



Legislation Text

File #: 151407, **Version:** 1

151407
SUBSTITUTE 1

THE CHAIR

A substitute ordinance relating to the industrial-commercial zoning district.

295-107-2 (table)	am
295-801-3	rn
295-801-3	cr
295-801-4	rn
295-803-1 (table)	rc
295-803-2-e	rc
295-803-2-g	rn
295-803-2-g	cr
295-803-2-h	rn
295-803-2-h	cr
295-803-2-i	rn
295-803-2-i	cr
295-803-2-j	rn
295-803-2-k	rn
295-803-2-L	rn
295-803-2-m	rn
295-803-2-n	rn
295-803-2-o	rn
295-803-2-p	rn
295-803-2-q	rn
295-803-2-r	rn
295-803-2-s	rn
295-803-2-t	rn
295-803-2-u	rn
295-803-2-v	rn
295-803-2-w	rn
295-803-2-w	cr
295-803-2-x	rn
295-803-2-y	rn
295-803-2-z	rn
295-803-2-aa	rn
295-803-2-bb	rn
295-803-2-cc	rn
295-803-2-cc	cr
295-803-2-dd	rn
295-803-2-ee	rn

- 295-803-2-ff rn
- 295-803-2-ff rn
- 295-803-2-gg rn
- 295-803-2-gg cr
- 295-803-2-hh rn
- 295-803-2-ii rn
- 295-803-2-jj rn
- 295-803-2-kk rn
- 295-803-2-LL rn
- 295-803-2-mm rn
- 295-803-2-nn rn
- 295-803-2-oo rn
- 295-805-2 (table) rc
- 295-805-4-d (table) rc
- 295-805-5 (table) rc

This ordinance creates the industrial-commercial zoning district and the following code provisions and regulations relating to this district:

1. Purpose of district.
2. Use classification (permitted, limited, special or prohibited) for each land use enumerated in the zoning code.
3. Limited use standards.
4. Principal building design standards.
5. Industrial district residential transition standards.
6. Sign standards.

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

Part 1. Table 295-107-2 of the code is amended to read:

TABLE 295-107-2 ZONING DISTRICTS			
District	Map Indicator	Most Similar District Under the Previous	Subchapter Reference
Residential Districts			
Single-Family	RS1, RS2, RS3, RS4, RS5 and RS6	R/F-1/40, R/F-2/40, 3/40, R/F-4/40 and I	5
Two-Family	RT1, RT2, RT3 and RT4	R/D-1/40, R/C-1/40 R/E/40	5
Multi-Family	RM1	R/D/40	5
Multi-Family	RM2	R/C/40	5

Multi-Family	RM3	R/D/40, R/D/60 and	5
Multi-Family	RM4	R/C/40, R/C/60, R/C/125	5
Multi-Family	RM5	R/B/40	5
Multi-Family	RM6	R/B/60	5
Multi-Family	RM7	R/B/85, R/A/85 and	5
Residential and Office	RO1, RO2	all O and RO districts	5
Commercial Districts			
Neighborhood Shopping	NS1, NS2	all S districts	6
Local Business	LB1, LB2	all L districts	6
Commercial Service	CS	all CS districts	6
Regional Business	RB1, RB2	all RS districts	6
Central Business	C9A-C9H	C9A-C9H	7
Industrial Districts			
Industrial-Office	IO	M/D/40, M/C/60, I/D/40	8
Industrial- Light	IL	M/B/85, M/A/125, I/D/40, I/D/60 and I/	8
>> Industrial-Commercial	IC	None	8<<
Industrial-Mixed	IM	none	8
Industrial-Heavy	IH	I/A/125 and I/B/85	8
Special Districts and Overlay Zones			
Parks	PK	None	9
Institutional	TL	all T districts	9
Planned Development	PD and DPD	GPD and DPD	9
Redevelopment	RED	None	9
Neighborhood Conservation	NC	None	10
Interim Study	IS	none	10
Development Incentive	DIZ	DIZ	10

Site Plan Review	SP	SPROD	10
Shoreland-Wetland	WL	Shoreland-Wetland	10
Lakefront	LF	LF/C/60	10
Master Sign Program	MSP	None	10
Floodplain	FW, FF, FSD and GF	FP1 and FP2	11

Part 2. Section 295-801-3 and 4 of the code is renumbered 295-801-4 and 5.

Part 3. Section 295-801-3 of the code is created to read:

295-801. Purposes.

