



## Legislation Details (With Text)

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**File created:** 11/11/2005 **In control:** ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE

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**Title:** A substitute ordinance relating to revision of various provisions of the zoning code.

**Sponsors:** THE CHAIR

**Indexes:** ZONING

**Attachments:** 1. Letter from Zoning Technical Committee, 2. CPC letter, 3. Notice Published on 12-29-05.PDF

| Date       | Ver. | Action By                                     | Action                  | Result | Tally |
|------------|------|---|-------------------------|--------|-------|
| 11/8/2005  | 1    | CITY CLERK                                    | DRAFT SUBMITTED         |        |       |
| 11/11/2005 | 0    | COMMON COUNCIL                                | ASSIGNED TO             |        |       |
| 11/14/2005 | 1    | CITY CLERK                                    | PUBLISHED               |        |       |
| 11/23/2005 | 1    | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT    |        |       |
| 11/23/2005 | 1    | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | HEARING NOTICES SENT    |        |       |
| 11/29/2005 | 1    | ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE | RECOMMENDED FOR PASSAGE | Pass   | 5:0   |
| 12/13/2005 | 1    | COMMON COUNCIL                                | PASSED                  | Pass   | 15:0  |
| 12/20/2005 | 1    | MAYOR   | SIGNED                  |        |       |
| 12/29/2005 | 1    | CITY CLERK                                    | PUBLISHED               |        |       |

050900  
SUBSTITUTE 1

THE CHAIR

A substitute ordinance relating to revision of various provisions of the zoning code.

200-08-74 am

200-33-67-d cr

252-74-2-e-am

295-201-163 am

295-201-245 am

295-201-323 ra

295-201-331 am

295-201-429 am

295-201-511 am

295-201-553 am

295-203-1-i am

295-203-1-j rp

295-203-1-k rp

295-203-1-L rp  
295-203-1-m rp  
295-203-1-n rp  
295-203-1-o rp  
295-203-1-p rp  
295-203-1-q rp  
295-203-1-r rp  
295-203-1-s rp  
295-203-1-t rp  
295-203-1-u rp  
295-203-1-v rp  
295-203-2 rn  
295-203-2 cr  
295-203-3 rn  
295-203-4 rn  
295-203-5 rn  
295-203-6 rn  
295-203-6-g am  
295-203-7 rn  
295-203-8 rn  
295-203-8-a am  
295-203-8-f am  
295-203-8-p am  
295-203-9 rn  
295-203-10 rn  
295-203-11 rn  
295-203-12 rn  
295-203-13 rn  
295-203-14 rn  
205-203-15 rn  
295-311-2-h rp  
295-311-7 cr  
295-403-2-a (table) am  
295-403-2-b-0 am  
295-403-2-b-1 am  
295-405-1-b-4 am  
295-405-1-b-8 am  
295-405-1-c am  
295-415-4-b-1 am  
295-503-1 (table) am  
295-503-2-i-1 am  
295-505-2 (table) am  
295-505-3 (table) am  
295-505-3-f-4 am  
295-505-3-f-5 am  
295-505-5-j rc  
295-603-1 (table) am  
295-603-2-e rp  
295-603-2-j-1 am  
295-603-2-L am

295-603-2-q rn  
295-603-2-q cr  
295-603-2-r rn  
295-603-2-s rn  
295-603-2-t rn  
295-603-2-u rn  
295-603-2-v rn  
295-603-2-w rn  
295-603-2-x rn  
295-603-2-y rn  
295-603-2-z rn  
295-603-3 rn  
295-603-3 cr  
295-605-2-c-1 am  
295-605-2-i-3-a am  
295-605-2-i-3-f rc  
295-605-5 (table) am  
295-605-5-h cr  
295-703-1 (table) am  
295-703-3 cr  
295-705-7-d cr  
295-803-1 (table) am  
295-803-3 rn  
295-803-3 cr  
295-803-4-f am  
295-805-2 (table) am  
295-805-4-e-1 am  
295-805-5-g cr  
295-903-2-a (table) am  
295-903-3-d-5-e cr  
295-905-2-a (table) am  
295-905-2-b-6 am  
295-905-2-c cr  
295-905-3-d-5-f cr  
295-907-3-n cr  
295-909-1 am  
295-1003-2-f cr  
295-1007-2-f cr  
295-1009-2-e cr  
295-1015-3-c-4-e (table) am  
295-1017-1 am  
295-1017-2-c rn  
295-1017-2-c cr  
295-1017-2-d rn  
295-1017-2-e rn  
295-1017-2-e-5 am  
295-1017-2-f rn  
295-1017-2-f am  
295-1017-2-g rn  
295-1017-2-g-4 rc

295-1017-2-g-5 rc

295-1017-2-g-6 rp

This ordinance makes various corrections, clarifications and minor substantive changes to the zoning code, including:

1. Definitions of various terms are amended and clarified.
  2. Permit denials by the commissioner of city development for projects located in certain overlay zones, where the denials are based on failure to meet the development, performance or design standards of the overlay zone, may be appealed to the city plan commission..
  3. The limited use standard for a drive-through facility that requires a queue lane of at least 200 feet in length shall not apply to automatic teller machines.
  4. An accessory parking lot for a motor vehicle-related use (e.g., motor vehicles sales facility, filling station or car wash) may be located between the street façade of the principal building and the street lot line.
  5. Car washes, motor vehicle repair facilities and body shops shall not be required to meet glazing requirements.
  6. Window signs shall be taken into account when determining compliance with glazing requirements.
  7. The maximum-height adjustment for a building in an industrial zoning district located adjacent to, or across a street or alley from, a residential district shall apply to buildings located adjacent to institutional and parks districts, as well.
  8. To be eligible for a master sign program overlay zone, a site shall contain at least 1.5 acres, have multiple tenants and either front on more than one street or have a large street frontage. Also, the number and height of freestanding signs in overlay zones will no longer be limited by standards in the code, but by the master sign program itself.
- The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 200-08-74 of the code is amended to read:

#### **200-08. Definitions.**

**74. ROOMING HOUSE** means any building or part of any building or dwelling unit occupied by more than 3 persons who are not a family or by a family and more than 2 other persons ~~[[and where a fee or other consideration is charged]]~~ for periods of occupancy usually longer than one night and where a bathroom or toilet room is shared. “Rooming house” also means any building or part of any building in which one or more persons share a toilet room or bathroom with the occupants of one or more 2<sup>nd</sup> class dwelling units.

Part 2. Section 200-33-67-d of the code is created to read:

#### **200-33. Fees.**

#### **67. ZONING, PLAN COMMISSION/COMMON COUNCIL.**

d. Overlay Zone-related Appeal. The fee for an application to appeal denial of a permit based on failure to meet development, performance or design standards of an overlay zone shall be \$150.

Part 3. Section 252-74-2-e of the code is amended to read:

**252-74. Paving of Parking Lots, Areas and Spaces.**

**2. COMPLIANCE.**

e. For newly created driveways on a one or 2-family residential property, any access drive ~~[[must]]~~ >> shall<< be located on the lot on which the dwelling is located, and shall not be shared with an adjoining lot >>, except where a shared access drive is permitted under s. 295-505-4-c-4<< .

Part 4. Section 295-201-163 of the code is amended to read:

**295-201. Definitions.**

**163. EMERGENCY RESIDENTIAL SHELTER** means a facility, other than a community living arrangement, ~~[[managed by a public or nonprofit agency]]~~ that provides short-term housing and a protective sanctuary for victims of fire, natural disaster, economic hardship, crime, abuse or neglect, including emergency housing during crisis intervention for victims of rape, child abuse or physical beatings >>, and<< which contains individual or group sleeping rooms and may or may not have food preparation facilities and private shower or bath facilities.

Part 5. Section 295-201-245 of the code is amended to read:

**245. GROUP HOME OR GROUP FOSTER HOME** means a facility >>, licensed by the state of Wisconsin under s. 48.625, Wis. Stats.,<< where 5 to 8 foster children reside and are provided with care and maintenance by persons other than a relative or guardian.

Part 6. Section 295-201-323 of the code is renumbered 295-201-332 and amended to read:

**332. LIGHT MOTOR VEHICLE ~~[[LIMITED]]~~ WHOLESALE FACILITY** means an office for wholesale trade in light motor vehicles ~~[[where no more than 3 vehicles to be sold are stored on the premises]].~~

Part 7. Section 295-201-331 of the code is amended to read:

**331. LIGHT MOTOR VEHICLE SALES FACILITY** means an establishment providing ~~[[wholesale and]]~~ retail sale of light motor vehicles, including incidental storage and maintenance. This term does not include a light motor vehicle ~~[[limited]]~~ wholesale facility.

Part 8. Section 295-201-429 of the code is amended to read:

**429. PARKING LOT, ACCESSORY USE** means surface parking spaces for 5 or more light motor vehicles, and adjacent access drives and aisles, where the parking spaces are not located in a structure and the parking of motor vehicles is not the principal use of the premises. This term does not include commercial parking operations, which shall be considered a principal use, or the parking of heavy motor vehicles >>, but does include outdoor operating areas of light motor vehicle-oriented uses, such as filling stations, car washes and drive-through facilities<< .

Part 9. Section 295-201-511 of the code is amended to read:

**511.** ROOMING HOUSE means any building or part of any building or dwelling unit occupied by more than 3 persons who are not a family or by a family and more than 2 other persons ~~[[and where a fee or other consideration is charged]]~~ for periods of occupancy usually longer than one night and where a bathroom or toilet room is shared. This term includes any building or part of any building in which one or more persons share a toilet room or bathroom with the occupants of one or more 2<sup>nd</sup> class dwelling units, as defined in s. 200-08-83.

Part 10. Section 295-201-553 of the code is amended to read:

**553.** SIGN means any structure, device ~~[[or]]~~ >>\_<< display >>, illumination or projected image<< that is arranged, intended or designed as an announcement, declaration, demonstration, illustration, indication, symbol, insignia, banner or emblem and which is used for advertisement, identification or promotion when placed so as to be seen from out of doors by the general public.

Part 11. Section 295-203-1-i of the code is amended to read:

## **295-203. Use Definitions.**

### **1. RESIDENTIAL USES.**

i. “Rooming house” means any building or part of any building or dwelling unit occupied by more than 3 persons who are not a family or by a family and more than 2 other persons ~~[[and where a fee or other consideration is charged]]~~ for periods of occupancy usually longer than one night and where a bathroom or toilet room is shared. This term includes any building or part of any building in which one or more persons share a toilet room or bathroom with the occupants of one or more 2<sup>nd</sup> class dwelling units, as defined in s. 200-08-83.

Part 12. Section 295-203-1-j to v of the code is repealed.

Part 13. Section 295-203-2 to 15 of the code is renumbered 295-203-3 to 16.

Part 14. Section 295-203-2 of the code is created to read:

**2. GROUP RESIDENTIAL USES.** a. “Convent, rectory or monastery” means a building used to house the staff of a church or members of a religious order.

b. “Dormitory” means a building used as group living quarters for students associated with a college, university, boarding school, orphanage or similar institution.

c. “Fraternity” means a building used as group living quarters for members of a general or local chapter of a regularly organized college fraternity.

d. “Sorority” means a building used as group living quarters for members of a general or local chapter of a regularly organized college sorority.

e. “Adult family home” means a facility licensed as an adult family home by the state of Wisconsin where 3 or 4 adults not related to the operator reside and are provided with care, treatment or

services above the level of room and board. Such care and treatment may include up to 7 hours per week of nursing care per resident.

f. "Foster family home" means a facility which houses from one to not more than 4 children, is the primary dwelling of a foster parent, and is licensed by either the state of Wisconsin, a county agency or a child welfare agency to provide care and maintenance of the children by persons other than a relative or guardian of the children.

g. "Small foster home" means a facility which houses from one to not more than 4 children and is operated by a corporation, child welfare agency, association, public agency or religious affiliation licensed by the state of Wisconsin, a county agency or a child welfare agency to provide care and maintenance of the children.

h. "Group home or group foster home" means a facility, licensed by the state of Wisconsin under s. 48.625, Wis. Stats., where 5 to 8 foster children reside and are provided with care and maintenance by persons other than a relative or guardian.

i. "Family shelter care facility" means a nonsecure place of temporary care and physical custody for children, including a holdover room, licensed by the state of Wisconsin under s. 48.66(1)(a), Wis. Stats., which houses not more than 4 children.

j. "Small group shelter care facility" means a nonsecure place of temporary care and physical custody for children, including a holdover room, licensed by the state of Wisconsin under s. 48.66(1)(a), Wis. Stats., which houses at least 5 but not more than 8 children.

k. "Large group shelter care facility" means a nonsecure place of temporary care and physical custody for children, including a holdover room, licensed by the state of Wisconsin under s. 48.66(1)(a), Wis. Stats., which houses at least 9 but not more than 20 children.

L. "Community living arrangement" means either of the following facilities licensed, operated or permitted by the state of Wisconsin:

L-1. Residential care center. A facility where 4 or more children reside and are provided with care and maintenance for no more than 75 days each in any consecutive 12-month period by persons other than a relative or guardian. The term does not include educational institutions, public agencies, hospitals, maternity homes, nursing homes, sanitariums, foster homes, shelter care facilities, prisons, jails, or institutions for children with mental health disabilities having a capacity of less than 150 children.

L-2. Community-based residential facility. A facility where 5 or more adults not related to the operator reside and are provided with care, treatment or services above the level of room and board but less than nursing care. Such care shall include supportive home care service unless contraindicated by the facility program, and may also include 7 hours or less of prescribed personal care service per week, per resident. This term does not include nursing homes, prisons, jails, correctional facilities, convents or facilities owned or operated exclusively by and for members of a religious order, or educational institutions and related student housing.

m. "Transitional living facility" means a premises, other than a community living arrangement or an adult family home, in which 3 or more adult residents are provided with personal care, treatment or services above the level of room and board but less than nursing care, including but not limited to

supervision, monitoring, counseling, transportation or ongoing assistance with personal finances or medications, by a person who provides any of these services under a contractual arrangement.

Part 15. Section 295-203-6-g of the code is amended to read:

## 6. HEALTH CARE AND SOCIAL ASSISTANCE.

g. "Emergency residential shelter" means a facility, other than a community living arrangement, ~~[[ managed by a public or nonprofit agency]]~~ that provides short-term housing and a protective sanctuary for victims of fire, natural disaster, economic hardship, crime, abuse or neglect, including emergency housing during crisis intervention for victims of rape, child abuse or physical beatings >>, and<< which contains individual or group sleeping rooms and may or may not have food preparation facilities and private shower or bath facilities.

Part 16. Section 295-203-8-a, f and p of the code is amended to read:

## 8. MOTOR VEHICLE USES.

a. "Light motor vehicle sales facility" means an establishment providing ~~[[wholesale and]]~~ retail sale of light motor vehicles, including incidental storage and maintenance. This term does not include a light motor vehicle ~~[[limited]]~~ wholesale facility.

f. "Light motor vehicle ~~[[limited]]~~ wholesale facility" means an office for wholesale trade in light motor vehicles ~~[[where no more than 3 vehicles to be sold are stored on the premises]]~~ .

p. "Parking lot, accessory use" means surface parking spaces for 5 or more light motor vehicles, and adjacent access drives and aisles, where the parking spaces are not located in a structure and the parking of motor vehicles is not the principal use of the premises. This term does not include commercial parking operations, which shall be considered a principal use, or the parking of heavy motor vehicles >>, but does include outdoor operating areas of light motor vehicle-oriented uses, such as filling stations, car washes and drive-through facilities<< .

Part 17. Section 295-311-2-h of the code is repealed.

(Note: The provisions being repealed read as follows:

### 295-311. Appeals.

## 2. SPECIAL USE PERMITS.

h. Additional Findings for Currency Exchange, Payday Loan Agency or Title Loan Agency. No special use permit for a currency exchange, payday loan agency or title loan agency shall be granted by the board unless the board finds, in addition to the findings required by par. d, that:

h-1. No other currency exchange, payday loan agency or title loan agency is located within 1,500 feet of the proposed use.

h-2. The proposed use will not be located within 150 feet of a single-family or 2-family residential zoning district.)

