

City of Milwaukee

200 E. Wells Street Milwaukee, Wisconsin 53202

Legislation Details (With Text)

File #: 151407 **Version**: 1

Type: Ordinance Status: Passed

File created: 1/19/2016 In control: COMMON COUNCIL

On agenda: Final action: 3/1/2016

Effective date:

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

Sponsors: THE CHAIR

Indexes: ZONING

Attachments: 1. City Plan Commission Letter, 2. Zoning Code Technical Committee Letter, 3. Support - Menomonee

Valley Partners Inc., 4. Support - Menomonee Valley BID, 5. Support - Allied Insulation Supply Company Inc, 6. Support - BBC Lighting & Supply, 7. Support - Bay View Packing Company, 8. Support - Plum Moving Media, 9. Notice Published on 1-29-16 and 2-5-16, 10. PowerPoint

Presentation, 11. Hearing Notice List, 12. Notice Published on 3-17-16

Date	Ver.	Action By	Action	Result	Tally
1/19/2016	0	COMMON COUNCIL	ASSIGNED TO		
1/21/2016	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
1/21/2016	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	REFERRED TO		
1/29/2016	0	CITY CLERK	PUBLISHED		
2/15/2016	0	CITY PLAN COMMISSION	RECOMMENDED FOR PASSAGE AND ASSIGNED	Pass	6:0
2/18/2016	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
2/18/2016	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
2/18/2016	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
2/18/2016	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
2/23/2016	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PASSAGE	Pass	5:0
2/23/2016	0	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	SUBSTITUTED	Pass	5:0
3/1/2016	1	COMMON COUNCIL	PASSED	Pass	13:0
3/8/2016	1	MAYOR	SIGNED		
3/17/2016	1	CITY CLERK	PUBLISHED		

151407

SUBSTITUTE 1

THE CHAIR

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

File #: 151407, Versio	n: 1
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-е	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 295-803-2-L	rn
295-803-2-L 295-803-2-m	rn
295-803-2-III 295-803-2-n	rn
295-803-2-n 295-803-2-o	rn
295-803-2-p	rn
295-803-2-p	rn rn
295-803-2-r	rn rn
295-803-2-s	rn 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
295-803-2-00	rn
295-805-2 (table)	rc

File #: 151407, Version: 1

295-805-4-d (table) rc

295-805-5 (table) rd

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 Distri Under the Previous	-								
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 l	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 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 distric	5								
Commercial Distr	icts										
Neighborhood Shopping	NS1, NS2	all S districts	6								
Local Business	LB1, LB2	all L districts	6								

	1	I	l_
Commercial	cs	all CS districts	6
Service			
Regional	RB1, RB2	all RS districts	6
Business			
Central	C9A-C9H	C9A-C9H	7
Business			
Industrial Districts			
Industrial-Office	IO	M/D/40, M/C/60, I/D	8
		I/E/40	
Industrial- Light	IL	M/B/85, M/A/125, I/0	8
		I/D/40, I/D/60 and I/	
>>	<u>IC</u>	None	<u>8</u> <<
Industrial-			
<u>Commercia</u> l			
Industrial-Mixed	IM	none	8
Industrial-Heavy	IH	I/A/125 and I/B/85	8
Special Districts a	nd Overlay Zones	L	
Parks	PK	None	9
Institutional	TL	all T districts	9
Planned	PD and DPD	GPD and DPD	9
Development			
Redevelopment	RED	None	9
Neighborhood	NC	None	10
Conservation			
Interim Study	IS	none	10
Development	DIZ	DIZ	10
Incentive			
Site Plan	SP	SPROD	10
Review			
Shoreland-	WL	Shoreland-Wetland	10
Wetland			
Lakefront	LF	LF/C/60	10
Master Sign	MSP	None	10
Program			
Floodplain	FW, FF, FSD	FP1 and FP2	11
1	and GF		

- 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.