3. INDUSTRIAL-COMMERCIAL (IC). This district is intended primarily for light industrial uses that utilize small and medium-sized buildings and do not have extensive outdoor operations or storage areas. This district also provides for the orderly conversion of certain older industrial and warehousing buildings to commercial and office uses with less traffic generation than uses located on more intensive commercial retail corridors. Retail uses are considered accessory or complementary to the primarily light manufacturing nature of the district. These areas have an urban character and are more pedestrian-scaled than other, vehicular-traffic-dominated corridors. Buildings in this district were typically built without setbacks or yards and often with little or no off-street parking.

Part 4. Table 294-803-1 of the code is repealed and recreated to read:

Table 295-803-1 INDUSTRIAL DISTRICTS USE TABLE					
Y = Permitted Prohibited Use	Zoning Districts				
Uses	IO1/ IO2	IL1/ IL2	IC	IM	IH
RESIDENTIAL USES					
Single-family dN	N	N	N	L	N
Two-family dw	N	N	N	L	N
Multi-family dv	N	N	N	L	N
Permanent su	N	N	N	L	N
Transitional hc	N	N	N	S	N
Attached singl	N	N	N	L	N
Live-work unit	N	N	N	Y	N
Mobile home	N	N	N	N	N
Watchman/se	Y	Y	Y	Y	Y
Family day ca	N	N	N	L	N

GROUP RESIDENTIAL USES					
Rooming house	N	N	N	S	N
Convent, rectory	N	N	N	L	N
Dormitory	N	N	N	S	N
Fraternity or sorority	N	N	N	S	N
Adult family home	N	N	N	L	N
<i>Foster Homes</i>					
Foster family	N	N	N	L	N
Small foster family	N	N	N	L	N
Group home	N	N	N	L	N
<i>Shelter Care Facilities</i>					
Family shelter	N	N	N	L	N
Small group home	N	N	N	L	N
Large group home	N	N	N	S	N
Community living center	N	N	N	L	N
EDUCATIONAL USES					
Day care center	S	S	N	S	S
School, elementary	N	N	N	S	N
College	S	S	N	S	N
School, postsecondary	S	S	Y	S	N
COMMUNITY-SERVING USES					
Library	N	N	N	Y	N
Cultural institution	N	N	L	L	N
Community center	N	N	N	S	N
Religious assembly	N	N	N	S	N
Cemetery or funeral home	N	N	N	N	N
Public safety facility	Y	Y	Y	Y	Y
Correctional facility	N	N	N	N	N
COMMERCIAL AND OFFICE USES					
General office	Y	Y	Y	Y	L
Government office	Y	Y	Y	Y	L
Bank or other financial institution	S	S	N	Y	N
Currency exchange	N	N	N	S	N
Installment loan business	N	N	N	S	N
Cash-for-gold business	N	N	N	S	N
Pawn shop	N	N	N	S	N
Retail establishment	N	N	L	Y	N
Garden supply	N	Y	Y	Y	N

Home improve	N	Y	L	Y	N
Secondhand s	N	N	L	S	N
Outdoor merc	N	N	N	L	N
Artist studio	N	Y	Y	Y	N
Adult retail est	N	N	N	S	N
HEALTH CARE AND SOCIAL ASSISTANCE					
Medical office	S	N	N	Y	N
Health clinic	L	N	N	S	N
Hospital	N	N	N	N	N
Medical resea	Y	Y	Y	Y	N
Medical servic	N	S	N	N	N
Social service	N	S	N	S	N
Emergency re	N	N	N	N	N
Nursing home	N	N	N	N	N
GENERAL SERVICE USES					
Personal serv	N	N	N	Y	N
Business serv	Y	S	Y	Y	N
Building maint	S	Y	Y	S	N
Catering servi	Y	Y	Y	Y	Y
Funeral home	N	N	N	Y	N
Laundromat	N	N	N	Y	N
Dry cleaning e	N	N	N	Y	N
Furniture and	N	N	N	Y	N
Household ma	N	Y	Y	Y	N
Tool/equipme	N	Y	N	Y	N
<i>Animal Services</i>					
Animal hosp	N	Y	N	L	Y
Animal board	N	Y	N	L	Y
Animal groom	N	Y	N	L	Y
MOTOR VEHICLE USES					
<i>Light Motor Vehicle</i>					
Sales facility	L	S	N	S	S
Rental facilit	L	S	N	S	S
Repair facilit	L	S	N	S	L
Body shop	L	S	N	S	L
Outdoor stor	L	Y	N	S	Y
Wholesale fa	Y	Y	N	Y	Y
<i>Heavy Motor Vehicle</i>					