Part 18. Section 295-311-7 of the code is created to read:

**7. APPEALS OF PERMIT DENIALS; OVERLAY ZONES.** a. Purpose. To avoid results inconsistent with the purposes of this chapter, any denial of a permit by the commissioner of city development on the basis of failure to meet performance or design standards of a neighborhood conservation, development incentive or site plan review overlay zone may be appealed to the city plan commission. This subsection establishes general provisions for appeals of permit denials relating to development in these overlay zones.

b. Application. Every appeal shall be made upon a form which has been furnished by the commission secretary. The appellant shall provide all information requested on the form and any additional information requested by the commission chair or secretary that is necessary to inform the commission of the facts of the appeal. An application for appeal to the commission shall be filed with the commission secretary within 30 days of the date of permit denial. Upon receiving the appeal application, the commission secretary shall provide a copy of the application to the city officer whose decision to deny a permit is being appealed.

c. Grounds For Appeal. The application shall state the specific grounds for the appeal and identify the provisions of the neighborhood conservation plan or the development, performance or design standards or criteria applicable to the appeal. Grounds for appeal shall include at least one of the following:

c-1. A description of the asserted error or abuse of discretion by the city officer whose decision is being appealed.

c-2. A description of how it is claimed a plan, standard or review criterion was incorrectly applied or interpreted.

c-3. A description of how the decision to deny the permit creates an inconsistency with the city's comprehensive plan or the code of ordinances.

d. Consideration of Input From Parties of Interest. After a completed application for appeal is filed with the commission secretary, the officer whose decision to deny a permit is being appealed shall submit a written report to the commission that describes the reasons for the action or send a representative to the appeal hearing who will be prepared to comment on the action. The commission may proceed with its hearing and decision on the appeal regardless of whether this report has been submitted to the commission, provided that 30 days have elapsed since the date on which the appeal application was filed with the commission secretary.

e. Public Hearing. The commission shall establish a reasonable time for the hearing of the appeal and give public notice thereof, as well as due notice to the interested parties.

f. Actions. The board may reverse or affirm, wholly or partially, the decision of the city officer to deny the applicant's permit request.

g. Standards. A decision of the officer whose permit denial action is being appealed shall not be reversed or modified unless there is demonstrated evidence that the denial of the permit:

g-1. Resulted from an error or abuse of discretion.

g-2. Resulted from an incorrect application or interpretation of a neighborhood conservation plan or a

development, performance or design standard or criterion.

g-3. Is not supported by the evidence in the record.

g-4. Is inconsistent with the city's comprehensive plan or the code of ordinances.

Part 19. Table 295-403-2-a of the code is amended to read:

| Table 295-403-2-a NUMBER OF PARKING SPACES REQUIRED, BY USE   |   |
|---|---|
| Uses  | No. of Parking Spaces Required  |
| <b>RESIDENTIAL USES</b>   |   |
| Single-family dwelling  | min. of one space; max. of 4 spaces                                   |
| Two-family dwelling   | min. of one space per dwelling unit; max. of 4 spaces on the premises |
| Multi-family dwelling:                      Zoning Districts                      Min. ratio of parking spaces to dwelling units* RM1, RM2, RM3, RM4, RO1, NS1, LB1, RB1                      1:1 RT4, RM5, RM6, RM7, RO2, NS2, LB2, RB2, CS, C9A, IM                      2:3 * Note: In RM6, RM7, C9A and IM districts, a private elderly housing project shall have one parking space for every 2 dwelling units; in other zoning districts, a private elderly housing project shall have 2 parking spaces for every 3 dwelling units. Public housing for low-income families and public or federally-assisted low-income elderly housing projects shall provide one parking space for every 2 dwelling units. |   |
| Attached single-family dwelling   | min. of one space; max. of 4 spaces                                   |
| Live-work unit  | one for each live/work unit in the building                           |
| Mobile home   | N.A.  |
| Watchman/service quarters   | none  |
| Family day care home  | see requirement for dwelling unit type                                |
| <i>[[Group Residential</i>  | <i>]]</i>   |
| >> <b>GROUP RESIDENTIAL USES</b> <<   |   |
| Rooming house   | one for every 2 rooms   |
| Convent, rectory or monastery   | one per facility  |
| Dormitory   | one for every 15 beds or fraction thereof                             |
| Fraternity or sorority  | one for every 2 rooms   |
| Adult family home   | one   |
| <i>Foster Homes</i>   |   |
| Foster family home  | one   |
| Small foster home   | one   |
| Group home or group foster home   | one   |
| <i>Shelter Care Facilities</i>  |   |
| Family shelter care facility  | one   |
| Small group shelter care facility   | one   |
| Large group shelter care facility   | one   |
| Community living arrangement  | one   |
| Transitional living facility  | one per dwelling unit   |
| <b>EDUCATIONAL USES</b>   |   |
| Day care center   | None (limited use) or as required by the board (special use)          |

|   |  |
|---|--|
| School, elementary or secondary                     | none   |
| College   | none   |
| School, specialty or personal instruction           | none   |
| <b>COMMUNITY-SERVING USES</b>                       |  |
| Library   | none   |
| Cultural institution                                | none   |
| Community center                                    | as required by the board for special use approval  |
| Religious assembly                                  | one for every 6 seats in the assembly hall   |
| Cemetery or other place of interment                | none   |
| Public safety facility                              | none   |
| Correctional facility                               | none   |
| <b>COMMERCIAL AND OFFICE USES</b>                   |  |
| General office                                      | one for each 250 sq. ft. of the first 2,000 sq. ft. of gross floor area; one for each 1,000 sq. ft. of gross floor area in excess of 2,000 sq. ft.     |
| Government office                                   | see general office   |
| Bank or other financial institution                 | see general office   |
| Currency exchange, payday loan or title loan agency | see general retail establishment   |
| Retail establishment, general                       | one for each 500 sq. ft. of gross floor area on the first floor; one for each 1,000 sq. ft. of gross floor area on the 2 <sup>nd</sup> floor and above |
| Garden supply or landscaping center                 | see general retail establishment   |
| Home improvement center                             | see general retail establishment   |
| Secondhand store                                    | see general retail establishment   |
| Outdoor merchandise sales                           | one for each 500 sq. ft. of outdoor or indoor space devoted to the display of goods for sale   |
| Artist studio                                       | none   |
| Adult retail establishment                          | see general retail establishment   |
| <b>HEALTH CARE AND SOCIAL ASSISTANCE USES</b>       |  |
| Medical office                                      | see general office   |
| Health clinic                                       | see general office   |
| Hospital  | one for every 4 beds   |
| Medical research laboratory                         | see general office   |
| Medical service facility                            | see general office   |
| Social service facility                             | see general office   |
| Emergency residential shelter                       | as required by the board for special use approval  |
| Nursing home  | one for every 4 beds   |
| <b>GENERAL SERVICE USES</b>                         |  |
| Personal service establishment                      | see general office   |
| Business service                                    | see general office   |
| Building maintenance service                        | see general office   |
| Catering service                                    | see general office   |

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|--|--|
| Funeral home                                 | one for each 100 square feet of floor area of a chapel, parlor or other room used for funeral services, but not less than 4 spaces |
| Laundromat                                   | see general retail establishment   |
| Dry cleaning establishment                   | see general retail establishment   |
| Furniture and appliance rental and leasing   | see general retail establishment   |
| Household maintenance and repair service     | see general retail establishment   |
| Tool/equipment rental facility               | see general retail establishment   |
| <i>Animal Services</i>                       |  |
| Animal hospital/clinic                       | see general retail establishment   |
| Animal boarding facility                     | see general retail establishment   |
| Animal grooming or training facility         | see general retail establishment   |
| <b>MOTOR VEHICLE USES</b>                    |  |
| <i>Light Motor Vehicle</i>                   |  |
| Sales facility                               | none (permitted use) or as required by the board (special use)   |
| Rental facility                              | none (permitted or limited use) or as required by the board (special use)  |
| Repair facility                              | as required by the board for special use approval  |
| Body shop                                    | none (permitted use) or as required by the board (special use)   |
| Outdoor storage                              | none (permitted use) or as required by the board (special use)   |
| [[Limited wholesale]] >>Wholesale<< facility | none   |
| <i>Heavy Motor Vehicle</i>                   |  |
| Sales facility                               | none (permitted use) or as required by the board (special use)   |
| Rental facility                              | none (permitted use) or as required by the board (special use)   |
| Repair facility                              | none (permitted use) or as required by the board (special use)   |
| Body shop                                    | none (permitted use) or as required by the board (special use)   |
| Outdoor storage                              | none (permitted use) or as required by the board (special use)   |
| <i>General Motor Vehicle</i>                 |  |
| Filling station                              | as required by the board for special use approval  |
| Car wash                                     | none   |
| Drive-through facility                       | none   |
| <i>Parking</i>                               |  |
| Parking lot, principal use                   | N.A.   |
| Parking lot, accessory use                   | N.A.   |
| Parking structure, principal use             | N.A.   |
| Parking structure, accessory use             | N.A.   |
| Heavy motor vehicle parking lot, principal   | N.A.   |
| Heavy motor vehicle parking lot, accessory   | N.A.   |
| <b>ACCOMODATION AND FOOD SERVICE USES</b>    |  |
| Bed and breakfast                            | one for each sleeping room, plus one additional space  |
| Hotel, commercial                            | one for every 1,000 square feet, or fraction thereof, of gross floor area on the ground floor or above                             |

|  |   |
|--|---|
|  | area on the ground floor or above                                       |
| Hotel, residential                                 | one for every 2 sleeping rooms  |
| Tavern   | see general retail establishment  |
| Assembly hall                                      | one for every 1,000 square feet of gross floor area or fraction thereof |
| Restaurant, sit-down                               | see general retail establishment  |
| Restaurant, fast-food/carry-out                    | see general retail establishment  |
| <b>ENTERTAINMENT AND RECREATION USES</b>           |   |
| Park or playground                                 | none  |
| Festival grounds                                   | none  |
| Recreation facility, indoor                        | see general retail establishment  |
| Recreation facility, outdoor                       | as required by the board for special use approval                       |
| Health club  | see general retail establishment  |
| Sports facility                                    | as required by the board for special use approval                       |
| Gaming facility                                    | N.A.  |
| Theater  | one for every 100 square feet of floor area in the theater auditorium   |
| Convention and exposition center                   | as required by the board for special use approval                       |
| Marina   | none  |
| Outdoor racing facility                            | as required by the board for special use approval                       |
| Adult entertainment establishment                  | see general retail establishment  |
| <b>STORAGE, RECYCLING AND WHOLESALE TRADE USES</b> |   |
| Recycling collection facility                      | none  |
| Mixed-waste processing facility                    | none  |
| Material reclamation facility                      | none  |
| Salvage operation, indoor                          | none  |
| Salvage operation, outdoor                         | none  |
| Wholesale and distribution facility, indoor        | none  |
| Wholesale and distribution facility, outdoor       | none  |
| <i>Storage Facilities</i>                          |   |
| Indoor   | none  |
| Outdoor  | none  |
| Hazardous materials                                | none  |
| <b>TRANSPORTATION USES</b>                         |   |
| Ambulance service                                  | see general office  |
| Ground transportation service                      | see general office  |
| Passenger terminal                                 | none  |
| Helicopter landing facility                        | none  |
| Airport  | none  |
| Ship terminal or docking facility                  | none  |
| Truck freight terminal                             | none  |

|   |                    |
|---|--------------------|
| Truck freight terminal                                      | none               |
| Railroad switching, classification yard or freight terminal | none               |
| <b>INDUSTRIAL USES</b>                                      |                    |
| Manufacturing, light  | none               |
| Manufacturing, heavy  | none               |
| Manufacturing, intense                                      | none               |
| Research and development                                    | none               |
| Processing or recycling of mined materials                  | none               |
| Contractor's shop   | see general office |
| Contractor's yard   | none               |
| <b>AGRICULTURAL USES</b>                                    |                    |
| Plant nursery or greenhouse                                 | none               |
| Raising of crops or livestock                               | none               |
| <b>UTILITY AND PUBLIC SERVICE USES</b>                      |                    |
| Broadcasting or recording studio                            | see general office |
| Transmission tower  | see general office |
| Water treatment plant                                       | see general office |
| Sewerage treatment plant                                    | see general office |
| Power generation plant                                      | see general office |
| Substation/distribution equipment, indoor                   | see general office |
| Substation/distribution equipment, outdoor                  | see general office |
| <b>TEMPORARY USES</b>                                       |                    |
| Seasonal market   | none               |
| Temporary real estate sales office                          | none               |
| Temporary concrete/batch plant                              | none               |
| Live entertainment special event                            | none               |

Part 20. Section 295-403-2-b-0 and 1 of the code is amended to read:

## **295-403. Parking.**

### **2. NUMBER OF SPACES.**

b. Adjustment to Number Required. ~~[[The]]~~ >>For any use except one- or 2-family residential, the<< number of parking spaces required for a particular use may be reduced in accordance with the following credits:

b-1. ~~[[For any use except one- or 2-family residential, one]]~~ >>One<< space for each off-site parking space which is owned or rented by the property or business owner for the purpose of providing parking to the use in question. Such off-site spaces shall be located within 700 feet of the use, as measured by using the shortest pedestrian route from the nearest corner of the parking facility to the main public entrance of the use served. For a non-residential use, the off-site spaces shall not be located on a site containing a wholly residential use. Off-site parking spaces shall also conform with

the regulations of the zoning district in which they are located.

Part 21. Section 295-405-1-b-4 and 8 of the code is amended to read:

## **295-405. Landscaping.**

### **1. PERIMETER LANDSCAPING AND EDGE TREATMENTS.**

#### **b. Types of Landscape Treatment.**

b-4. Type “D” Landscaping (Motor Vehicle Sales Lot Landscaping). This type is primarily intended for application along street frontages of motor vehicle sales and display lots. It requires regularly-spaced trees and continuous, lower-height base shrubs. Unlike the type A requirement, base shrubs need only grow to a height of 2 feet. ~~[[This type does not require fences or walls. Fences are allowed, but not required.]]~~ >>This type requires fences or walls in the LB2 district, but in all other districts fences and walls are optional.<< Plantings in the low-level and high-level zones shall create a continuous edge of plants, while the eye-level zone shall be kept mostly open, consistent with the standards of par. c-5, to allow for surveillance between parking lots and streets.

b-8. Type “H” Landscaping (Residential Buffers). This type is primarily intended to surround or visually separate parking lots and structures from residential uses. Examples of items to be screened with type “H” landscaping include parking lots for churches and schools, apartment buildings and non-residential uses, as well as principal-use parking lots and structures. This type of landscaping relies primarily on opaque fencing, but also requires trees and shrubs when the parking lot or structure provides parking for uses other than ~~[[residential, educational]]~~ >>single-family or two-family dwellings, educational uses<< or community-serving uses. Opaque fencing provides screening from the ground to at least 6 feet above grade. Tree plantings in the eye-level and high-level zones shall create a continuous edge of plants that completely obscures the parking area from the adjacent residential use or uses. A parking structure may achieve this standard if the required opaque fence/wall is incorporated into the design of the structure itself.