File #: 151407, Version: 1

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:

Y = Permitted	Zonina Dist	ricts			
Prohibited Use		11013			
Uses	IO1/ IO2	IL1/ IL2	IC	IM	lH
RESIDENTIA	USES		Į.	ļ	<u> </u>
Single-family o	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 ho	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 RESI	DENTIAL US	SES .		I	
Rooming hous	N	N	N	S	N
Convent, recto	N	N	N	L	N
Dormitory	N	N	N	S	N
Fraternity or s	N	N	N	S	N
Adult family ho	N	N	N	L	N
Foster Homes					
Foster family	N	N	N	L	N
Small foster	N	N	N	L	N
Group home	N	N	N	L	N
Shelter Care F					
Family shelt	N	N	N	L	N
Small group	N	N	N	L	N
Large group	N	N	N	S	N

File #: 151407, Version: 1

						<u> </u>	
Community liv		N		N		L	N
EDUCATIONA							
Day care cent			N		S		S
School, eleme			N		S		N
College			N		S		N
School, persor		S	Y		S		N
COMMUNITY-S	SERVING US	ES					
Library	٧	N		N		Υ	N
Cultural institu	٧	N		L		L	N
Community cel	٧	N		N		S	N
Religious asse	٧	N		N		S	N
Cemetery or of	٧	N		N		N	N
Public safety f		Υ		Y		Υ	Υ
Correctional fal	٧	N		N		N	N
COMMERCIAL		E USES					
General office		Υ		Υ		Υ	L
Government o		Υ		Υ		Υ	L
Bank or other S	3	S		N		Υ	N
Currency exch		N				S	N
Installment loal	٧	N		N		S	N
Cash-for-gold	٧	N		N		S	N
Pawn shop	٧	N		N		S	N
Retail establis	٧	N		L		Υ	N
Garden supply	٧	Y		Y		Υ	N
Home improve	٧	Υ		L		Υ	N
Secondhand s	٧	N		L		S	N
Outdoor merci	٧	N		N		L	N
Artist studio	٧	Υ		Υ		Υ	N
Adult retail est	N	N		N		S	N
HEALTH CARE	E AND SOCIA	L ASSISTAN	CE				
Medical office	3	N		N		Υ	N
Health clinic L	-	N		N		S	N
Hospital N	٧	N		N		N	N
Medical resea	′	Y		Y		Υ	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 SE	RVICE USES					•	

File #: 151407, Version: 1

Personal servi	N	N	N	Υ	N
Business serv	Y	S	Y	Y	N
Building maint	S	Y	Y	S	N
Catering servi	Υ	Y	Y	Y	Y
Funeral home	N	N	N	Y	N
Laundromat	N	N	N	Y	N
Dry cleaning e	N	N	N	Υ	N
Furniture and	N	N	N	Y	N
Household ma	N	Υ	Υ	Y	N
Tool/equipme	N	Υ	N	Y	N
Animal Service					
Animal hosp	N	Υ	N	L	Y
Animal boar	N	Υ	N	L	Y
Animal groo	N	Υ	N	L	Y
MOTOR VEHI	CLE USES				
Light Motor Ve					
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	Υ	N	S	Y
Wholesale fa	Υ	Y	N	Y	Y
Heavy Motor \					
Sales facility	L	Y	N	S	Y
Rental facilit	L	Y	N	S	Y
Repair facilit	L	L	N	S	L
Body shop	L	L	N	S	L
Outdoor stor	L	S	N	S	Y
General Motor					
Filling station	S	S	N		S
Car wash	S	S	N	S	S
Drive-throug	S	S	N	S	S
Parking					
Parking lot,		Υ	S	L	Υ
Parking lot,		Υ	L	L	Υ
Parking stru		Υ	S	L	Υ
Parking stru		Υ	L	L	Υ
Heavy moto		L	N		Υ
Heavy moto	Υ	Y	I	Υ	Υ

