



Legislation Details (With Text)

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Title: A substitute ordinance relating to restricted building wall materials in various zoning districts.

Sponsors: ALD. BAUMAN

Indexes: BUILDING-REGULATION

Attachments: 1. ZND PowerPoint 10-09-18, 2. ZND PowerPoint 09-18-18, 3. DCD Presentation to ZCTC 09-07-18, 4. Zoning Code Technical Letter, 5. Notice Published on 8-24-18 and 8-31-18, 6. Hearing Notice List, 7. City Plan Commission Letter, 8. DNS Email 9-19-18, 9. Notice Published on 11-1-18

Date	Ver.	Action By	Action	Result	Tally
5/30/2018	0	COMMON COUNCIL	ASSIGNED TO		
5/31/2018	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
5/31/2018	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
8/20/2018	1	CITY CLERK	DRAFT SUBMITTED		
8/24/2018	0	CITY CLERK	PUBLISHED		
9/10/2018	1	CITY PLAN COMMISSION	RECOMMENDED FOR PASSAGE AND ASSIGNED	Pass	6:0
9/12/2018	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/12/2018	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/12/2018	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/12/2018	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/18/2018	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
9/18/2018	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	SUBSTITUTED	Pass	5:0
10/4/2018	2	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
10/9/2018	2	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	4:0
10/16/2018	2	COMMON COUNCIL	PASSED	Pass	13:0
10/25/2018	2	MAYOR	SIGNED		
11/1/2018	2	CITY CLERK	PUBLISHED		

180262
SUBSTITUTE 2

ALD. BAUMAN

A substitute ordinance relating to restricted building wall materials in various zoning districts.

295-201-302	cr
295-505-1-d	cr
295-505-2-L-4	rc
295-605-1-d	cr
295-605-2-i-6	rc
295-705-1.5	cr
295-705-9	rc
295-805-4-e-1	am
295-903-3-e	rc

This ordinance adds the following to the list of purposes of the design standards for residential, commercial and downtown zoning districts:

Promote Usage of Sustainable Building Materials that Add Long-Term Value to Neighborhoods. Façades should be constructed of durable materials that resist denting, splitting, cracking, fading, peeling and other damage. Façade components should be finished-quality materials appropriate for street-facing character, with finished and refined edges, rather than utility-grade materials that are rough and disorderly. Façades should consist of context-appropriate materials that fit the character of urban locations throughout the city.

In addition, this ordinance establishes the following restrictions for building wall materials on new non-industrial principal buildings and additions in the residential, commercial and downtown zoning districts:

1. **Metal Building Walls.** The use of structural corrugated metal wall, or a metal panel-and-batten wall system such as a metal-sided, prefabricated building or a pre-engineered metal building, shall be prohibited when located on any front façade or street façade located within 100 feet of a street lot line. An architectural metal panel façade system with integral trim and integral trim connections to adjacent materials is permitted provided that the architectural metal panel system is not used closer than 1.5 feet from the ground.
2. **Concrete Masonry Units.** Utility-grade concrete masonry units, such as standard concrete block and split-face block, are permitted along a building's street-facing frontage provided that their use is limited to the base of the façade to a height not exceeding 2.5 feet. These materials are permitted on a building's rear, alley and interior lot line facades.
3. **Simulated Stucco Products.** Simulated stucco products are prohibited on the ground-level area of a building, and may only be used on the upper one-third of a street façade. These materials are permitted on floors above the ground level on a building's rear, alley and interior lot line facades. For a one-story building, the ground-level area is the lowest 12 feet of the building.
4. **Prohibited Stone Cladding.** Masonry stone cladding using irregularly-shaped stones, often known as rubble masonry and which is typically laid in an un-coursed manner, is prohibited. This prohibited stone cladding may be composed of river rock or smooth oval-shaped stones or of rough, thinly-layered courses commonly known as ledgerstone. Prohibited materials may be natural stone, manufactured or cultured stone, or veneer siding material.

5. Fiber-Cement Siding. Fiber-cement siding, including composite material made of cement reinforced with cellulose fibers, or any material that is the equivalent of fiber-cement siding, is prohibited within 1.5 feet of grade on a street façade that is adjacent to a street lot line or sidewalk.

Paragraphs 2 through 5 shall not apply to single- and 2-family dwellings in residential zoning districts. The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 295-201-302 of the code is created to read:

295-201. Definitions.

302. INDUSTRIAL BUILDING means, for purposes of applying design standards, any building containing any use listed under the heading of “storage, recycling and wholesale trade uses,” “transportation uses,” “industrial uses” or “utility and public services uses” in the district uses tables.

Part 2. Section 295-505-1-d of the code is created to read:

295-505. Design Standards.