Sales facility	L	Y	N	S	Y
Rental facility	L	Y	N	S	Y
Repair facility	L	L	N	S	L
Body shop	L	L	N	S	L
Outdoor storage	L	S	N	S	Y
<i>General Motors</i>					
Filling station	S	S	N	S	S
Car wash	S	S	N	S	S
Drive-through	S	S	N	S	S
<i>Parking</i>					
Parking lot, paved	Y	Y	S	L	Y
Parking lot, unpaved	Y	Y	L	L	Y
Parking structure	Y	Y	S	L	Y
Parking structure	Y	Y	L	L	Y
Heavy motorcycle	S	L	N	L	Y
Heavy motorcycle	Y	Y	L	Y	Y
ACCOMMODATION AND FOOD SERVICE USES					
Bed and breakfast	N	N	N	Y	N
Hotel, commercial	L	N	N	Y	N
Hotel, residential	N	N	N	Y	N
Tavern	L	L	L	Y	L
Brewpub	L	L	L	Y	L
Assembly hall	S	S	N	S	N
Restaurant, sit-down	L	L	L	Y	L
Restaurant, fast-food	L	L	L	L	L
ENTERTAINMENT AND RECREATION USES					
Park or playground	S	S	S	S	S
Festival ground	N	N	N	N	N
Recreation facility	S	S	S	S	N
Recreation facility	N	N	N	S	N
Health club	L	L	N	Y	N
Sports facility	N	S	N	S	N
Gaming facility	N	S	N	N	N
Theater	N	N	N	Y	N
Convention arena	S	N	N	S	N
Marina	Y	Y	L	Y	Y
Outdoor racing	N	N	N	N	S
STORAGE, RECYCLING AND WHOLESALE TRADE USES					

STORAGE, RECYCLING AND WHOLESALE TRADE USES					
Recycling collection	S	Y	N	S	Y
Mixed-waste processing	N	L	N	S	L
Material reclamation	N	N	N	N	L
Salvage operation	L	L	N	L	L
Salvage operation	N	S	N	S	S
Wholesale and retail	Y	Y	Y	Y	Y
Wholesale and retail	S	Y	S	S	Y
Storage Facilities					
Indoor	Y	Y	L	Y	Y
Outdoor	N	Y	N	S	Y
Hazardous materials	N	N	N	N	S
TRANSPORTATION USES					
Ambulance service	Y	Y	N	S	Y
Ground transportation	S	Y	N	S	Y
Passenger terminal	Y	Y	Y	Y	Y
Helicopter landing	S	S	S	S	S
Airport	N	Y	N	N	N
Ship terminal	N	Y	N	N	Y
Truck freight terminal	N	S	N	S	L
Railroad switching	N	Y	Y	Y	Y
INDUSTRIAL USES					
Alcohol beverage	Y	Y	Y	Y	Y
Alcohol beverage	S	L	Y	S	Y
Food processing	Y	Y	Y	Y	Y
Manufacturing	Y	Y	Y	Y	Y
Manufacturing	N	S	S	S	Y
Manufacturing	N	N	N	N	S
Research and development	Y	Y	Y	Y	Y
Processing or packaging	N	N	N	N	S
Contractor's storage	Y	Y	Y	Y	Y
Contractor's yard	S	Y	N	Y	Y
AGRICULTURAL USES					
Plant nursery	Y	Y	Y	Y	Y
Raising of livestock	L	L	L	L	L
Community garden	Y	Y	Y	Y	Y
Commercial farm	Y	Y	Y	Y	Y
UTILITY AND PUBLIC SERVICE USES					
Broadcasting	Y	Y	Y	Y	Y

Broadcasting	Y	S	Y	Y	S
Transmission	L	L	L	L	L
Water treatment	Y	Y	Y	Y	Y
Sewerage treatment	N	Y	N	N	Y
Power generation	N	S	N	N	Y
Small wind energy	Y	Y	Y	Y	Y
Solar farm	Y	Y	Y	Y	Y
Substation/distribution	S	Y	Y	S	Y
Substation/distribution	L	Y	L	L	Y
TEMPORARY USES					
Seasonal market	L	L	L	L	L
Temporary retail	L	L	L	L	L
Concrete/batch	L	L	L	L	L
Live entertainment	L	L	L	L	L

Part 5. Section 295-803-2-e of the code is repealed and recreated to read:

295-803. Uses.