Part 22. Section 295-405-1-c of the code is amended to read:

c. Requirements by Landscaping Type. Table 295-405-1-c contains the fence/wall and landscaping requirements for each of the landscaping types described in par. b. Prior to issuance of any permit >>or certificate of occupancy<< for a use >>or change of use<< for which perimeter landscaping and edge treatments are required by this chapter, a landscaping and screening plan with specifications and an installation schedule shall be submitted to the commissioner for approval. When interpreting the requirements of table 295-405-1-c, the following standards shall apply:

Part 23. Section 295-415-4-b-1 of the code is amended to read:

## **295-415. Nonconformities.**

### **4. NONCONFORMING STRUCTURES.**

#### **b. Enlargements, Alterations or Relocation.**

b-1. A nonconforming structure occupied by only conforming uses may be enlarged or structurally altered provided that the enlargement or structural alteration ~~[[conforms with the setback~~

requirements and all other applicable regulations of the district in which it is located and]] does not increase the existing dimensional nonconformity of the structure >>or create additional nonconformities<< .

Part 24. Table 295-503-1 of the code is amended to read:

| Table 295-503-1 RESIDENTIAL DISTRICTS USE TABLE |         |     |         |     |         |         |     |     |
|---|---------|-----|---------|-----|---------|---------|-----|-----|
| Zoning Districts                                |         |     |         |     |         |         |     |     |
| Uses  | RS1-RS5 | RS6 | RT1-RT3 | RT4 | RM1-RM2 | RM3-RM7 | RO1 | RO2 |
| <b>RESIDENTIAL USES</b>                         |         |     |         |     |         |         |     |     |
| Single-family dw                                | Y       | Y   | Y       | Y   | Y       | Y       | Y   | Y   |
| Two-family dwell                                | L       | L   | Y       | Y   | Y       | Y       | Y   | Y   |
| Multi-family dwell                              | N       | N   | L       | L   | Y       | Y       | Y   | Y   |
| Attached single-                                | N       | N   | L       | L   | Y       | Y       | Y   | Y   |
| Live-work unit                                  | N       | N   | N       | L   | L       | L       | Y   | Y   |
| Mobile home                                     | N       | N   | N       | N   | N       | N       | N   | N   |
| Watchman/servi                                  | N       | N   | N       | N   | N       | N       | N   | N   |
| Family day care                                 | L       | L   | L       | L   | L       | L       | L   | L   |
| [[Group Reside                                  |         |     |         |     |         |         |     | ]]  |
| >>GROUP RESIDENTIAL USES <<                     |         |     |         |     |         |         |     |     |
| Rooming house                                   | N       | N   | N       | S   | S       | S       | S   | S   |
| Convent, rectory                                | Y       | Y   | Y       | Y   | Y       | Y       | Y   | Y   |
| Dormitory                                       | N       | N   | N       | S   | S       | S       | S   | S   |
| Fraternity or sor                               | N       | N   | N       | S   | S       | S       | S   | S   |
| Adult family hom                                | L       | L   | L       | L   | L       | L       | L   | L   |
| Foster Homes                                    |         |     |         |     |         |         |     |     |
| Foster family h                                 | Y       | Y   | Y       | Y   | Y       | Y       | Y   | Y   |
| Small foster ho                                 | L       | L   | L       | L   | L       | L       | L   | L   |
| Group home o                                    | L       | L   | L       | L   | L       | L       | L   | L   |
| Shelter Care Fa                                 |         |     |         |     |         |         |     |     |
| Family shelter                                  | Y       | Y   | Y       | Y   | Y       | Y       | Y   | Y   |
| Small group sh                                  | L       | L   | L       | L   | L       | L       | L   | L   |
| Large group sh                                  | N       | N   | N       | S   | S       | S       | S   | S   |
| Community livin                                 | L       | L   | L       | L   | L       | L       | L   | L   |
| Transi  | N       | N   | N       | S   | S       | S       | S   | S   |
| <b>EDUCATIONAL USES</b>                         |         |     |         |     |         |         |     |     |
| Day care  | L       | L   | L       | L   | L       | L       | L   | L   |
| School, element                                 | Y       | Y   | Y       | Y   | Y       | Y       | Y   | Y   |
| College   | N       | N   | N       | S   | S       | S       | Y   | Y   |
| School, specialt                                | N       | L   | N       | L   | N       | L       | Y   | Y   |
| <b>COMMUNITY-SERVING USES</b>                   |         |     |         |     |         |         |     |     |

|   |   |   |   |   |   |   |   |   |
|---|---|---|---|---|---|---|---|---|
| Library                                       | Y | Y | Y | Y | Y | Y | Y | Y |
| Cultural institution                          | N | L | N | L | L | L | L | L |
| Community center                              | N | S | N | S | S | S | S | S |
| Religious assembly                            | Y | Y | Y | Y | Y | Y | Y | Y |
| Cemetery or other                             | N | N | N | N | N | N | N | N |
| Public safety facility                        | Y | Y | Y | Y | Y | Y | Y | Y |
| Correctional facility                         | N | N | N | N | N | N | N | N |
| <b>COMMERCIAL AND OFFICE USES</b>             |   |   |   |   |   |   |   |   |
| General office                                | N | L | N | L | N | L | Y | Y |
| Government office                             | N | L | N | L | N | L | Y | Y |
| Bank or other financial                       | N | L | N | L | N | L | Y | Y |
| Currency exchange                             | N | N | N | N | N | N | N | N |
| Retail establishment                          | N | L | N | L | N | L | L | L |
| Garden supply center                          | N | N | N | N | N | N | N | N |
| Home improvement                              | N | N | N | N | N | N | N | N |
| Secondhand store                              | N | N | N | N | N | N | S | S |
| Outdoor merchandise                           | N | N | N | N | N | N | N | N |
| Artist studio                                 | N | L | N | L | N | L | Y | Y |
| Adult retail establishment                    | N | N | N | N | N | N | N | N |
| <b>HEALTH CARE AND SOCIAL ASSISTANCE USES</b> |   |   |   |   |   |   |   |   |
| Medical office                                | N | L | N | L | N | L | Y | Y |
| Health clinic                                 | N | N | N | N | N | S | S | S |
| Hospital                                      | N | N | N | N | N | N | N | N |
| Medical research                              | N | N | N | N | N | N | N | N |
| Medical service                               | N | N | N | N | N | N | N | N |
| Social service                                | N | N | N | S | N | S | S | S |
| Emergency residence                           | N | N | N | N | S | S | S | S |
| Nursing home                                  | N | S | N | S | S | S | S | S |
| <b>GENERAL SERVICE USES</b>                   |   |   |   |   |   |   |   |   |
| Personal service                              | N | L | N | L | N | L | Y | Y |
| Business service                              | N | S | N | S | N | S | L | L |
| Building maintenance                          | N | N | N | N | N | N | N | N |
| Catering service                              | N | L | N | L | N | L | L | L |
| Funeral home                                  | N | L | N | L | N | L | Y | Y |
| Laundromat                                    | N | N | N | N | N | N | L | L |
| Dry cleaning establishment                    | N | L | N | L | N | L | L | L |
| Furniture and appliances                      | N | N | N | N | N | N | N | N |
| Household maintenance                         | N | N | N | N | N | N | N | N |
| Tool/equipment                                | N | N | N | N | N | N | N | N |

|  |   |   |   |   |   |   |   |   |
|--|---|---|---|---|---|---|---|---|
| <i>Animal Services</i>                     |   |   |   |   |   |   |   |   |
| Animal hospital                            | N | N | N | N | N | N | N | N |
| Animal boarding                            | N | N | N | N | N | N | N | N |
| Animal grooming                            | N | N | N | N | N | N | N | N |
| <b>MOTOR VEHICLE USES</b>                  |   |   |   |   |   |   |   |   |
| <i>Light Motor Vehicle</i>                 |   |   |   |   |   |   |   |   |
| Sales facility                             | N | N | N | N | N | N | N | N |
| Rental facility                            | N | N | N | N | N | N | N | N |
| Repair facility                            | N | N | N | N | N | N | N | N |
| Body shop                                  | N | N | N | N | N | N | N | N |
| Outdoor storage                            | N | N | N | N | N | N | N | N |
| [[Limited whole                            | N | N | N | N | N | N | N | N |
| <i>Heavy Motor Vehicle</i>                 |   |   |   |   |   |   |   |   |
| Sales facility                             | N | N | N | N | N | N | N | N |
| Rental facility                            | N | N | N | N | N | N | N | N |
| Repair facility                            | N | N | N | N | N | N | N | N |
| Body shop                                  | N | N | N | N | N | N | N | N |
| Outdoor storage                            | N | N | N | N | N | N | N | N |
| <i>General Motor Vehicle</i>               |   |   |   |   |   |   |   |   |
| Filling station                            | N | N | N | N | N | N | N | N |
| Car wash                                   | N | N | N | N | N | N | N | N |
| Drive-through                              | N | N | N | N | N | N | N | N |
| <i>Parking</i>                             |   |   |   |   |   |   |   |   |
| Parking lot, private                       | N | S | N | S | S | S | S | S |
| Parking lot, adjacent                      | Y | L | Y | L | Y | L | Y | L |
| Parking structure                          | N | N | N | N | N | S | S | S |
| Parking structure                          | N | N | N | N | Y | Y | Y | L |
| Heavy motor vehicle                        | N | N | N | N | N | N | N | N |
| Heavy motor vehicle                        | N | N | N | N | N | N | N | N |
| <b>ACCOMMODATION AND FOOD SERVICE USES</b> |   |   |   |   |   |   |   |   |
| Bed and breakfast                          | S | L | L | L | L | L | Y | Y |
| Hotel, commercial                          | N | N | N | N | N | N | N | S |
| Hotel, residential                         | N | N | N | N | N | N | N | Y |
| Tavern                                     | N | L | N | L | N | L | N | S |
| Assembly hall                              | N | N | N | N | N | N | N | S |
| Restaurant, sit-down                       | N | L | N | L | N | L | Y | Y |
| Restaurant, fast-food                      | N | L | N | L | N | 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 facility                                | N | N | N | N | N | N | S | S |
| Recreation facility                                | N | N | N | N | N | N | N | N |
| Health club  | N | N | N | N | N | N | Y | Y |
| Sports facility                                    | N | N | N | N | N | N | N | N |
| Gaming facility                                    | N | N | N | N | N | N | N | N |
| Theater  | N | N | N | N | N | N | L | L |
| Convention and                                     | N | N | N | N | N | N | N | N |
| Marina   | N | N | N | N | N | N | N | N |
| Outdoor racing facility                            | N | N | N | N | N | N | N | N |
| Adult entertainment                                | N | N | N | N | N | N | N | N |
| <b>STORAGE, RECYCLING AND WHOLESALE TRADE USES</b> |   |   |   |   |   |   |   |   |
| Recycling collection                               | N | N | N | N | N | N | S | S |
| Mixed-waste processing                             | N | N | N | N | N | N | N | N |
| Material reclamation                               | 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 and distribution                         | N | N | N | N | N | N | N | N |
| Wholesale and distribution                         | N | N | N | N | N | N | N | N |
| Storage Facilities                                 |   |   |   |   |   |   |   |   |
| Indoor   | N | N | N | N | N | N | N | N |
| Outdoor  | N | N | N | N | N | N | N | N |
| Hazardous material                                 | N | N | N | N | N | N | N | N |
| <b>TRANSPORTATION USES</b>                         |   |   |   |   |   |   |   |   |
| Ambulance service                                  | N | N | N | N | N | N | N | N |
| Ground transportation                              | N | N | N | N | N | N | N | N |
| Passenger terminal                                 | N | N | N | N | N | N | N | N |
| Helicopter landing                                 | N | N | N | N | N | N | N | N |
| Airport  | N | N | N | N | N | N | N | N |
| Ship terminal or                                   | N | N | N | N | N | N | N | N |
| Truck freight terminal                             | N | N | N | N | N | N | N | N |
| Railroad switching                                 | N | N | N | N | N | N | N | N |
| <b>INDUSTRIAL USES</b>                             |   |   |   |   |   |   |   |   |
| Manufacturing, industrial                          | N | N | N | N | N | N | N | N |
| Manufacturing, industrial                          | N | N | N | N | N | N | N | N |
| Manufacturing, industrial                          | N | N | N | N | N | N | N | N |
| Research and development                           | N | N | N | N | N | N | N | N |
| Processing or refining                             | N | N | N | N | N | N | N | N |
| Contracted storage                                 | N | N | N | N | N | N | N | N |

|  |   |   |   |   |   |   |   |   |
|--|---|---|---|---|---|---|---|---|
| Contractor's sign                      | N | N | N | N | N | N | N | N |
| Contractor's yard                      | N | N | N | N | N | N | N | N |
| <b>AGRICULTURAL USES</b>               |   |   |   |   |   |   |   |   |
| Plant nursery or                       | Y | Y | Y | Y | Y | Y | Y | Y |
| Raising of crops                       | Y | Y | Y | Y | Y | Y | Y | Y |
| <b>UTILITY AND PUBLIC SERVICE USES</b> |   |   |   |   |   |   |   |   |
| Broadcasting or                        | N | N | N | N | N | N | N | N |
| Transmission to                        | L | L | L | L | L | L | L | L |
| Water treatment                        | S | S | S | S | S | S | S | S |
| Sewage treatment                       | N | N | N | N | N | N | N | N |
| Power generation                       | N | N | N | N | N | N | N | N |
| Substation/distribution                | S | S | S | S | S | S | S | S |
| Substation/distribution                | L | L | L | L | L | L | L | L |
| <b>TEMPORARY USES</b>                  |   |   |   |   |   |   |   |   |
| Seasonal market                        | L | L | L | L | L | L | L | L |
| Temporary real estate                  | L | L | L | L | L | L | L | L |
| Concrete/batch plant                   | L | L | L | L | L | L | L | L |
| Live entertainment                     | L | L | L | L | L | L | L | L |

Part 25. Section 295-503-2-i-1 of the code is amended to read:

## 295-503. Uses.

### 2. LIMITED USE STANDARDS.

#### i. Day Care Center.

i-1. The day care center shall be ~~[[an accessory use to]]~~ >>located in a building containing<< an elementary or secondary school, religious assembly, community center, cultural institution or library, shall meet the minimum outdoor play space requirement of s. HFS 46.061(11), Wis. Adm. Code, and shall meet the off-street parking requirement for the existing principal use.