1. INTRODUCTION.

d. Promote Usage of Sustainable Building Materials that Add Long-Term Value to Neighborhoods. Façades should be constructed of durable materials that resist denting, splitting, cracking, fading, peeling and other damage. Façade components should be finished-quality materials appropriate for street-facing character, with finished and refined edges, rather than utility-grade materials that are rough and disorderly. Façades should consist of context-appropriate materials that fit the character of urban locations throughout the city.

Part 3. Section 295-505-2-L-4 of the code is repealed and recreated to read:

2. PRINCIPAL BUILDING STANDARDS.

L. Design Features.

L-4. Restricted Building Wall Materials. Unless otherwise noted herein, the following regulations apply to any non-industrial principal building or addition:

L-4-a. Metal Building Walls. The use of structural corrugated metal wall, or a metal panel-and-batten wall system such as a metal-sided, prefabricated building or a pre-engineered metal building, shall be prohibited when located on any front façade or street façade located within 100 feet of a street lot line. An architectural metal panel façade system with integral trim and integral trim connections to adjacent materials is permitted provided that the architectural metal panel system is not used closer than 1.5 feet from the ground.

L-4-b. Concrete Masonry Units. Utility-grade concrete masonry units, such as standard concrete block and split-face block, are permitted along a building’s street-facing frontage provided that their use is limited to the base of the façade to a height not exceeding 2.5 feet. These materials are permitted on a building’s rear, alley and interior lot line facades. This subparagraph shall not apply to a single- or 2-family dwelling.

L-4-c. Simulated Stucco Products. Simulated stucco products are prohibited on the ground-level area of a building, and may only be used on the upper one-third of a street façade. These materials are permitted on floors above the ground level on a building's rear, alley and interior lot line facades. For purposes of this subparagraph, the ground-level area of a one-story building is the lowest 12 feet of the building. This subparagraph shall not apply to a single- or 2-family dwelling.

L-4-d. Prohibited Stone Cladding. Masonry stone cladding using irregularly-shaped stones, often known as rubble masonry and which is typically laid in an un-coursed manner, is prohibited. This prohibited stone cladding may be composed of river rock of smooth oval-shaped stones or of rough, thinly-layered courses commonly known as ledgerstone. Prohibited materials may be natural stone, manufactured or cultured stone, or veneer siding material. This subparagraph shall not apply to a single- or 2-family dwelling.

L-4-e. Fiber-Cement Siding. Fiber-cement siding, including composite material made of cement reinforced with cellulose fibers, or any material that is the equivalent of fiber-cement siding, is prohibited within 1.5 feet of grade on a street façade that is adjacent to a street lot line or sidewalk. This subparagraph shall not apply to a single- or 2-family dwelling.

Part 4. Section 295-605-1-d of the code is created to read:

295-605. Design Standards.

1. INTRODUCTION.

d. Promote Usage of Sustainable Building Materials that Add Long-Term Value to Neighborhoods. Façades should be constructed of durable materials that resist denting, splitting, cracking, fading, peeling and other damage. Façade components should be finished-quality materials appropriate for street-facing character, with finished and refined edges, rather than utility-grade materials that are rough and disorderly. Façades should consist of context-appropriate materials that fit the character of urban locations throughout the city.

Part 5. Section 295-605-2-i-6 of the code is repealed and recreated to read:

2. PRINCIPAL BUILDING STANDARDS.

i. Design Features.

i-6. Restricted Building Wall Materials. The following regulations apply to any non-industrial principal building or addition:

i-6-a. Metal Building Walls. The use of structural corrugated metal wall, or a metal panel-and-batten wall system such as a metal-sided, prefabricated building or a pre-engineered metal building, shall be prohibited when located on any front façade or street façade located within 100 feet of a street lot line. An architectural metal panel façade system with integral trim and integral trim connections to adjacent materials is permitted provided that the architectural metal panel system is not used closer than 1.5 feet from the ground.

i-6-b. Concrete Masonry Units. Utility-grade concrete masonry units, such as standard concrete

block and split-face block, are permitted along a building's street-facing frontage provided that their use is limited to the base of the façade to a height not exceeding 2.5 feet. These materials are permitted on a building's rear, alley and interior lot line facades.

i-6-c. Simulated Stucco Products. Simulated stucco products are prohibited on the ground-level area of a building, and may only be used on the upper one-third of a street façade. These materials are permitted on floors above the ground level on a building's rear, alley and interior lot line facades. For purposes of this subparagraph, the ground-level area of a one-story building is the lowest 12 feet of the building.

i-6-d. Prohibited Stone Cladding. Masonry stone cladding using irregularly-shaped stones, often known as rubble masonry and which is typically laid in an un-coursed manner, is prohibited. This prohibited stone cladding may be composed of river rock or smooth oval-shaped stones or of rough, thinly-layered courses commonly known as ledgerstone. Prohibited materials may be natural stone, manufactured or cultured stone, or veneer siding material.

i-6-e. Fiber-Cement Siding. Fiber-cement siding, including composite material made of cement reinforced with cellulose fibers, or any material that is the equivalent of fiber-cement siding, is prohibited within 1.5 feet of grade on a street façade that is adjacent to a street lot line or sidewalk.

