



Legislation Details (With Text)

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On agenda: **Final action:** 11/24/1998

Effective date:

Title: A substitute ordinance amending certain provisions within the central business zoning districts.

Sponsors: ALD. HENNINGSEN

Indexes: CENTRAL BUSINESS DISTRICT, ZONING

Attachments:

Date	Ver.	Action By	Action	Result	Tally
9/23/1998	0	COMMON COUNCIL	ASSIGNED TO		
9/24/1998		ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
10/22/1998	1	CITY CLERK	DRAFT SUBMITTED		
11/9/1998	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
11/9/1998	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
11/17/1998	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
11/24/1998	1	COMMON COUNCIL	PASSED	Pass	16:0
12/7/1998	1	MAYOR	SIGNED		
12/14/1998	1	CITY CLERK	PUBLISHED		

980851
SUBSTITUTE 1

THE CHAIR

A substitute ordinance amending certain provisions within the central business zoning districts.

295-7-178.5 cr
295-414-2 am
295-414-7 rc
295-424 rc
295-453-2 rc
295-463-2 rc
295-472-2 cr
295-473-2 rc
- Analysis -

This ordinance makes the zoning classification of single-family, 2-family and multi-family dwellings consistent throughout the C9E (major retail), C9F (office and service) and C9G (mixed activity) central business zoning districts. In these districts, the specified dwelling types are:

1. Permitted uses when not located in the street level area.
2. Special uses when located in the street level area, provided such dwellings face no public right-of-way other than North RiverWalk Way.
3. Prohibited uses when located in the street level area and facing any public right-of-way other than North RiverWalk Way.

This ordinance also modifies the side setback and minimum lot size requirements for the C9A (high density residential) central business zoning district. The minimum side setback is reduced from 5 feet to 3 feet and the minimum total for the 2 side setbacks is reduced from 12 feet to 8 feet. In addition, side setbacks are no longer required for a "townhouse," a term defined in this ordinance. This ordinance further provides that the minimum lot size for lots in this district (currently 7,200 square feet) is eliminated and the minimum lot width is reduced from 60 feet to 24 feet.

This ordinance eliminates all lot requirements for the C9B (residential and specialty use) central business zoning district. The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 295-7-178.5 of the code is created to read:

295-7. Definitions.

178.5. TOWNHOUSE: A building containing 2 or more attached dwelling units with no unit above another unit and each unit located on a separate lot.

Part 2. Section 295-414-2 of the code is amended to read:

295-414. C9A (High Density Residential): Lot Requirements.

2. SIDE SETBACK. One side setback shall be provided of at least ~~[[5]]~~ >>3<< feet and a total of at least ~~[[12]]~~ >>8<< feet shall be provided for 2 sides >>, except that side setbacks are not required from side lot lines shared by separate townhouse units<<.

Part 3. Section 295-414-7 of the code is repealed and recreated to read:

7. LOT SIZE. Every lot shall have a width of at least 24 feet.

Part 4. Section 295-424 of the code is repealed and recreated to read:

295-424. C9B (Residential and Specialty Use): Lot Requirements. There are no lot requirements.

Part 5. Section 295-453-2 of the code is repealed and recreated to read:

295-453. C9E (Major Retail): Special Uses.

2. RESIDENTIAL. a. Single-family, 2-family and multi-family dwellings in the street level area provided such dwellings face no public right-of-way other than North RiverWalk Way.

b. When not located in the street level area:

b-1. Large group shelter care facilities, subject to s. 295-14-1.

b-2. Community living arrangements, subject to s. 295-14-1 as follows:

b-2-a. For 16 or more persons.

b-2-b. Those determined by the common council to be a nuisance under s. 62.23(7)(i), Wis. Stats.

Part 6. Section 295-463-2 of the code is repealed and recreated to read:

295-463. C9F (Office and Service): Special Uses.

2. RESIDENTIAL. a. Single-family, 2-family and multi-family dwellings in the street level area provided such dwellings face no public right-of-way other than North RiverWalk Way.

b. When not located in the street level area:

b-1. Large group shelter care facilities, subject to s. 295-14-1.

b-2. Community living arrangements, subject to s. 295-14-1 as follows:

b-2-a. For 16 or more persons.

b-2-b. Those determined by the common council to be a nuisance under s. 62.23(7)(i), Wis. Stats.

Part 7. Section 295-472-2 of the code is created to read:

295-472. C9G (Mixed Activity): Permitted Uses.

2. RESIDENTIAL. Single-family, 2-family and multi-family dwellings, when not located in the street level area.

Part 8. Section 295-473-2 of the code is repealed and recreated to read:

295-473. C9G (Mixed Activity): Special Uses.

2. RESIDENTIAL. a. Single-family, 2-family and multi-family dwellings in the street level area provided such dwellings face no public right-of-way other than North RiverWalk Way.

b. When not located in the street level area:

b-1. Family day care homes.

b-2. Foster family homes.

b-3. Small foster homes, subject to s. 295-14-1.

b-4. Shelter care facilities as follows:

b-4-a. Family group shelter care facilities.

b-4-b. Small and large group shelter care facilities, subject to s. 295-14-1.

b-5. Community living arrangements, subject to s. 295-14-1.

b-6. Rooming houses.

b-7. Residential hotels.

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

LRB98319.2

JDO

10/21/98