Part 26. Table 295-505-2 of the code is amended to read:

| Table 295-505-2 PRINCIPAL |       |       |       |       |       |            |       |       |       |       |       |
|---------------------------|-------|-------|-------|-------|-------|------------|-------|-------|-------|-------|-------|
| Single-family Districts   |       |       |       |       |       | Two-family |       |       |       |       |       |
| RRS2                      | RS3   | RRS4  | RS6   | RRS6  | RRS7  | RRS8       | RRS9  | RRS10 | RRS11 | RRS12 | RRS13 |
| 12,000                    | 9,000 | 7,600 | 3,600 | 7,400 | 3,000 | 2,400      |       |       |       |       |       |
| not applicable            |       |       |       |       |       | 3,300      | 1,800 | 1,800 |       |       |       |
| none                      | none  | none  | none  | none  | none  | none       | none  | none  | none  | none  | none  |
| 100                       | 75    | 60    | 50    | 30    | 60    | 40         | 30    | 24    |       |       |       |
| not applicable            |       |       |       |       |       | 30         | 25    | 18    | 18    |       |       |
| none                      | none  | none  | none  | none  | none  | none       | none  | none  | none  | none  | none  |

|   |      |      |         |      |          |    |     |     |      |     |
|---|------|------|---------|------|----------|----|-----|-----|------|-----|
| L | none | none | end     | none | none     | 3, | 3,  | 2,  | 1,80 | 1,  |
| L | NA   | NA   | N,NA    | NA   | N,N,N,NA | 60 |     |     |      |     |
| L | none | none | end     | none | none*    | nd | nd* |     | *    |     |
| L | 15%  | 30%  | 30      | 30%  | 30%      | 60 | 30  | 30  | 50%  | 70  |
| L | none | none | end     | none | none*    | nd | nd* |     | *    |     |
| L | 15%  | 30%  | 30      | 30%  | 40%      | 70 | 40  | 40  | 60%  | 85  |
| F | 1,50 | 1,50 | 1,1,200 | 900  | N        | nd | nd  | nd  | nd   | end |
| F | 1,90 | 1,90 | 1,1,450 | 1,20 | N        | nd | nd  | nd  | nd   | end |
| H | none | none | end     | none | none     | [1 | nd  | nd* |      | *   |
|   |      |      |         |      | <        |    |     |     |      |     |
| H | 45   | 45   | 45      | 45   | 45       | 45 | 45  | 45  | 45   | 48  |

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|---|--------|--------|--------|--------|-------|-------|------|------|------|------|
| F | aver   | aver   | aver   | aver   | aver  | aver  | aver | aver | aver | aver |
|   | whic   | whic   |        |        |       |       |      |      |      |      |
| F | none   | none   | none   | none   | aver  | av    | nd   | nd   | aver | ag   |
|   |        |        |        |        |       |       |      |      | than | 20   |
| S | 20% of | 10% of | 10% of | 10% of | 20%   | 10%   | 3    |      |      |      |
|   | 15 ft. | more t |        |        | but r | but r | than | than |      |      |
| S | none   | none   | none   | none   | none  | nd    | nd   | nd   | none | 15   |
| N | 3      | 3      | 3      | 3      | 3     | 1.3   | 3    | 1.5  | 1.   |      |
| S | 6      | 6      | 6      | 6      | 6     | 3.6   | 6    | 3.5  | 3.   |      |
| C | 12     | 12     | 12     | 12     | 12    | 5     | 12   | 12   | 5    |      |
| M | 50     | 50     | 50     | 50     | 50    | 75    | 50   | 75   | 10   |      |
| M | 2      | 2      | 2      | 3      | 3     | 3     | 2    | 2    | 3    | 4    |
| R | 25     | 25     | 25     | 20     | 15    | 15    | 25   | 25   | 15   | 15   |
| R | 25     | 25     | 25     | 15     | 10    | 10    | 20   | 20   | 10   | 10   |
| R | aver   | aver   | aver   | aver   | aver  | aver  | aver | aver | aver | aver |
| R | none   | none   | none   | none   | none  | nd    | nd   | nd   | none | nd   |

|     |                   | Table 295-505-2 PRINCIPAL BUILDING DESIGN STANDARDS |       |       |       |       |       |       |                    |       |
|-----|-------------------|---|-------|-------|-------|-------|-------|-------|--------------------|-------|
|     |                   | Multi-family Districts                              |       |       |       |       |       |       | Residence & Office |       |
|     |                   | RM1   | RM2   | RM3   | RM4   | RM5   | RM6   | RM7   | RO1                | RO2   |
| Lot | Lot area, minimum | 3,600   | 3,600 | 3,000 | 2,400 | 2,400 | 2,400 | 2,400 | 3,600              | 2,400 |

|         |                        |       |       |   |       |       |       |   |       |       |
|---------|------------------------|-------|-------|---|-------|-------|-------|---|-------|-------|
|         | Lot area, minimum      | 3,000 | 3,000 | 1,800   | 1,800 | 1,800 | 1,800 | 1,800   | 3,000 | 1,800 |
|         | Lot area, maximum      | none  | none  | none  | none  | none  | none  | none  | none  | none  |
|         | Lot width, minimum     | 40    | 40    | 30  | 24    | 24    | 24    | 24  | 30    | 24    |
|         | Lot width, minimum     | 25    | 25    | 18  | 18    | 18    | 18    | 18  | 25    | 18    |
|         | Lot width, maximum     | none  | none  | none  | none  | none  | none  | none  | none  | none  |
| Density | Lot area per dwelling  | 2,400 | 1,200 | 2,400 ea. (3 or more); 3,600 for 2; 1,800 for one | 1,200 | 800   | 400   | 150   | 2,400 | 400   |
|         | Lot area per room      | 1,200 | 600   | 900   | 600   | 400   | 200   | 75  | 1,200 | 200   |
|         | Lot coverage, minimum  | 15%   | 15%   | *   | *     | *     | *     | 20%   | 15%   | *     |
|         | Lot coverage, maximum  | 30%   | 50%   | 50%   | 70%   | 70%   | 70%   | 85%   | 30%   | none  |
|         | Lot coverage, minimum  | 15%   | 15%   | *   | *     | *     | *     | 20%   | 15%   | *     |
|         | Lot coverage, maximum  | 40%   | 60%   | 60%   | 85%   | 85%   | 85%   | 85%   | 40%   | none  |
|         | Floor area, minimum    | none  | none  | none  | none  | none  | none  | none  | none  | none  |
|         | Floor area, minimum    | none  | none  | none  | none  | none  | none  | none  | none  | none  |
| Height  | Height, minimum (feet) | none  | none  | *   | *     | *     | *     | 20  | none  | *     |
|         | Height, maximum (feet) | 45    | 45    | 45  | 60    | 60    | 85    | 85; no limit if floor area ratio is less than 4:1 | 45    | 85    |

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|                               |                        | RM1                                       | RM2     | RM3                                | RM4     | RM5                                | RM6     | RM7     | RO1             | RO2     |
|-------------------------------|------------------------|---|---------|------------------------------------|---------|------------------------------------|---------|---------|-----------------|---------|
| Primary                       | Front setback, minimum | average                                   | average | average                            | average | average                            | average | average | average         | average |
|                               | Front setback, maximum | none                                      | none    | average but never more than 20 ft. |         | average but never more than 15 ft. |         |         | none            | 15 ft.  |
|                               | Side street setback    | 10% of lot width but not more than 15 ft. |         | 3                                  | 3       | 3                                  | 3       | 3       | same as RM1-RM2 | none    |
|                               | Side street setback    | none                                      | none    | 15                                 | 15      | 15                                 | 15      | 15      | none            | none    |
| Side Setback                  | North or west side     | 3   | 3       | 1.5                                | 1.5     | 1.5                                | 1.5     | 1.5     | 3               | none    |
|                               | South or east side     | 6   | 6       | 3.5                                | 3.5     | 3.5                                | 3.5     | 3.5     | 6               | none    |
|                               | Combined side setback  | 12  | 12      | 5                                  | 5       | 5                                  | 5       | 5       | 12              | none    |
|                               | Maximum depth of lot   | 50  | 50      | 75                                 | 100     | 100                                | 100     | 100     | 50              | none    |
|                               | Max. no. of stories    | 2   | 2       | 3                                  | 4       | 6                                  | 8       | 8       | 2               | 8       |
| Rear Setback                  | Rear setback, minimum  | 25  | 25      | 20                                 | 15      | 15                                 | 15      | 10      | 20              | none    |
|                               | Rear setback, minimum  | 10  | 10      | 10                                 | 10      | 10                                 | 10      | 10      | 10              | none    |
|                               | Rear street setback    | average                                   | average | average                            | average | average                            | average | average | average         | average |
|                               | Rear street setback    | none                                      | none    | none                               | none    | none                               | none    | none    | none            | none    |
| Multiple principal residences |                        | no  | no      | no                                 | yes     | yes                                | yes     | yes     | yes             | yes     |

Part 27. Table 295-505-3 of the code is amended to read:

| Table 295-505-3 ACCESSORY STRUCTURE DESIGN STANDARDS |   |                             |   |   |  |  |                             |
|--|---|-----------------------------|---|---|--|--|-----------------------------|
|  | Garage  | Shed                        | Deck/stoop less than one foot above grade | Deck/stoop one to 3 feet above grade  | Deck/stoop 3 to 7 feet above grade                                       | Deck/stoop more than 7 feet above grade                                  | Open trellis or arbor       |
| Included in lot coverage calculation?                | Yes   | Yes                         | No  | No  | Yes  | Yes  | No                          |
| Minimum front setback                                | Same as principal building; if the garage door faces the front of the lot, an additional 4 ft. shall be required. | Same as principal building. | No restriction.                           | Same as principal building.   | Same as principal building.  | Same as principal building.  | No restriction.             |
| Minimum side setback                                 | Same as principal building, but not closer to side street than any existing principal building.                   | No restriction.             | Same as principal building.               | [[No restriction]] >> Same as principal building <<                                 |  | No restriction.  |                             |
| Minimum rear setback                                 | Averaged in accordance with s. 295-505-2-e.   |                             |   |   |  |  | No restriction.             |
| Minimum side setback located in the side yard        | Same as principal building.   | Same as principal building. | No restriction.                           | Up to property line; however, all railings above 4 feet shall be at least 50% open. | 1.5 feet; however, all railings above 4 feet shall be at least 50% open. | Same as principal building.  | Same as principal building. |
| Minimum side setback located in the rear yard        | 1.5 feet  | 1.5 feet                    | No restriction.                           | No restriction.   | 1.5 feet; however, all railings above 4 feet shall be at least 50% open. | 1.5 feet; however, all railings above 4 feet shall be at least 50% open. | No restriction.             |

|                     |   |  |                 |                 |  |  |                 |
|---------------------|---|--|-----------------|-----------------|--|--|-----------------|
| Min. rear setback   | 4 feet; may be reduced to 1.5 feet if there is no alley.            | 4 feet; may be reduced to 1.5 feet if there is no alley. | No restriction. | No restriction. | 1.5 feet; however, all railings above 4 feet shall be at least 50% open. | 4 feet; may be reduced to 1.5 feet if there is no alley. | No restriction. |
| Max. height of shed | 10 feet   | 8 feet   | No restriction. | No restriction. | No restriction.  | 10 feet  | 8 feet          |
| Max. overall height | 24 feet or the height of the principal building, whichever is less. | 14 feet  | Not applicable. | Not applicable. | Not applicable.  | 14 feet  | 14 feet         |

Part 28. Section 295-505-3-f-4 and 5 of the code is amended to read:

## 295-505. Design Standards.

### 3. ACCESSORY STRUCTURE STANDARDS.

#### f. Garages and Sheds.

f-4. Dormers. Dormers shall be permitted provided that, in the aggregate, they are no wider than half of the ~~[[side of the gable]]~~ >>length of the roof<< , begin no closer than 4 feet from either of the gable ends and have a roof pitch of at least 3:12.

f-5. Sidewall Height. The maximum height of a garage or shed sidewall shall be as specified in table 295-505-3. The height of a sidewall shall be measured from the level of the ~~[[interior finished floor to the top surface of the top plate.]]~~ >>grade to a horizontal line even with the bottom edge of the fascia board. Where rafter tails are exposed, measurement shall be to a horizontal line even with the bottom edge of the rafters.<<

Part 29. Section 295-505-5-j of the code is repealed and recreated to read.

## 5. SIGNS.

j. Additional Regulations. See s. 295-407 for additional regulations for on-premise signs.

Part 30. Table 295-603-1 of the code is amended to read:

| Table 295-603-1 COMMERCIAL DISTRICTS USE TABLE |                  |     |     |     |     |     |    |
|--|------------------|-----|-----|-----|-----|-----|----|
| Y = Permitted Use                              | Zoning Districts |     |     |     |     |     |    |
| Uses   | NS1              | NS2 | LB1 | LB2 | RB1 | RB2 | CS |
| <b>RESIDENTIAL USES</b>                        |                  |     |     |     |     |     |    |
| Single-family dwelling                         | Y                | Y   | Y   | Y   | Y   | Y   | Y  |
| Two-family dwelling                            | Y                | Y   | Y   | Y   | Y   | Y   | Y  |
| Multi-family dwelling                          | Y                | Y   | Y   | Y   | Y   | Y   | Y  |
| Attached single-family dw                      | Y                | Y   | Y   | Y   | Y   | Y   | Y  |
| Live-work unit                                 | Y                | Y   | Y   | Y   | Y   | Y   | Y  |
| Mobile home                                    | N                | N   | N   | N   | N   | N   | N  |
| Watchman/service quarters                      | N                | N   | N   | N   | N   | N   | N  |

|                                   |       |       |       |       |       |       |             |
|-----------------------------------|-------|-------|-------|-------|-------|-------|-------------|
| Family day care home              | L     | L     | L     | L     | L     | L     | L           |
| [[Group Residential               |       |       |       |       |       |       | ]]          |
| >>GROUP RESIDENTIAL USES <<       |       |       |       |       |       |       |             |
| Rooming house                     | S     | S     | S     | S     | S     | S     | S           |
| Convent, rectory or mona          | Y     | Y     | Y     | Y     | Y     | Y     | Y           |
| Dormitory                         | S     | S     | S     | S     | S     | S     | S           |
| Fraternity or sorority            | S     | S     | S     | S     | S     | S     | S           |
| Adult family home                 | L     | L     | L     | L     | L     | L     | L           |
| Foster Homes                      |       |       |       |       |       |       |             |
| Foster family home                | Y     | Y     | Y     | Y     | Y     | Y     | Y           |
| Small foster home                 | L     | L     | L     | L     | L     | L     | L           |
| Group home or group fo            | L     | L     | L     | L     | L     | L     | L           |
| Shelter Care Facilities           |       |       |       |       |       |       |             |
| Family shelter care faci          | Y     | Y     | Y     | Y     | Y     | Y     | Y           |
| Small group shelter car           | L     | L     | L     | L     | L     | L     | L           |
| Large group shelter car           | S     | S     | S     | S     | S     | S     | S           |
| Community living arrange          | L     | L     | L     | L     | L     | L     | L           |
| Transitional living facility      | S     | S     | S     | S     | S     | S     | S           |
| EDUCATIONAL USES                  |       |       |       |       |       |       |             |
| Da                                | [[L]] | [[L]] | [[L]] | [[L]] | [[L]] | >>S<< | [[L]] >>S<< |
|                                   | <<    | <<    | <<    | >>S<  |       |       | [[L]] >>S<< |
| School, elementary or second      | Y     | Y     | Y     | Y     | Y     | Y     | Y           |
| College                           | Y     | Y     | Y     | Y     | Y     | Y     | Y           |
| School, specialty or personal i   | Y     | Y     | Y     | Y     | Y     | Y     | Y           |
| COMMUNITY-SERVING USES            |       |       |       |       |       |       |             |
| Library                           | Y     | Y     | Y     | Y     | Y     | Y     | Y           |
| Cultural institution              | Y     | Y     | Y     | Y     | Y     | Y     | Y           |
| Community center                  | S     | S     | S     | S     | S     | S     | S           |
| Religious assembly                | S     | S     | S     | S     | Y     | Y     | Y           |
| Cemetery or other place of inte   | N     | N     | N     | N     | N     | N     | N           |
| Public safety facility            | Y     | Y     | Y     | Y     | Y     | Y     | Y           |
| Correctional facility             | N     | N     | N     | N     | N     | N     | N           |
| COMMERCIAL AND OFFICE USES        |       |       |       |       |       |       |             |
| General office                    | Y     | Y     | Y     | Y     | Y     | Y     | Y           |
| Government office                 | Y     | Y     | Y     | Y     | Y     | Y     | Y           |
| Bank or other financial instituti | Y     | Y     | Y     | Y     | Y     | Y     | Y           |
| Currency exchange, payday lo      | S     | S     | S     | S     | S     | S     | S           |
| Retail establishment, general     | L     | L     | L     | L     | L     | L     | L           |
| Garden supply or landscaping      | N     | N     | Y     | Y     | Y     | Y     | Y           |
| Home improvement center           | N     | N     | S     | S     | Y     | Y     | Y           |