2. LIMITED USE STANDARDS.

e. Cultural Institution. e-1. In the IM district, the use shall be located on an arterial or collector street and on a site that is at least 10,000 square feet in area.

e-2. In the IC district, the use shall be located on an arterial or collector street and limited to an art gallery.

Part 6. Section 295-803-2-g to jj is renumbered 295-803-2-j to mm.

Part 7. Section 295-803-2-g to i of the code is created to read:

g. Retail Establishment, General. The use is primarily a showroom sales facility where the majority of items on display are purchased in bulk or by order. This includes, but is not limited to, building products, interior fixtures and furnishings, and antiques. The sales facility is primarily open to contractors and building industry professionals, but is also open to the general public.

h. Home Improvement Center. h-1. The use shall not exceed 15,000 square feet in gross floor area.

h-2. Outdoor storage related to home improvement sales or storage shall not be located in the front setback.

i. Secondhand Store. Resale of used merchandise shall be limited to building and finishing materials, household and office fixtures and furnishings, and home improvement supplies.

Part 8. Section 295-803-2-w to mm is renumbered 295-803-2-x to nn.

Part 9. Section 295-803-2-w of the code is created to read:

w. Heavy Motor Vehicle Parking Lot, Accessory Use. The parking lot shall not be located between the street façade of a principal building and a street lot line.

Part 10. Section 295-803-2-cc to nn of the code is renumbered 295-803-2-dd to oo.

Part 11. Section 295-803-2-cc of the code is created to read:

cc. Marina. No indoor or outdoor storage of boats shall be permitted as an exclusive or primary use. If this standard is not met, the use shall be a prohibited use.

Part 12. Section 295-803-2-gg to oo of the code is renumbered 295-803-2-hh to pp.

Part 13. Section 295-803-2-gg of the code is created to read:

gg. Storage Facility, Indoor. gg-1. The use is located in a building constructed before the effective date of this ordinance [city clerk to insert date].

gg-2. If located on the first floor, the use is not located within 25 feet of the primary street façade of the building.

Part 14. Table 295-805-2 of the code is repealed and recreated to read:

Table 295-805-2 PRINCIPAL BUILDING DESIGN STANDARDS							
<i>Design Standards for Industrial Buildings (as defined in s. 295-805-4-e-1)</i>							
	IO1	IO2	IL1	IL2	IC	IM	IH
Front setback	none *	none *	none *	none *	none*	none *	none *
Side street setback	none *	none *	none *	none *	none*	none *	none *
Rear street setback	none *	none *	none *	none *	none*	none *	none *
Side setback	none *	none *	none *	none *	none*	none *	none *
Rear setback	none *	none *	none *	none *	none*	none *	none *
Height, maximum	none **	none **	none **	none **	85 ft. (new construction only) **	85 ft. (new construction only) **	none **
Height, minimum	none	None	none	none	18 ft.	30 ft.	none
* Whenever an industrial building site is adjacent to or across a street or alley from a residential, institutional, park or non-industrial building.							
** Whenever an industrial building site is adjacent to or across a street or alley from a residential, institutional, park or non-industrial building.							
<i>Design Standards for Non-industrial Buildings Except Single-family and Two-family Dwellings</i>							
	IO1	IO2	IL1	IL2	IC	IM	IH
Refer to design for this commodity	LB1	LB2	LB1	LB2	LB2	LB3	LB2
<i>Design Standards for Single-family and Two-family Dwellings</i>							

	IO1	IO2	IL1	IL2	IC	IM	IH
Refer to design for this residential	RT2	RT3	RT2	RT3	RT4	RT4	RT4

Part 15. Table 295-805-4-d of the code is repealed and recreated to read:

Table 295-805-4-d INDUSTRIAL DISTRICT RESIDENTIAL TRANSITION STANDARDS							
Zoning District							
	IO1	IO2	IL1	IL2	IC	IM	IH
<i>Residential Buffer</i>							
Min. setback (Buffer)	25 ft.	10 ft.	50 ft.	10 ft.	no buffer required		15 ft.
Evergreen trees frontage or shared	1 per 5 ft.				n.a.		1 per 5 ft.
Evergreen tree	2 staggered rows with trees a maximum of 10 ft. on center in each row				n.a.		same as IO1-IL2
Min. tree height at	6 ft.				n.a.		6 ft.
Max. tree height at	no limit				n.a.		no limit
<i>Alternative Residential Buffer Standards (Note: Where an alternative residential buffer is permitted, the use or industrial</i>							
Min. buffer width	12.5 ft.	alternative standards not permitted	25 ft.	alternative standards permitted	no buffer required		10 ft.
New building	no alternative buffer standards permitted		see s. 295-405, type "A" landsc.		n.a.		
Light motor vehicles	see s. 295-405, type "A" landsc.		see s. 295-405, type "A" landsc.		n.a.		see s. 295-405, type "A" landsc.
Dumpsters and trailers	see s. 295-405, type "G" landsc.		see s. 295-405, type "G" landsc.		n.a.		see s. 295-405, type "G" landsc.
Outdoor storage, operational space	see s. 295-405, type "E" landsc.		see s. 295-405, type "E" landsc.		n.a.		see s. 295-405, type "F" landsc.

Part 16. Table 295-805-5 of the code is repealed and recreated to read:

Table 295-805-5 INDUSTRIAL DISTRICT SIGN STANDARDS						
		Zoning District				
		IO1/IO2	IL1/IL2	IC	IM	IH
<i>Freestanding Signs</i>		<i>permitted</i>	<i>permitted</i>	<i>permitted</i>	<i>permitted</i>	<i>permitted</i>
Maximum number		1 per street frontage	1 per site *	1 per site*	1 per site *	1 per site *
Type "A" max. display area (sq. ft.)		100	100	100	100	100
Type "B" max. display area (sq. ft.)		40	50	40	40	50
Maximum height		15	15	15	15	30

<i>Wall Signs</i>	<i>permitted</i>	<i>permitted</i>	<i>permitted</i>	<i>permitted</i>	<i>permitted</i>
Maximum number	1 per 25 line	1 per 25 line	1 per 25 line	1 per 25 line	1 per 25 line
Type "A" max. display area (sq. ft.)	75	120	50	50	120
Type "B" max. display area (sq. ft.)	32	60	32	32	60
<i>Projecting Signs</i>	<i>permitted</i>	<i>permitted</i>	<i>permitted</i>	<i>permitted</i>	<i>permitted</i>
Maximum number	1 per 25 line	1 per 25 line	1 per 25 line	1 per 25 line	1 per 25 line
Type "A" max. display area (sq. ft.)	50	60	50	50	60
Type "B" max. display area (sq. ft.)	25	30	25	25	30
<i>Awning Signs</i>		<i>type "A" permitted only</i>			
Maximum number	1 per 25 line	1 per 25 line	1 per 25 line	1 per 25 line	1 per 25 line
Type "A" max. display area (sq. ft.)	20	20	20	20	20
<i>Canopy and Hood Signs</i>	<i>permitted</i>	<i>permitted</i>	<i>permitted</i>	<i>permitted</i>	<i>permitted</i>
Maximum number	1 per 25 line	1 per 25 line	1 per 25 line	1 per 25 line	1 per 25 line
Type "A" max. display area (sq. ft.)	50	60	50	50	60
Type "B" max. display area (sq. ft.)	25	30	25	25	30
<i>Roof Signs</i>	<i>type "A" permitted only</i>	<i>permitted</i>	<i>type "A" permitted only</i>	<i>type "A" permitted only</i>	<i>permitted</i>
Maximum number	1 per building	1 per building	1 per building façade	1 per building façade	1 per building
Type "A" max. display area (sq. ft.)	100	no limit	See s. 295-85-g	see s. 295-8-g	no limit
Type "B" max. display area (sq. ft.)	NA	100	NA	NA	100
<i>Off-premise Signs</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 site	1 per site	1 per site
Maximum display area per sign (sq. ft.)	672	672	300	300	672
Minimum distance between off-premise signs		500 ft. between any 2 ground or roof signs; 200 ft. between any 2 ground or roof signs and a wall sign; 200 ft. between any 2 wall signs			
Maximum height, freestanding sign (ft.)	35	35	40	40	40
Maximum height, wall sign (ft.)	40	40	60	60	60
Maximum height, roof sign		25 ft. above roof			
*Except 2 shall be permitted if the site fronts on 3 streets or has continuous street frontage. ** Subject to special use requirement set forth in s. 295-407-7-d.					

..LRB
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

LRB162030-2

Jeff Osterman

01/28/2016