Part 6. Section 295-705-1.5 of the code is created to read:

295-705. Design Standards.

1.5. PURPOSES. The purposes of the design standards of this section are to:

a. **Maintain Compatibility with Neighborhood Context.** An objective of these design standards is to ensure that buildings in downtown districts fit within the context in which they are built. Building setback, floor area, height and other design parameters vary by district to ensure that the requirements of this section closely match the existing built environment.

b. **Allow Flexibility in Development.** Flexibility in meeting design standards is achieved by providing ranges, exceptions and alternatives which are consistent with the spirit and intent of this chapter. These ranges, exceptions and alternatives allow various site-specific and project-specific issues to be addressed while still taking into account the intention of the zoning district.

c. **Consistency with the Principles of Urban Design.** These design standards strive to promote development that is consistent with the "Principles of Urban Design" adopted by the city plan commission as part of the city's comprehensive plan and on file in the office of the commission and in the legislative reference bureau. Downtown development and alterations should not only be compatible with the character of the neighborhood, but also create pedestrian-friendly environments, allow varying degrees of land use diversity within each zoning district, and promote environments which support transportation diversity consistent with neighborhood context.

d. **Promote Usage of Sustainable Building Materials that Add Long-Term Value to Neighborhoods.** Façades should be constructed of durable materials that resist denting, splitting, cracking, fading, peeling and other damage. Façade components should be finished-quality materials appropriate for street-facing character, with finished and refined edges, rather than utility-grade materials that are rough and disorderly. Façades should consist of context-appropriate materials that fit the character

of urban locations throughout the city.

Part 7. Section 295-705-9 of the code is repealed and recreated to read:

9. RESTRICTED BUILDING WALL MATERIALS. The following regulations apply to any non-industrial principal building or addition:

a. **Metal Building Walls.** The use of structural corrugated metal wall, or a metal panel-and-batten wall system such as a metal-sided, prefabricated building or a pre-engineered metal building, shall be prohibited when located on any front façade or street façade located within 100 feet of a street lot line. An architectural metal panel façade system with integral trim and integral trim connections to adjacent materials is permitted provided that the architectural metal panel system is not used closer than 1.5 feet from the ground.

b. **Concrete Masonry Units.** Utility-grade concrete masonry units, such as standard concrete block and split-face block, are permitted along a building's street-facing frontage provided that their use is limited to the base of the façade to a height not exceeding 2.5 feet. These materials are permitted on a building's rear, alley and interior lot line facades.

c. **Simulated Stucco Products.** Simulated stucco products are prohibited on the ground-level area of a building, and may only be used on the upper one-third of a street façade. These materials are permitted on floors above the ground level on a building's rear, alley and interior lot line facades. For purposes of this paragraph, the ground-level area of a one-story building is the lowest 12 feet of the building.

d. **Prohibited Stone Cladding.** Masonry stone cladding using irregularly-shaped stones, often known as rubble masonry and which is typically laid in an un-coursed manner, is prohibited. This prohibited stone cladding may be composed of river rock or smooth oval-shaped stones or of rough, thinly-layered courses commonly known as ledgerstone. Prohibited materials may be natural stone, manufactured or cultured stone, or veneer siding material.

e. **Fiber-Cement Siding.** Fiber-cement siding, including composite material made of cement reinforced with cellulose fibers, or any material that is the equivalent of fiber-cement siding, is prohibited within 1.5 feet of grade on a street façade that is adjacent to a street lot line or sidewalk.

Part 8. 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 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 9. Section 295-903-3-e of the code is repealed and recreated to read:

295-903. Parks District (PK).

3. DESIGN STANDARDS.

e. Metal Building Walls. The use of structural corrugated metal wall, or a metal panel-and-batten wall system such as a metal-sided, prefabricated building or a pre-engineered metal building, shall be prohibited when located on any front façade or street façade located within 100 feet of a street lot line. An architectural metal panel façade system with integral trim and integral trim connections to adjacent materials is permitted provided that the architectural metal panel system is not used closer than 1.5 feet from the ground.

APPROVED AS TO FORM

Legislative Reference Bureau

Date: _____

IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney

Date: _____

Department of City Development

LRB171363-3

Jeff Osterman

09/17/2018