|   |    |    |    |   |   |   |   |
|---|----|----|----|---|---|---|---|
| Secondhand store  | S  | S  | S  | S | S | S | S |
| Outdoor merchandise sales   | S  | S  | S  | S | S | S | S |
| Artist studio   | Y  | Y  | Y  | Y | Y | Y | Y |
| Adult retail establishment  | N  | N  | N  | N | S | S | N |
| <b>HEALTH CARE AND SOCIAL ASSISTANCE USES</b>                           |    |    |    |   |   |   |   |
| Medical office  | Y  | Y  | Y  | Y | Y | Y | Y |
| Health clinic   | S  | S  | S  | S | S | S | S |
| Hospital  | N  | N  | S  | S | S | S | S |
| Medical research laboratory   | N  | N  | S  | S | S | S | Y |
| Medical service facility  | N  | N  | S  | S | S | S | S |
| Social service facility   | S  | S  | S  | S | S | S | S |
| Emergency residential shelter   | S  | S  | S  | S | S | S | S |
| Nursing home  | S  | S  | Y  | Y | Y | Y | Y |
| <b>GENERAL SERVICE USES</b>   |    |    |    |   |   |   |   |
| Personal service  | Y  | Y  | Y  | Y | Y | Y | Y |
| Business service  | Y  | Y  | Y  | Y | Y | Y | Y |
| Building maintenance service  | N  | N  | S  | S | Y | Y | Y |
| Catering service  | Y  | Y  | Y  | Y | Y | Y | Y |
| Funeral home  | Y  | Y  | Y  | Y | Y | Y | Y |
| Laundromat  | Y  | Y  | Y  | Y | Y | Y | Y |
| Dry cleaning establishment  | Y  | Y  | Y  | Y | Y | Y | Y |
| Furniture and appliance rental  | S  | S  | Y  | Y | Y | Y | Y |
| Household maintenance and repair  | Y  | Y  | Y  | Y | Y | Y | Y |
| Tool/equipment rental facility  | Y  | Y  | Y  | Y | Y | Y | Y |
| <i>Animal Services</i>  |    |    |    |   |   |   |   |
| Animal hospital/clinic  | L  | L  | L  | L | L | L | L |
| Animal boarding facility  | L  | L  | L  | L | L | L | L |
| Animal grooming or training facility                                    | L  | L  | L  | L | L | L | L |
| <b>MOTOR VEHICLE USES</b>   |    |    |    |   |   |   |   |
| <i>Light Motor Vehicle</i>  |    |    |    |   |   |   |   |
| Sales facility  | N  | N  | S  | S | Y | Y | S |
| Rental facility   | L  | L  | L  | L | Y | Y | Y |
| Repair facility   | N  | N  | S  | S | S | S | S |
| Body shop   | N  | N  | S  | S | S | S | S |
| Outdoor storage   | N  | N  | S  | S | S | S | S |
| [[L]] [[Y]] [[Y]] [[Y]] [[Y]] >>L<< [[Y]] >>L<< [[Y]] >>L<< [[Y]] >>L<< | << | << | << |   |   |   |   |
| <i>Heavy Motor Vehicle</i>  |    |    |    |   |   |   |   |
| Sales facility  | N  | N  | S  | S | S | S | S |
| Rental facility   | N  | N  | S  | S | S | S | S |

|  |   |   |   |   |   |   |   |
|--|---|---|---|---|---|---|---|
| Repair facility                                    | N | N | N | N | S | S | N |
| Body shop  | N | N | N | N | S | S | N |
| Outdoor storage                                    | N | N | N | N | S | S | N |
| <i>General Motor Vehicle</i>                       |   |   |   |   |   |   |   |
| Filling station                                    | N | N | S | S | S | S | S |
| Car wash   | N | N | L | L | L | L | L |
| Drive-through facility                             | L | L | L | L | L | L | L |
| <i>Parking</i>                                     |   |   |   |   |   |   |   |
| Parking lot, principal use                         | L | L | Y | L | Y | L | L |
| Parking lot, accessory use                         | Y | L | Y | L | Y | Y | Y |
| Parking structure, principal use                   | S | S | L | L | L | L | L |
| Parking structure, accessory use                   | Y | L | Y | L | Y | Y | Y |
| Heavy motor vehicle parking                        | N | N | S | S | S | S | S |
| Heavy motor vehicle parking                        | S | S | S | S | S | S | S |
| <b>ACCOMMODATION AND FOOD SERVICE USES</b>         |   |   |   |   |   |   |   |
| Bed and breakfast                                  | Y | Y | Y | Y | Y | Y | Y |
| Hotel, commercial                                  | Y | Y | Y | Y | Y | Y | Y |
| Hotel, residential                                 | Y | Y | Y | Y | Y | Y | Y |
| Tavern   | L | L | Y | Y | Y | Y | Y |
| Assembly hall                                      | S | S | S | S | S | S | S |
| Restaurant, sit-down                               | Y | Y | Y | Y | Y | Y | Y |
| Restaurant, fast-food/carry-out                    | L | L | L | L | L | L | L |
| <b>ENTERTAINMENT AND RECREATION USES</b>           |   |   |   |   |   |   |   |
| Park or playground                                 | Y | Y | Y | Y | Y | Y | Y |
| Festival grounds                                   | N | N | N | N | N | N | N |
| Recreation facility, indoor                        | S | S | Y | Y | Y | Y | Y |
| Recreation facility, outdoor                       | S | S | S | S | S | S | S |
| Health club  | Y | Y | Y | Y | Y | Y | Y |
| Sports facility                                    | N | N | S | S | S | S | S |
| Gaming facility                                    | N | N | N | N | N | N | N |
| Theater  | L | L | Y | Y | Y | Y | Y |
| Convention and exposition center                   | N | N | S | S | S | S | S |
| Marina   | Y | Y | Y | Y | Y | Y | Y |
| Outdoor racing facility                            | N | N | N | N | N | N | N |
| Adult entertainment establishment                  | N | N | N | N | S | S | N |
| <b>STORAGE, RECYCLING AND WHOLESALE TRADE USES</b> |   |   |   |   |   |   |   |
| Recycling collection facility                      | S | S | S | S | S | S | S |
| Mixed-waste processing facility                    | N | N | N | N | N | N | N |
| Material reclamation facility                      | N | N | N | N | N | N | N |

| Material Recovery Facility              | Y | Y | Y | Y | Y | Y | Y |
|---|---|---|---|---|---|---|---|
| Salvage operation, indoor               | N | N | N | N | N | N | S |
| Salvage operation, outdoor              | N | N | N | N | N | N | N |
| Wholesale and distribution facility     | S | S | L | L | L | L | Y |
| Wholesale and distribution facility     | N | N | S | S | S | S | S |
| <b>Storage Facilities</b>               |   |   |   |   |   |   |   |
| Indoor                                  | S | S | L | L | L | L | Y |
| Outdoor                                 | N | N | S | S | S | S | S |
| Hazardous materials                     | N | N | N | N | N | N | N |
| <b>TRANSPORTATION USES</b>              |   |   |   |   |   |   |   |
| Ambulance service                       | N | N | S | S | Y | Y | S |
| Ground transportation service           | N | N | S | S | S | S | L |
| Passenger terminal                      | N | N | Y | Y | Y | Y | Y |
| Helicopter landing facility             | N | N | S | S | S | S | S |
| Airport                                 | N | N | N | N | N | N | N |
| Ship terminal or docking facility       | N | N | N | N | N | N | N |
| Truck freight terminal                  | N | N | N | N | N | N | N |
| Railroad switching, classification yard | N | N | N | N | N | N | N |
| <b>INDUSTRIAL USES</b>                  |   |   |   |   |   |   |   |
| Manufacturing, light                    | N | N | L | L | L | L | L |
| Manufacturing, heavy                    | N | N | N | N | N | N | N |
| Manufacturing, intense                  | N | N | N | N | N | N | N |
| Research and development                | N | N | S | S | S | S | S |
| Processing or recycling of minerals     | N | N | N | N | N | N | N |
| Contractor's shop                       | N | N | L | L | L | L | L |
| Contractor's yard                       | N | N | S | S | S | S | S |
| <b>AGRICULTURAL USES</b>                |   |   |   |   |   |   |   |
| Plant nursery or greenhouse             | N | N | N | N | N | N | N |
| Raising of crops or livestock           | N | N | N | N | N | N | N |
| <b>UTILITY AND PUBLIC SERVICE USES</b>  |   |   |   |   |   |   |   |
| Broadcasting or recording studio        | N | N | Y | Y | Y | Y | Y |
| Transmission tower                      | L | L | L | L | L | L | L |
| Water treatment plant                   | S | S | Y | Y | Y | Y | Y |
| Sewage treatment plant                  | N | N | N | N | N | N | N |
| Power generation plant                  | N | N | N | N | N | N | N |
| Substation/distribution equipment       | S | S | S | S | S | S | S |
| Substation/distribution equipment       | L | L | L | L | L | L | L |
| <b>TEMPORARY USES</b>                   |   |   |   |   |   |   |   |
| Seasonal market                         | L | L | L | L | L | L | L |

|                                  |   |   |   |   |   |   |   |
|----------------------------------|---|---|---|---|---|---|---|
| Temporary real estate sales of   | L | L | L | L | L | L | L |
| Concrete/batch plant, temporary  | L | L | L | L | L | L | L |
| Live entertainment special event | L | L | L | L | L | L | L |

Part 31. Section 295-603-2-e of the code is repealed.

(Note: The provision being repealed reads as follows:

### 295-603. Uses.

#### 2. LIMITED USE STANDARDS.

e. Day Care Center. e-1. The use is located in a building containing an elementary or secondary school, college, library or cultural institution as a principal use.

e-2. The use shall not operate between the hours of 12 a.m. and 5 a.m.)

Part 32. Section 295-603-2-j-1 of the code is amended to read:

j. Drive-through Facility.

j-1. A queue lane of at least 200 feet shall be provided on the premises. >>This limitation shall not apply to an automatic teller machine.<<

Part 33. Section 295-603-2-L of the code is amended to read:

L. Parking Lot, Accessory Use. The parking lot shall not be located between the street façade of a principal building and a street lot line. >>This standard shall not apply to any use listed in the “motor vehicle uses” section of table 295-603-1.<<

Part 34. Section 295-603-2-q to z is renumbered 295-603-2-r to aa.

Part 35. Section 295-603-2-q of the code is created to read:

q. Light Motor Vehicle Wholesale Facility. Not more than 3 vehicles to be sold shall be stored on the premises.

Part 36. Section 295-603-3 of the code is renumbered 295-603-4.

Part 37. Section 295-603-3 of the code is created to read:

3. ADDITIONAL SPECIAL USE STANDARDS. No special use permit for a currency exchange, payday loan agency or title loan agency shall be granted by the board unless the board finds, in addition to the findings required by s. 295-311-2-d, that:

a. No other currency exchange, payday loan agency or title loan agency is located within 1,500 feet of the proposed use.

b. The proposed use will not be located within 150 feet of a single-family or 2-family residential zoning district.

Part 38. Section 295-605-2-c-1 of the code is amended to read:

## 295-605. Design Standards.

### 2. PRINCIPAL BUILDING STANDARDS.

#### c. Front Setback Standards.

c-1. Intent. Front setback standards are intended to ensure that the front façade or elements of new construction or additions maintain relationships to the primary street that are similar to the corresponding relationships for buildings of similar use in the immediate vicinity. At least 70% of the front façade of a principal building, measured in terms of lineal feet of building frontage, shall ~~[[meet both the minimum and maximum front setback requirements]]~~ >>be located within the range of the minimum and maximum front setbacks established by table 295-605-2<< . ~~[[The remaining 30% or less of the front façade may be set back any distance from the front street property line.]]~~

Part 39. Section 295-605-2-i-3-a of the code is amended to read:

#### i. Design Features.

##### i-3. Glazing.

i-3-a. General. All new principal buildings and additions shall have transparent glass windows on both the primary and secondary street frontages according to the percentages listed in table 295-605-2. In addition, no existing building may be altered in such a way that the amount of glazing is reduced below the amount required herein. Whenever a substantial improvement occurs, the building shall meet the glazing requirements of table 295-605-2 at the time the substantial improvement is completed. Non-glass materials such as transparent plastic may not be used to meet transparency requirements. >>Car washes and light and heavy motor vehicle repair facilities and body shops shall not be required to meet glazing standards.<<

Part 40. Section 295-605-2-i-3-f of the code is repealed and recreated to read:

i-3-f. Display Racks and Fixtures. In no case shall display racks and fixtures, in combination with permitted signs, obscure more than 50% of the glazing area.

Part 41. Table 295-605-5 of the code is amended to read:

| Table 295-605-5 COMMERCIAL DISTRICT SIGN STANDARDS |                  |                  |                              |                  |                              |                              |                   |
|--|------------------|------------------|------------------------------|------------------|------------------------------|------------------------------|-------------------|
|  | Zoning District  |                  |                              |                  |                              |                              |                   |
|  | NS1              | NS2              | LB1                          | LB2              | RB1                          | RB2                          | CS                |
| <i>Freestanding Sign</i>                           | <i>permitted</i> | <i>permitted</i> | <i>permitted</i>             | <i>permitted</i> | <i>permitted</i>             | <i>permitted</i>             | <i>permitted</i>  |
| Maximum number                                     | 1 per site       | 1 per site       | 1 per street frontage >>*_<< | 1 per site*      | 1 per street frontage >>*_<< | 1 per street frontage >>*_<< | 1 per site >>*_<< |
| Type "A" max. (sq. ft.)                            | 60               | 40               | 100                          | 60               | 150                          | 100                          | 60                |

|                                     |  |  |   |  |  |  |  |
|-------------------------------------|--|--|---|--|--|--|--|
| Type "B" max.<br>(sq. ft.)          | 32                                     | 20                                     | 50  | 32                                     | 75                                     | 50                                     | 32                                     |
| Maximum height                      | 10                                     | 6                                      | 14  | 14                                     | 20                                     | 20                                     | 14                                     |
| Wall Signs                          | <i>permitted</i>                       | <i>permitted</i>                       | <i>permitted</i>  | <i>permitted</i>                       | <i>permitted</i>                       | <i>permitted</i>                       | <i>permitted</i>                       |
| Maximum number                      | 1 per 25<br>lineal ft.                 | 1 per 25<br>lineal ft.                 | 1 per 25<br>lineal ft.  | 1 per 25<br>lineal ft.                 | 1 per 25<br>lineal ft.                 | 1 per 25<br>lineal ft.                 | 1 per 25<br>lineal ft.                 |
| Type "A" max.<br>(sq. ft.)          | 40                                     | 40                                     | 60  | 40                                     | 60                                     | 60                                     | 40                                     |
| Type "B" max.<br>(sq. ft.)          | 25                                     | 25                                     | 32  | 25                                     | 32                                     | 32                                     | 25                                     |
| Projecting Signs                    | <i>permitted</i>                       | <i>permitted</i>                       | <i>permitted</i>  | <i>permitted</i>                       | <i>permitted</i>                       | <i>permitted</i>                       | <i>permitted</i>                       |
| Maximum number                      | 1 per 25<br>lineal ft.                 | 1 per 25<br>lineal ft.                 | 1 per 25<br>lineal ft.  | 1 per 25<br>lineal ft.                 | 1 per 25<br>lineal ft.                 | 1 per 25<br>lineal ft.                 | 1 per 25<br>lineal ft.                 |
| Type "A" max.<br>(sq. ft.)          | 50                                     | 50                                     | 60  | 50                                     | 100                                    | 60                                     | 50                                     |
| Type "B" max.<br>(sq. ft.)          | 25                                     | 25                                     | 30  | 25                                     | 50                                     | 30                                     | 25                                     |
| Awning Signs                        | <i>type "A"<br/>permitted<br/>only</i> | <i>type "A"<br/>permitted<br/>only</i> | <i>type "A"<br/>permitted<br/>only</i>  | <i>type "A"<br/>permitted<br/>only</i> | <i>type "A"<br/>permitted<br/>only</i> | <i>type "A"<br/>permitted<br/>only</i> | <i>type "A"<br/>permitted<br/>only</i> |
| Maximum number                      | 1 per 25<br>lineal ft.                 | 1 per 25<br>lineal ft.                 | 1 per 25<br>lineal ft.  | 1 per 25<br>lineal ft.                 | 1 per 25<br>lineal ft.                 | 1 per 25<br>lineal ft.                 | 1 per 25<br>lineal ft.                 |
| Type "A" max.<br>(sq. ft.)          | 20                                     | 10                                     | 20  | 10                                     | 20                                     | 10                                     | 20                                     |
| Canopy and Hood Signs               | <i>permitted</i>                       | <i>permitted</i>                       | <i>permitted</i>  | <i>permitted</i>                       | <i>permitted</i>                       | <i>permitted</i>                       | <i>permitted</i>                       |
| Maximum number                      | 1 per 25<br>lineal ft.                 | 1 per 25<br>lineal ft.                 | 1 per 25<br>lineal ft.  | 1 per 25<br>lineal ft.                 | 1 per 25<br>lineal ft.                 | 1 per 25<br>lineal ft.                 | 1 per 25<br>lineal ft.                 |
| Type "A" max.<br>(sq. ft.)          | 50                                     | 50                                     | 60  | 50                                     | 100                                    | 60                                     | 50                                     |
| Type "B" max.<br>(sq. ft.)          | 25                                     | 25                                     | 30  | 25                                     | 50                                     | 30                                     | 25                                     |
| Roof Signs                          | <i>not permitted</i>                   | <i>not permitted</i>                   | <i>permitted</i>  | <i>type "A"<br/>permitted<br/>only</i> | <i>permitted</i>                       | <i>permitted</i>                       | <i>type "A"<br/>permitted<br/>only</i> |
| Maximum number                      | NA                                     | NA                                     | 1 per<br>building   | 1 per<br>building                      | 1 per<br>building                      | 1 per<br>building                      | 1 per<br>building                      |
| Type "A" max.<br>(sq. ft.)          | NA                                     | NA                                     | 100   | 100                                    | 100                                    | 100                                    | 50                                     |
| Type "B" max.<br>(sq. ft.)          | NA                                     | NA                                     | 32  | 0                                      | 32                                     | 32                                     | 0                                      |
| Off-premise Signs                   | <i>not permitted</i>                   | <i>not permitted</i>                   | <i>permitted</i>  | <i>permitted</i>                       | <i>permitted</i>                       | <i>permitted</i>                       | <i>permitted</i>                       |
| Maximum number                      | NA                                     | NA                                     | 1 per site  | 1 per site                             | 1 per site                             | 1 per site                             | 1 per site                             |
| Maximum display<br>sign (sq. ft.)   | NA                                     | NA                                     | 300   | 300                                    | 300                                    | 300                                    | 300                                    |
| Minimum distance<br>between signs   | NA                                     | NA                                     | 500 ft. between any 2 ground or roof signs; 200 ft. between a ground or roof sign and a wall sign; 200 ft. between any 2 wall signs |  |  |  |  |
| Maximum height<br>freestanding sign | NA                                     | NA                                     | 35  | 35                                     | 35                                     | 35                                     | 35                                     |
| Maximum height<br>(ft.)             | NA                                     | NA                                     | 40  | 40                                     | 40                                     | 40                                     | 40                                     |
| Maximum height                      | NA                                     | NA                                     | 25 ft. above roof   |  |  |  |  |

