b>AGRICULTURAL USES</b>								
Plant nursery	N	N	N	N	N	N	N	S
Raising of	N	N	N	N	N	N	N	N
Community	S	S	S	S	S	S	S	S
Commercial	N	N	N	N	N	N	N	N
<b>UTILITY AND PUBLIC SERVICE USES</b>								
Broadcast	N	Y	Y	Y	L	Y	Y	Y
Transmission	L	L	L	L	L	L	L	L
Water treatment	S	S	S	S	S	S	S	S
Sewage treatment	S	S	S	S	S	S	S	S
Power generation	N	N	N	N	N	N	N	N
Small wind	Y	Y	Y	Y	Y	Y	Y	Y
Solar farm	S	S	S	S	S	S	S	S
Substation	S	S	S	S	S	S	S	Y
Substation	L	L	L	L	L	L	L	Y
<b>TEMPORARY USES</b>								
Seasonal	L	L	L	L	L	L	L	L
Temporary	L	L	L	L	L	L	L	L
Concrete/	L	L	L	L	L	L	L	L

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Part 3. Section 295-703-2-o to u is renumbered 295-703-2-p to v.

Part 4. Section 295-703-2-o of the code is created to read:

**295-703. Uses.**

**2. LIMITED USE STANDARDS.**

o. Storage Facility, Indoor. o-1. The structure to be occupied was constructed prior to the effective date of this ordinance [city clerk to insert date].

o-2. The indoor storage facility is not located on the first floor of an existing structure.

o-3. If the standards of subds. 1 and 2 are not met, the use shall be prohibited.

APPROVED AS TO FORM

\_\_\_\_\_  
Legislative Reference Bureau

Date: \_\_\_\_\_

IT IS OUR OPINION THAT THE ORDINANCE  
IS LEGAL AND ENFORCEABLE

\_\_\_\_\_  
Office of the City Attorney

Date: \_\_\_\_\_

LRB156125-2  
Jeff Osterman  
02/11/2015