\* Except 2 shall be permitted if the site fronts on 3 streets or has continuous street frontage of at least 240 feet.

Part 42. Section 295-605-5-h of the code is created to read:

## 5. SIGNS.

h. Additional Regulations. See s. 295-407 for additional regulations for on-premise and off-premise signs.

Part 43. Table 295-703-1 of the code is amended to read:

| Table 295-703-1 DOWNTOWN DISTRICTS USE TABLE |     |     |             |     |     |                  |     |     |
|--|-----|-----|-------------|-----|-----|------------------|-----|-----|
| Y = Permitted Use                            |     |     | L = Limited |     |     | Zoning Districts |     |     |
| Uses   | C9A | C9B | C9C         | C9D | C9E | C9F              | C9G | C9H |
| <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   |
| Attached 3                                   | 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   |
| [[Group R                                    |     |     |             |     |     |                  |     | ]]  |
| >>GROUP RESIDENTIAL USES <<                  |     |     |             |     |     |                  |     |     |
| Rooming                                      | S   | S   | S           | S   | S   | S                | S   | N   |
| Convent,                                     | 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 family                                 | 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   |
| Transition                                   | S   | S   | S           | S   | S   | S                | S   | N   |
| <b>EDUCATIONAL USES</b>                      |     |     |             |     |     |                  |     |     |
| Day care                                     | 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, sp                                    | S | Y | Y | S | S | S | Y | S |
| <b>COMMUNITY-SERVING USES</b>                 |   |   |   |   |   |   |   |   |
| Library                                       | Y | Y | Y | Y | S | Y | Y | N |
| Cultural in                                   | L | L | Y | Y | S | Y | Y | N |
| Communi                                       | S | S | S | S | S | S | S | S |
| Religious                                     | Y | Y | Y | Y | L | Y | L | N |
| Cemetery                                      | N | N | N | N | N | N | N | N |
| Public saf                                    | Y | Y | Y | Y | Y | Y | Y | Y |
| Correction                                    | N | N | N | S | N | N | N | N |
| <b>COMMERCIAL AND OFFICE USES</b>             |   |   |   |   |   |   |   |   |
| General o                                     | L | Y | Y | Y | L | Y | Y | Y |
| Governme                                      | L | Y | Y | Y | L | Y | Y | Y |
| Bank or o                                     | L | Y | Y | Y | Y | Y | Y | N |
| Currency                                      | N | S | S | S | S | S | S | S |
| Retail esta                                   | L | Y | Y | S | Y | Y | Y | S |
| Garden su                                     | N | N | N | N | N | N | S | S |
| Home imp                                      | N | N | N | N | N | N | N | S |
| Secondha                                      | N | S | S | N | S | S | Y | S |
| Outdoor m                                     | S | S | S | N | S | S | Y | S |
| Artist stud                                   | L | Y | Y | N | L | L | Y | S |
| Adult reta                                    | N | N | N | N | N | N | S | S |
| <b>HEALTH CARE AND SOCIAL ASSISTANCE USES</b> |   |   |   |   |   |   |   |   |
| Medical o                                     | L | Y | Y | Y | L | Y | Y | Y |
| Health clir                                   | 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 s                                     | N | N | N | N | S | S | S | S |
| Social ser                                    | S | S | S | S | S | S | S | S |
| Emergend                                      | N | S | S | S | N | N | S | N |
| Nursing h                                     | S | S | S | N | N | N | N | N |
| <b>GENERAL SERVICE USES</b>                   |   |   |   |   |   |   |   |   |
| Personal s                                    | L | Y | Y | S | Y | Y | Y | N |
| Business                                      | 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 h                                     | N | S | S | N | N | N | Y | N |
| Laundrom                                      | S | Y | Y | N | S | Y | Y | N |
| Dry clean                                     | L | Y | Y | Y | Y | Y | Y | N |
| Furniture                                     | 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     |
| Animal Se                                  |   |       |        |    |   |       |     |       |
| Animal h                                   | N | N     | S      | N  | S | S     | S   | S     |
| Animal h                                   | N | N     | N      | N  | N | N     | N   | N     |
| Animal g                                   | N | N     | S      | N  | S | S     | S   | S     |
| <b>MOTOR VEHICLE USES</b>                  |   |       |        |    |   |       |     |       |
| Light Mot                                  |   |       |        |    |   |       |     |       |
| Sales fa                                   | N | N     | N      | N  | N | N     | S   | Y     |
| Rental f                                   | N | L     | L      | L  | L | L     | L   | L     |
| Repair f                                   | N | S     | S      | N  | S | S     | S   | S     |
| Body sh                                    | N | N     | N      | N  | N | N     | N   | S     |
| Outdoor                                    | N | N     | N      | N  | N | N     | N   | S     |
| [[L]]                                      | N | [[Y]] | >[[Y]] | >N | L | [[Y]] | >>L | [[Y]] |
| Heavy Mo                                   |   |       |        |    |   |       |     |       |
| Sales fa                                   | N | N     | N      | N  | N | N     | N   | S     |
| Rental f                                   | N | N     | N      | N  | N | N     | S   | S     |
| Repair f                                   | N | N     | N      | N  | N | N     | N   | S     |
| Body sh                                    | N | N     | N      | N  | N | N     | N   | S     |
| Outdoor                                    | N | N     | N      | N  | N | N     | N   | S     |
| General M                                  |   |       |        |    |   |       |     |       |
| Filling st                                 | N | S     | S      | S  | S | S     | S   | S     |
| Car was                                    | N | S     | S      | S  | S | S     | S   | S     |
| Drive-th                                   | N | S     | S      | S  | S | S     | S   | S     |
| Parking                                    |   |       |        |    |   |       |     |       |
| 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 n                                    | N | N     | S      | S  | S | S     | S   | Y     |
| Heavy n                                    | S | S     | S      | S  | S | S     | S   | Y     |
| <b>ACCOMMODATION AND FOOD SERVICE USES</b> |   |       |        |    |   |       |     |       |
| Bed and b                                  | S | Y     | Y      | N  | L | L     | Y   | N     |
| Hotel, con                                 | S | Y     | Y      | Y  | Y | Y     | Y   | N     |
| Hotel, res                                 | 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     |
| Restaurar                                  | L | Y     | Y      | Y  | Y | Y     | Y   | Y     |
| Restaurar                                  | L | Y     | Y      | Y  | Y | Y     | Y   | Y     |

| ENTERTAINMENT AND RECREATION USES           |   |   |   |   |   |   |   |   |
|---|---|---|---|---|---|---|---|---|
| Park or play                                | Y | Y | Y | Y | Y | Y | Y | Y |
| Festival ground                             | 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 |
| Adult entertainment                         | N | N | N | N | N | N | S | S |
| STORAGE, RECYCLING AND WHOLESALE TRADE USES |   |   |   |   |   |   |   |   |
| 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 | Y |
| Outdoor                                     | N | N | N | N | N | N | N | N |
| Hazardous                                   | N | N | N | N | N | N | N | N |
| TRANSPORTATION USES                         |   |   |   |   |   |   |   |   |
| 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 |
| INDUSTRIAL USES                             |   |   |   |   |   |   |   |   |
| 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 and development                    | N | Y | Y | N | Y | Y | Y | Y |

|  |   |   |   |   |   |   |   |   |
|--|---|---|---|---|---|---|---|---|
| Research                               | N | N | N | N | N | N | N | N |
| 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 |
| <b>UTILITY AND PUBLIC SERVICE USES</b> |   |   |   |   |   |   |   |   |
| Broadcast                              | N | Y | Y | Y | L | Y | Y | Y |
| Transmiss                              | L | L | L | L | L | L | L | L |
| Water treat                            | S | S | S | S | S | S | S | S |
| Sewage tr                              | S | S | S | S | S | S | S | S |
| Power gen                              | N | N | N | N | N | N | N | N |
| 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 |
| Temporar                               | L | L | L | L | L | L | L | L |
| Concrete/                              | L | L | L | L | L | L | L | L |
| Live enter                             | L | L | L | L | L | L | L | L |

Part 44. Section 295-703-3 of the code is created to read:

**3. ADDITIONAL SPECIAL USE STANDARDS.** No special use permit for a currency exchange, payday loan agency or title loan agency shall be granted by the board unless the board finds, in addition to the findings required by s. 295-311-2-d, that:

- a. No other currency exchange, payday loan agency or title loan agency is located within 1,500 feet of the proposed use.
- b. The proposed use will not be located within 150 feet of a single-family or 2-family residential zoning district.

Part 45. Section 295-705-7-d of the code is created to read:

## **295-705. Design Standards.**

### **7. SIGNS.**

d. Additional Regulations. See s. 295-407 for additional regulations for on-premise and off-premise signs.

Part 46. Table 295-803-1 of the code is amended to read:

| Table 295-803-1 INDUSTRIAL DISTRICTS USE TABLE |                  |         |    |    |
|--|------------------|---------|----|----|
| Y = Permitted Use<br>Prohibited Use            | Zoning Districts |         |    |    |
| Uses   | IO1/IO2          | IL1/IL2 | IM | IH |
| <b>RESIDENTIAL USES</b>                        |                  |         |    |    |
| Single-family dwelling                         | N                | N       | Y  | N  |
| Two-family dwelling                            | N                | N       | Y  | N  |
| Multi-family dwelling                          | N                | N       | Y  | N  |
| Attached single-family                         | N                | N       | Y  | N  |
| Live-work unit                                 | N                | N       | Y  | N  |
| Mobile home                                    | N                | N       | N  | N  |
| Watchman/service qu                            | Y                | Y       | N  | Y  |
| Family day care hom                            | N                | N       | Y  | N  |
| [[Group Residential                            |                  |         |    | ]] |
| >> <b>GROUP RESIDENTIAL USES</b> <<            |                  |         |    |    |
| Rooming house                                  | N                | N       | S  | N  |
| Convent, rectory or m                          | N                | N       | Y  | N  |
| Dormitory                                      | N                | N       | S  | N  |
| Fraternity or sorority                         | N                | N       | S  | N  |
| Adult family home                              | N                | N       | L  | N  |
| <i>Foster Homes</i>                            |                  |         |    |    |
| Foster family home                             | N                | N       | Y  | N  |
| Small foster home                              | N                | N       | L  | N  |
| Group home or gro                              | N                | N       | L  | N  |
| <i>Shelter Care Facilitie</i>                  |                  |         |    |    |
| Family shelter care                            | N                | N       | Y  | N  |
| Small group shelter                            | N                | N       | L  | N  |
| Large group shelter                            | N                | N       | S  | N  |
| Community living arra                          | N                | N       | L  | N  |
| Transitional living fac                        | N                | N       | S  | N  |
| <b>EDUCATIONAL USES</b>                        |                  |         |    |    |
| Day care center                                | S                | S       | L  | S  |
| School, elementary o                           | N                | N       | Y  | N  |
| College  | S                | S       | S  | N  |
| School, specialty or p                         | S                | S       | S  | N  |
| <b>COMMUNITY-SERVING USES</b>                  |                  |         |    |    |
| Library  | N                | N       | Y  | N  |
| Cultural institution                           | N                | N       | L  | N  |
| Community center                               | N                | N       | S  | N  |
| Religious assembly                             | N                | N       | S  | N  |

|  |   |   |   |   |
|--|---|---|---|---|
| Cemetery or other place                  | N | N | N | N |
| Public safety facility                   | Y | Y | Y | Y |
| Correctional facility                    | N | N | N | N |
| <b>COMMERCIAL AND OFFICE USES</b>        |   |   |   |   |
| General office                           | Y | Y | Y | L |
| Government office                        | Y | Y | Y | L |
| Bank or other financial institution      | S | S | Y | N |
| Currency exchange, check cashing         | N | N | S | N |
| Retail establishment, store              | N | N | Y | N |
| Garden supply or landscape               | N | Y | Y | N |
| Home improvement department              | N | Y | Y | N |
| Secondhand store                         | N | N | S | N |
| Outdoor merchandise                      | N | N | L | N |
| Artist studio                            | N | Y | Y | N |
| Adult retail establishment               | N | N | S | N |
| <b>HEALTH CARE AND SOCIAL ASSISTANCE</b> |   |   |   |   |
| Medical office                           | S | N | S | N |
| Health clinic                            | L | N | S | N |
| Hospital                                 | N | N | N | N |
| Medical research laboratory              | Y | Y | Y | N |
| Medical service facility                 | N | S | N | N |
| Social service facility                  | N | S | S | N |
| Emergency residential facility           | N | N | N | N |
| Nursing home                             | N | N | N | N |
| <b>GENERAL SERVICE USES</b>              |   |   |   |   |
| Personal service                         | N | N | Y | N |
| Business service                         | Y | S | Y | N |
| Building maintenance                     | S | Y | S | N |
| Catering service                         | S | Y | Y | N |
| Funeral home                             | N | N | N | N |
| Laundromat                               | N | N | Y | N |
| Dry cleaning establishment               | N | N | Y | N |
| Furniture and appliance store            | N | N | Y | N |
| Household maintenance                    | N | Y | Y | N |
| Tool/equipment rental                    | N | Y | Y | N |
| <i>Animal Services</i>                   |   |   |   |   |
| Animal hospital/clinic                   | N | Y | L | Y |
| Animal boarding facility                 | N | Y | L | Y |
| Animal grooming or bathing               | N | Y | L | Y |

| MOTOR VEHICLE USES                  |   |   |   |   |
|-------------------------------------|---|---|---|---|
| <i>Light Motor Vehicle</i>          |   |   |   |   |
| Sales facility                      | L | S | S | S |
| Rental facility                     | L | S | S | S |
| Repair facility                     | L | S | S | L |
| Body shop                           | L | S | S | L |
| Outdoor storage                     | L | Y | S | Y |
| [[Limited wholesale                 | Y | Y | Y | Y |
| <i>Heavy Motor Vehicle</i>          |   |   |   |   |
| Sales facility                      | L | Y | S | Y |
| Rental facility                     | L | Y | S | Y |
| Repair facility                     | L | L | S | L |
| Body shop                           | L | L | S | L |
| Outdoor storage                     | L | S | S | Y |
| <i>General Motor Vehicle</i>        |   |   |   |   |
| Filling station                     | S | S | S | S |
| Car wash                            | S | S | S | S |
| Drive-through facility              | S | S | S | S |
| <i>Parking</i>                      |   |   |   |   |
| Parking lot, principal              | Y | Y | L | Y |
| Parking lot, access                 | Y | Y | L | Y |
| Parking structure, principal        | Y | Y | L | Y |
| Parking structure, accessory        | Y | Y | L | Y |
| Heavy motor vehicle                 | S | L | L | Y |
| Heavy motor vehicle                 | Y | Y | Y | Y |
| ACCOMMODATION AND FOOD SERVICE USES |   |   |   |   |
| Bed and breakfast                   | N | N | Y | N |
| Hotel, commercial                   | L | N | Y | N |
| Hotel, residential                  | N | N | Y | N |
| Tavern                              | L | L | Y | L |
| Assembly hall                       | S | S | S | N |
| Restaurant, sit-down                | L | L | Y | L |
| Restaurant, fast-food               | L | L | L | L |
| ENTERTAINMENT AND RECREATION USES   |   |   |   |   |
| Park or playground                  | S | S | S | S |
| Festival grounds                    | N | N | N | N |
| Recreation facility, indoor         | N | S | Y | N |
| Recreation facility, outdoor        | N | N | S | N |
| Health club                         | L | L | Y | N |

|  |   |   |   |   |
|--|---|---|---|---|
| Sports facility                                    | N | S | S | N |
| Gaming facility                                    | N | S | N | N |
| Theater  | N | N | Y | N |
| Convention and expo                                | S | N | S | N |
| Marina   | Y | Y | Y | Y |
| Outdoor racing facility                            | N | N | N | S |
| Adult entertainment                                | N | N | N | N |
| <b>STORAGE, RECYCLING AND WHOLESALE TRADE USES</b> |   |   |   |   |
| Recycling collection                               | S | Y | S | Y |
| Mixed-waste process                                | N | L | S | L |
| Material reclamation                               | N | N | N | L |
| Salvage operation, in                              | L | L | L | L |
| Salvage operation, out                             | N | S | S | S |
| Wholesale and distrib                              | Y | Y | Y | Y |
| Wholesale and distrib                              | S | Y | S | Y |
| <i>Storage Facilities</i>                          |   |   |   |   |
| Indoor   | Y | Y | Y | Y |
| Outdoor  | N | Y | S | Y |
| Hazardous material                                 | N | N | N | S |
| <b>TRANSPORTATION USES</b>                         |   |   |   |   |
| Ambulance service                                  | Y | Y | S | Y |
| Ground transportation                              | S | Y | S | Y |
| Passenger terminal                                 | Y | Y | Y | Y |
| Helicopter landing                                 | S | S | S | S |
| Airport  | N | Y | N | N |
| Ship terminal or dock                              | N | Y | N | Y |
| Truck freight terminal                             | N | S | S | L |
| Railroad switching, cl                             | N | Y | Y | Y |
| <b>INDUSTRIAL USES</b>                             |   |   |   |   |
| Manufacturing, light                               | Y | Y | Y | Y |
| Manufacturing, heavy                               | N | S | S | Y |
| Manufacturing, intens                              | N | N | N | S |
| Research and develop                               | Y | Y | Y | Y |
| Processing or recyclin                             | N | N | N | S |
| Contractor's shop                                  | S | Y | Y | Y |
| Contractor's yard                                  | S | Y | Y | Y |
| <b>AGRICULTURAL USES</b>                           |   |   |   |   |
| Plant nursery or gree                              | Y | Y | Y | Y |

|  |   |   |   |
|--|---|---|---|
| Raising of crops or livestock          | Y | Y | Y |
| <b>UTILITY AND PUBLIC SERVICE USES</b> |   |   |   |
| Broadcasting or recording              | Y | S | Y |
| Transmission tower                     | L | L | L |
| Water treatment plant                  | Y | Y | Y |
| Sewerage treatment                     | N | Y | N |
| Power generation plant                 | N | S | N |
| Substation/distribution                | S | Y | S |
| Substation/distribution                | L | Y | L |
| <b>TEMPORARY USES</b>                  |   |   |   |
| Seasonal market                        | L | L | L |
| Temporary real estate                  | L | L | L |
| Concrete/batch plant                   | L | L | L |
| Live entertainment space               | L | L | L |

Part 47. Section 295-803-3 of the code is renumbered 295-803-4.

Part 48. Section 295-803-3 of the code is created to read:

### 295-803. Uses.

**3. ADDITIONAL SPECIAL USE STANDARDS.** No special use permit for a currency exchange, payday loan agency or title loan agency shall be granted by the board unless the board finds, in addition to the findings required by s. 295-311-2-d, that:

- No other currency exchange, payday loan agency or title loan agency is located within 1,500 feet of the proposed use.
- The proposed use will not be located within 150 feet of a single-family or 2-family residential zoning district.

Part 49. Section 295-803-4-f of the code is amended to read:

### 4. ACCESSORY USES.

f. Accessory Parking. The location of accessory off-street parking spaces, including parking for 4 or fewer vehicles, shall comply with all applicable parking location standards set forth in ~~[[s. 295-803-2-n]]~~ >>s. 295-803-2-q<< .

Part 50. Table 295-805-2 of the code is amended to read:

| <b>Table 295-805-2 PRINCIPAL BUILDING DESIGN STANDARDS</b>                     |     |     |     |     |    |    |
|--|-----|-----|-----|-----|----|----|
| >>Design Standards for Industrial Buildings (as defined in s. 295-805-4-e-1)<< |     |     |     |     |    |    |
|  | IO1 | IO2 | IL1 | IL2 | IM | IH |

|   |         |         |         |         |                                   |         |
|---|---------|---------|---------|---------|-----------------------------------|---------|
| Front setback   | none *  | none *  | none *  | none *  | none *                            | none *  |
| Side street minimum (ft)  | none *  | none *  | none *  | none *  | none *                            | none *  |
| Rear street minimum (ft)  | none *  | none *  | none *  | none *  | none *                            | none *  |
| Side setback  | none *  | none *  | none *  | none *  | none *                            | none *  |
| Rear setback  | none *  | none *  | none *  | none *  | none *                            | none *  |
| Height, maximum   | none ** | none ** | none ** | none ** | 85 ft. (new construction only) ** | none ** |
| >>Height, minimum   | none    | none    | none    | none    | 30 ft.                            | none<<  |
| * Whenever [[a]] >> <u>an industrial</u> << building site is adjacent to or across a street or -805-4-d.  |         |         |         |         |                                   |         |
| ** Whenever [[a]] >> <u>an industrial</u> << building site is adjacent to or across a street o            |         |         |         |         |                                   |         |
| <i>Design Standards for Non-industrial Buildings Except Single-family and Two-family Dwe</i>              |         |         |         |         |                                   |         |
|   | IO1     | IO2     | IL1     | IL2     | IM                                | IH      |
| Refer to de subch. 6 for commercial   | LB1     | LB2     | LB1     | LB2     | LB2 ***                           | LB2     |
| *** Compliance with the lot area and lot coverage requirements of the LB2 district shall not be required. |         |         |         |         |                                   |         |
| <i>Design Standards for Single-family and Two-family Dwellings</i>  |         |         |         |         |                                   |         |
|   | IO1     | IO2     | IL1     | IL2     | IM                                | IH      |
| Refer to de subch. 5 for residential  | RT2     | RT3     | RT2     | RT3     | RT4                               | RT4     |

Part 51. Section 295-805-4-e-1 of the code is amended to read:

## 295-805. Industrial Design Standards.

### 4. SITE STANDARDS.

#### e. Height Adjustment.

e-1. Height Limitation When Adjacent to Residential >>, Institutional, Parks, or Non-Industrial Planned Development<< District. The maximum height of an industrial building at the required residential buffer line or, if there is no buffer requirement, at the property line, located adjacent to or across a street or alley from a residential >>, institutional, parks<< or [[a]] non-industrial planned development district shall be the average height of residential buildings on the adjacent blockface. The height of the industrial building may be increased by one foot for every 2 feet the building is set back from the residential buffer line or the property line, as appropriate. >>For purposes of this subdivision, “industrial building” means a building containing any use listed under the headings of “storage, recycling and wholesale trade uses,” “transportation uses,” “industrial uses” and “utility and public service uses” in table 295-803-1.<<

Part 52. Section 295-805-5-g of the code is created to read:

### 5. SIGNS.

g. Additional Regulations. See s. 295-407 for additional regulations for on-premise and off-premise signs.

Part 53. Table 295-903-2-a of the code is amended to read:

| Table 295-903-2-a PARKS DISTRICT USE TABLE |                                       |
|--|---------------------------------------|
| Y = Permitted Use<br>Prohibited Use        | L = Limited Use S = § Zoning District |
| Uses                                       | PK                                    |
| <b>RESIDENTIAL USES</b>                    |                                       |
| Single-family dwelling                     | N                                     |
| Two-family dwelling                        | N                                     |
| Multi-family dwelling                      | N                                     |
| Attached single-family dwelling            | N                                     |
| Live-work unit                             | N                                     |
| Mobile home                                | N                                     |
| Watchman/service quarters                  | N                                     |
| Family day care home                       | N                                     |
| <del>[[Group Residential</del>             | <del>]]</del>                         |
| >> <b>GROUP RESIDENTIAL USES</b> <<        |                                       |
| Rooming house                              | N                                     |
| Convent, rectory or monastery              | N                                     |
| Dormitory                                  | N                                     |
| Fraternity or sorority                     | N                                     |
| Adult family home                          | N                                     |
| <i>Foster Homes</i>                        |                                       |
| Foster family home                         | N                                     |
| Small foster home                          | N                                     |
| Group home or group foster home            | N                                     |
| <i>Shelter Care Facilities</i>             |                                       |
| Family shelter care facility               | N                                     |
| Small group shelter care facility          | N                                     |
| Large group shelter care facility          | N                                     |
| Community living arrangement               | N                                     |
| Transitional living facility               | N                                     |
| <b>EDUCATIONAL USES</b>                    |                                       |
| Day care center                            | L                                     |
| School, elementary or secondary            | Y                                     |
| College                                    | Y                                     |
| School, specialty or personal instruction  | S                                     |

|  |   |
|--|---|
| <b>COMMUNITY-SERVING USES</b>                  |   |
| Library  | Y |
| Cultural institution                           | L |
| Community center                               | L |
| Religious assembly                             | L |
| Cemetery or other place of interment           | N |
| Public safety facility                         | Y |
| Correctional facility                          | N |
| <b>COMMERCIAL AND OFFICE USES</b>              |   |
| General office                                 | N |
| Government office                              | Y |
| Bank or other financial institution            | N |
| Currency exchange, payday loan agency or title | N |
| Retail establishment, general                  | L |
| Garden supply or landscaping center            | N |
| Home improvement center                        | N |
| Secondhand store                               | N |
| Outdoor merchandise sales                      | N |
| Artist studio                                  | N |
| Adult retail establishment                     | N |
| <b>HEALTH CARE AND SOCIAL ASSISTANCE</b>       |   |
| Medical office                                 | N |
| Health clinic                                  | N |
| Hospital                                       | N |
| Medical research laboratory                    | N |
| Medical service facility                       | N |
| Social service facility                        | N |
| Emergency residential shelter                  | N |
| Nursing home                                   | N |
| <b>GENERAL SERVICE USES</b>                    |   |
| Personal service                               | N |
| Business service                               | N |
| Building maintenance service                   | N |
| Catering service                               | N |
| Funeral home                                   | N |
| Laundromat                                     | N |
| Dry cleaning establishment                     | N |
| Furniture and appliance rental and leasing     | N |
| Household maintenance and repair service       | N |

|   |   |
|---|---|
| Tool/equipment rental facility                            | N |
| <i>Animal Services</i>                                    |   |
| Animal hospital/clinic                                    | N |
| Animal boarding facility                                  | N |
| Animal grooming or training facility                      | N |
| <b>MOTOR VEHICLE USES</b>                                 |   |
| <i>Light Motor Vehicle</i>                                |   |
| Sales facility  | N |
| Rental facility   | N |
| Repair facility   | N |
| Body shop   | N |
| Outdoor storage   | N |
| [[ <del>Limited wholesale</del> ]] >>Wholesale<< facility | N |
| <i>Heavy Motor Vehicle</i>                                |   |
| Sales facility  | N |
| Rental facility   | N |
| Repair facility   | N |
| Body shop   | N |
| Outdoor storage   | N |
| <i>General Motor Vehicle</i>                              |   |
| Filling station   | N |
| Car wash  | N |
| Drive-through facility                                    | N |
| <i>Parking</i>  |   |
| Parking lot, principal use                                | S |
| Parking lot, accessory use                                | Y |
| Parking structure, principal use                          | S |
| Parking structure, accessory use                          | S |
| Heavy motor vehicle parking lot, principal use            | N |
| Heavy motor vehicle parking lot, accessory use            | N |
| <b>ACCOMMODATION AND FOOD SERVICE USES</b>                |   |
| Bed and breakfast   | N |
| Hotel, commercial   | N |
| Hotel, residential  | N |
| Tavern  | N |
| Assembly hall   | L |
| Restaurant, sit-down                                      | L |
| Restaurant, fast-food/carry-out                           | L |
| <b>ENTERTAINMENT AND RECREATION USES</b>                  |   |

|  |   |
|--|---|
| Park or playground                                 | Y |
| Festival grounds                                   | N |
| Recreation facility, indoor                        | Y |
| Recreation facility, outdoor                       | Y |
| Health club  | N |
| Sports facility                                    | S |
| Gaming facility                                    | N |
| Theater  | L |
| Convention and exposition center                   | S |
| Marina   | L |
| Outdoor racing facility                            | N |
| Adult entertainment establishment                  | N |
| <b>STORAGE, RECYCLING AND WHOLESALE TRADE USES</b> |   |
| Recycling collection facility                      | N |
| Mixed-waste processing facility                    | N |
| Material reclamation facility                      | N |
| Salvage operation, indoor                          | N |
| Salvage operation, outdoor                         | N |
| Wholesale and distribution facility, indoor        | N |
| Wholesale and distribution facility, outdoor       | N |
| <i>Storage Facilities</i>                          |   |
| Indoor   | N |
| Outdoor  | N |
| Hazardous materials                                | N |
| <b>TRANSPORTATION USES</b>                         |   |
| Ambulance service                                  | N |
| Ground transportation service                      | N |
| Passenger terminal                                 | L |
| Helicopter landing facility                        | N |
| Airport  | N |
| Ship terminal or docking facility                  | N |
| Truck freight terminal                             | N |
| Railroad switching, classification yard or freight | N |
| <b>INDUSTRIAL USES</b>                             |   |
| Manufacturing, light                               | N |
| Manufacturing, heavy                               | N |
| Manufacturing, intense                             | N |
| Research and development                           | N |
| Processing or recycling of mined materials         | N |

|  |   |
|--|---|
| Processing or recycling of mined materials | N |
| Contractor's shop                          | N |
| Contractor's yard                          | N |
| <b>AGRICULTURAL USES</b>                   |   |
| Plant nursery or greenhouse                | L |
| Raising of crops or livestock              | Y |
| <b>UTILITY AND PUBLIC SERVICE USES</b>     |   |
| Broadcasting or recording studio           | N |
| Transmission tower                         | L |
| Water treatment plant                      | Y |
| Sewerage treatment plant                   | N |
| Power generation plant                     | N |
| Substation/distribution equipment, indoor  | S |
| Substation/distribution equipment, outdoor | L |
| <b>TEMPORARY USES</b>                      |   |
| Seasonal market                            | L |
| Temporary real estate sales office         | N |
| Concrete/batch plant, temporary            | L |
| Live entertainment special event           | L |

Part 54. Section 295-903-3-d-5-e of the code is created to read:

### 295-903. Parks District (PK).

### 3. DESIGN STANDARDS.

#### d. Site Standards.

#### d-5. Signs.

d-5-e. Additional Regulations. See s. 295-407 for additional regulations for on-premise signs.

Part 55. Table 295-905-2-a of the code is amended to read:

| Table 295-905-2-a INSTITUTIONAL DISTRICT USE TABLE |                                       |
|--|---------------------------------------|
| Y = Permitted Use<br>Prohibited Use                | L = Limited Use S = § Zoning District |
| <b>Uses</b>  | TL                                    |
| <b>RESIDENTIAL USES</b>                            |                                       |
| Single-family dwelling                             | N                                     |
| Two-family dwelling                                | N                                     |
| Multi-family dwelling                              | N                                     |
| Attached single-family dwelling                    | N                                     |

|  |    |
|--|----|
| Live-work unit                                 | N  |
| Mobile home                                    | N  |
| Watchman/service quarters                      | Y  |
| Family day care home                           | N  |
| [[Group Residential                            | ]] |
| >>GROUP RESIDENTIAL USES <<                    |    |
| Rooming house                                  | S  |
| Convent, rectory or monastery                  | Y  |
| Dormitory                                      | Y  |
| Fraternity or sorority                         | S  |
| Adult family home                              | N  |
| Foster Homes                                   |    |
| Foster family home                             | N  |
| Small foster home                              | N  |
| Group home or group foster home                | L  |
| Shelter Care Facilities                        |    |
| Family shelter care facility                   | N  |
| Small shelter care facility                    | L  |
| Large shelter care facility                    | S  |
| Community living arrangement                   | L  |
| Transitional living facility                   | S  |
| EDUCATIONAL USES                               |    |
| Day care center                                | L  |
| School, elementary or secondary                | Y  |
| College  | Y  |
| School, specialty or personal instruction      | Y  |
| COMMUNITY-SERVING USES                         |    |
| Library  | Y  |
| Cultural institution                           | Y  |
| Community center                               | S  |
| Religious assembly                             | Y  |
| Cemetery or other place of interment           | Y  |
| Public safety facility                         | Y  |
| Correctional facility                          | S  |
| COMMERCIAL AND OFFICE USES                     |    |
| General office                                 | Y  |
| Government office                              | Y  |
| Bank or other financial institution            | L  |
| Currency exchange, payday loan agency or title | S  |

|  |   |
|--|---|
| Retail establishment, general                | L |
| Garden supply or landscaping center          | N |
| Home improvement center                      | N |
| Secondhand store                             | N |
| Outdoor merchandise sales                    | N |
| Artist studio                                | Y |
| Adult retail establishment                   | N |
| <b>HEALTH CARE AND SOCIAL ASSISTANCE</b>     |   |
| Medical office                               | Y |
| Health clinic                                | S |
| Hospital                                     | S |
| Medical research laboratory                  | Y |
| Medical service facility                     | S |
| Social service facility                      | S |
| Emergency residential shelter                | S |
| Nursing home                                 | Y |
| <b>GENERAL SERVICE USES</b>                  |   |
| Personal service                             | L |
| Business service                             | L |
| Building maintenance service                 | S |
| Catering service                             | S |
| Funeral home                                 | Y |
| Laundromat                                   | S |
| Dry cleaning establishment                   | S |
| Furniture and appliance rental and leasing   | N |
| Household maintenance and repair service     | N |
| Tool/equipment rental facility               | N |
| <i>Animal Services</i>                       |   |
| Animal hospital/clinic                       | N |
| Animal boarding facility                     | N |
| Animal grooming or training facility         | N |
| <b>MOTOR VEHICLE USES</b>                    |   |
| <i>Light Motor Vehicle</i>                   |   |
| Sales facility                               | N |
| Rental facility                              | N |
| Repair facility                              | N |
| Body shop                                    | N |
| Outdoor storage                              | N |
| [[Limited wholesale]] >>Wholesale<< facility | N |

|  |   |
|--|---|
| <i>Heavy Motor Vehicle</i>                         |   |
| Sales facility                                     | N |
| Rental facility                                    | N |
| Repair facility                                    | N |
| Body shop  | N |
| Outdoor storage                                    | N |
| <i>General Motor Vehicle</i>                       |   |
| Filling station                                    | N |
| Car wash   | N |
| Drive-through facility                             | L |
| <i>Parking</i>                                     |   |
| Parking lot, principal use                         | S |
| Parking lot, accessory use                         | Y |
| Parking structure, principal use                   | S |
| Parking structure, accessory use                   | S |
| Heavy motor vehicle parking lot, principal use     | N |
| Heavy motor vehicle parking lot, accessory use     | N |
| <b>ACCOMMODATION AND FOOD SERVICE USES</b>         |   |
| Bed and breakfast                                  | S |
| Hotel, commercial                                  | N |
| Hotel, residential                                 | N |
| Tavern   | N |
| Assembly hall                                      | S |
| Restaurant, sit-down                               | Y |
| Restaurant, fast-food/carry-out                    | L |
| <b>ENTERTAINMENT AND RECREATION USES</b>           |   |
| Park or playground                                 | Y |
| Festival grounds                                   | Y |
| Recreation facility, indoor                        | S |
| Recreation facility, outdoor                       | S |
| Health club  | Y |
| Sports facility                                    | S |
| Gaming facility                                    | N |
| Theater  | N |
| Convention and exposition center                   | S |
| Marina   | Y |
| Outdoor racing facility                            | N |
| Adult entertainment establishment                  | N |
| <b>STORAGE, RECYCLING AND WHOLESALE TRADE USES</b> |   |

|  |   |
|--|---|
| <b>STORAGE, RECYCLING AND REUSE USES</b>           |   |
| Recycling collection facility                      | S |
| Mixed-waste processing facility                    | N |
| Material reclamation facility                      | N |
| Salvage operation, indoor                          | N |
| Salvage operation, outdoor                         | N |
| Wholesale and distribution facility, indoor        | N |
| Wholesale and distribution facility, outdoor       | N |
| <i>Storage Facilities</i>                          |   |
| Indoor   | N |
| Outdoor  | N |
| Hazardous materials                                | N |
| <b>TRANSPORTATION USES</b>                         |   |
| Ambulance service                                  | Y |
| Ground transportation service                      | N |
| Passenger terminal                                 | Y |
| Helicopter landing facility                        | S |
| Airport  | N |
| Ship terminal or docking facility                  | N |
| Truck freight terminal                             | N |
| Railroad switching, classification yard or freight | N |
| <b>INDUSTRIAL USES</b>                             |   |
| Manufacturing, light                               | N |
| Manufacturing, heavy                               | N |
| Manufacturing, intense                             | N |
| Research and development                           | S |
| Processing or recycling of mined materials         | N |
| Contractor's shop                                  | N |
| Contractor's yard                                  | N |
| <b>AGRICULTURAL USES</b>                           |   |
| Plant nursery or greenhouse                        | N |
| Raising of crops or livestock                      | N |
| <b>UTILITY AND PUBLIC SERVICE USES</b>             |   |
| Broadcasting or recording studio                   | Y |
| Transmission tower                                 | L |
| Water treatment plant                              | Y |
| Sewerage treatment plant                           | Y |
| Power generation plant                             | S |
| Substation/distribution equipment, indoor          | Y |
| Substation/distribution equipment, outdoor         | L |

|  |   |
|--|---|
| Substation/distribution equipment, outdoor | L |
| <b>TEMPORARY USES</b>                      |   |
| Seasonal market                            | L |
| Temporary real estate sales office         | L |
| Concrete/batch plant, temporary            | L |
| Live entertainment special event           | L |

Part 56. Section 295-905-2-b-6-a of the code is amended to read:

**295-905. Institutional District (TL).**

**2. USES.**

**b. Limited Use Standards.**

**b-6. Drive-through Facility.**

b-6-a. A queuing lane of at least 200 feet shall be provided on the premises. >>This limitation shall not apply to an automatic teller machine.<<

Part 57. Section 295-905-2-c of the code is created to read:

c. Additional Special Use Standards. No special use permit for a currency exchange, payday loan agency or title loan agency shall be granted by the board unless the board finds, in addition to the findings required by s. 295-311-2-d, that:

c-1. No other currency exchange, payday loan agency or title loan agency is located within 1,500 feet of the proposed use.

c-2. The proposed use will not be located within 150 feet of a single-family or 2-family residential zoning district.

Part 58. Section 295-905-3-d-5-f of the code is created to read:

**3. DESIGN STANDARDS.**

**d. Site Standards.**

**d-5. Signs.**

d-5-f. Additional Regulations. See s. 295-407 for additional regulations for on-premise signs.

Part 59. Section 295-907-3-n of the code is created to read:

**295-907. Planned Development District (PD/DPD).**

**3. STANDARDS.**

n. Additional Sign Regulations. See s. 295-407 for additional regulations for on-premise and off-premise signs.

Part 60. Section 295-909-1 of the code is amended to read:

**295-909. Redevelopment District (RED).**

1. PURPOSE. The redevelopment district is established to provide a zoning context that may be applied to areas of the city where the common council has adopted a >>development plan, as defined by s. 66.1301(3)(g), Wis. Stats., or a<< redevelopment plan, as defined by s. 66.1331(3)(Lm), Wis. Stats., and the plan includes specific regulations for the use, development and design of properties and structures within its boundaries. The redevelopment district shall be shown on the zoning map with a “RED” designator.

Part 61. Section 295-1003-2-f of the code is created to read:

**295-1003. Neighborhood Conservation Overlay Zone (NC).**

**2. PROCEDURES.**

f. Appeals. An appeal of denial of a permit based on failure to meet performance criteria or development or design standards of a neighborhood conservation overlay zone shall be submitted, along with the fee listed in s. 200-33, to the commission and considered according to the procedures and findings of s. 295-311-7. An appeal relating to application of the regulations of the base or underlying zoning district that were not amended by the overlay zone shall be submitted to the board in accordance with s. 295-311.

Part 62. Section 295-1007-2-f of the code is created to read:

**295-1007. Development Incentive Overlay Zone (DIZ).**

**2. PROCEDURES.**

f. Appeals. An appeal of denial of a permit based on failure to meet the performance standards of a development incentive overlay zone shall be submitted, along with the fee listed in s. 200-33, to the commission and considered according to the procedures and findings of s. 295-311-7. An appeal relating to application of the regulations of the base or underlying zoning district that were not amended by the overlay zone shall be submitted to the board in accordance with s. 295-311.

Part 63. Section 295-1009-2-e of the code is created to read:

**295-1009. Site Plan Review Overlay Zone (SP).**

**2. PROCEDURES.**

e. Appeals. An appeal of denial of a permit based on failure to meet the design standards of a site plan review overlay zone shall be submitted, along with the fee listed in s. 200-33, to the commission and considered according to the procedures and findings of s. 295-311-7. An appeal relating to application of the regulations of the base or underlying zoning district that were not amended by the overlay zone shall be submitted to the board in accordance with s. 295-311.

Part 64. Table 295-1015-3-c-4-e of the code is amended to read:

| Table 295-1015-3-c-4-e SIGN REGULATIONS FOR THE LAKEFRONT OVERLAY ZONE |   |
|--|---|
| LF   |   |
| <i>Freestanding Signs (permitted)</i>                                  |   |
| Max. number  | 1 per activity >>per street<<                                 |
| Type "A" max. display area (sq. ft.)                                   | 30  |
| Type "B" max. display area (sq. ft.)                                   | 18; 27 if set on or in a base constructed of masonry material |
| Max. height  | 8 ft.   |
| <i>Wall Signs (permitted)</i>  |   |
| Max. number  | 1 per building  |
| Type "A" max. display area (sq. ft.)                                   | 50  |
| Type "B" max. display area (sq. ft.)                                   | 25  |
| <i>Projecting Signs (permitted)</i>                                    |   |
| Max. number  | 1 per 25 lineal ft.   |
| Type "A" max. display area (sq. ft.)                                   | 25  |
| Type "B" max. display area (sq. ft.)                                   | 10  |
| <i>Awning Signs (type "A" permitted only)</i>                          |   |
| Max. number  | no limit  |
| Type "A" max. display area (sq. ft.)                                   | 10  |
| <i>Hood Signs (permitted)</i>  |   |
| Max. number  | 1 per 25 lineal ft.   |
| Type "A" max. display area (sq. ft.)                                   | 60  |
| Type "B" max. display area (sq. ft.)                                   | 30  |
| <i>Canopy Signs (permitted)</i>  |   |
| Max. number  | 1 per 25 lineal ft.   |
| Type "A" max. display area (sq. ft.)                                   | 25  |
| Type "B" max. display area (sq. ft.)                                   | 10  |
| <i>Roof Signs (not permitted)</i>                                      |   |
| <i>Off-premise Signs (not permitted)</i>                               |   |

Part 65. Section 295-1017-1 of the code is amended to read:

## 295-1017. Master Sign Program Overlay Zone (MSP).

1. PURPOSE. This overlay zone allows the use of different sign regulations in place of or in addition to the sign regulations of the base zoning district for the purpose of allowing overall flexibility in the application of sign regulations >>for larger, multi-tenant sites that may front on more than one street or have large street frontages<<, yet encouraging consistency of sign design within ~~[[a defined geographical area]]~~ >>the overlay zone<< .

Part 66. Section 295-1017-2-c to g is renumbered 295-1017-2-d to h.

Part 67. Section 295-1017-2-c of the code is created to read:

## 2. PROCEDURES.

c. Minimum Site Size. The minimum site size for application of the master sign program overlay zone shall be 1.5 acres.

Part 68. Section 295-1017-2-e-5 of the code is amended to read:

e. Standards.

e-5. A statement of the reasons for any requested deviations from the standards or regulations of ~~[[ this section]]~~ >>the base zoning district<< .

Part 69. Section 295-1017-2-f of the code is amended to read:

f. Allowable Deviations. A master sign program may include more than one freestanding sign per ~~[[ parcel]]~~ >>site<< or other deviations from the standards of this section, such as but not limited to the maximum size or height of individual signs, provided the master sign program meets the intent of the provisions of this section.

Part 70. Section 295-1017-2-g-4 and 5 of the code is repealed and recreated to read:

g. Required Findings.

g-4. The site contains at least 1.5 acres, has multiple tenants and either fronts on more than one street or has a large street frontage.

g-5. The proposed master sign program meets the intent of the sign standards of the base zoning district.

Part 71. Section 295-1017-2-g-6 of the code is repealed.

(Note: The provision being repealed reads as follows:

g-6. The height of any freestanding sign will not exceed 150% of the maximum height otherwise allowed.)

..LRB

APPROVED AS TO FORM

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Legislative Reference Bureau

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

IT IS OUR OPINION THAT THE ORDINANCE  
IS LEGAL AND ENFORCEABLE

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Office of the City Attorney  
Date: \_\_\_\_\_

LRB05352-1  
JDO  
11/08/2005