File	#:	151407.	Version:	1

ACCOMODA		 OD SERVICE USES	_	<u> </u>	<u> </u>
Bed and brea		N	N	Υ	N
Hotel, comme		N	N		N
Hotel, residen	IN .	N	N		N
Tavern	L	L	L	Υ	L
Brewpub	L	L	L	Y	L
Assembly hall		S	N	S	Ν
Restaurant, si	1L	L	L	Υ	L
Restaurant, fa		L	L	L	L
		CREATION USES			
Park or playgr	·S	S	S	S	S
Festival grour	N	N	N	N	N
Recreation fac	S	S	S	S	N
Recreation fac	N	N	N	S	N
Health club	L	L	N	Y	N
Sports facility	N	S	N	S	N
Gaming facilit	N	S	N	N	N
Theater	N	N	N	Υ	N
Convention a	s	N	N	S	N
Marina	Υ	Υ	L	Y	Y
Outdoor racin	N	N	N	N	S
STORAGE, R	L ECYCLING AI	I ND WHOLESALE TRADE US	l SES		
Recycling coll	s	Υ	N	S	Υ
Mixed-waste		L	N	S	L
Material recla		N	N	N	L
Salvage opera		L	N	L	L
Salvage opera		S	N	S	S
Wholesale an		Y	Y	Y	Y
Wholesale an		Y	S	s S	Y
Storage Facili		<u>'</u>			<u>'</u>
Indoor	Y	Y	L	Y	Y
Outdoor	N N	Y	N	S	Y
Hazardous		N N			S
	ATION USES	liv	lin .	N	ာ
		Y	ln i	le .	lv
Ambulance se					Y
Ground transp		Υ	N	S	Y
Passenger ter		Υ	Υ	Υ	Υ
Helicopter lan		S	S		S
Airnort	N	l∨	lni	NI .	M

File #: 15140	7, Version:	1			
μπιιροιτ	II V	Į i	I V	IN I	ן יין
Ship terminal	N	Υ	N	N	Υ
Truck freight to		S	N	S	L
Railroad switc	N	Υ	Y	Υ	Y
INDUSTRIAL	USES				
Alcohol bevera	Y	Υ	Υ	Υ	Υ
Alcohol bevera	S	L	Y	S	Υ
Food processi	Υ	Υ	Υ	Υ	Υ
Manufacturing	Y	Υ	Υ	Y	Υ
Manufacturing	N	S	S	S	Y
Manufacturing	N	N	N	N	S
Research and	Y	Υ	Υ	Υ	Y
Processing or	N	N	N	N	S
Contractor's s	Y	Y	Y	Υ	Υ
Contractor's ya	S	Y	N	Y	Υ
AGRICULTUR	RAL USES				
Plant nursery	Υ	Υ	Υ	Υ	Υ
Raising of live	L	L	L	L	L
Community ga	Υ	Υ	Υ	Υ	Υ
Commercial fa		Υ	Υ	Υ	Y
UTILITY AND	PUBLIC SER	VICE USES			
Broadcasting of	Υ	S	Υ	Υ	S
Transmission	L	L	L	L	L
Water treatme	Y	Υ	Y	Υ	Υ
Sewerage trea	N	Υ	N	N	Y
Power genera	N	S	N	N	Y
Small wind en	Y	Υ	Υ	Y	Y
Solar farm	Y	Υ	Υ	Υ	Υ
Substation/dis	S	Y	Y	S	Υ
Substation/dis	L	Y	L	L	Υ
TEMPORARY	USES				
Seasonal mar	L	L	L	L	L
Temporary rea	L	L	L	L	L

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

295-803. Uses.

Concrete/batc L Live entertainrL

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:

Design Standa	ards for Ind	ustrial Building	gs (as defined	in s. 295-805-	4-e-1)			
	IO1	IO2	IL1	IL2	IC	IM	IH	
Front setback	none *	none *	none *	none *	none*	none <u>*</u>	none *	
Side street se	none *	none *	none *	none *	none*	none *	none *	
Rear street se	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, maxim	none **	none **	none **	none **	85 ft. (new con-struc-tion only) **	85 ft. (new con- struction only) **	none **	
Height, minim	none	None	none	none	18 ft.	30 ft.	none	
* Whenever a	an industria	l building site i	s adjacent to d	or across a stre	et or alley from a eet or alley from a and Two-family D	a residential, i	<u> </u>	
	IO1	IO2	IL1	IL2	IC	IM		IH
Refer to desig	1	LB2	LB1	LB2	LB2	LB3	LB3	
Design Standa	ards for Sin	gle-family and	Two-family D	wellings				
	IO1	IO2	IL1	IL2	IC	IM	IH	
Refer to desig	RT2	RT3	RT2	RT3	RT4	RT4	RT4	

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

	Zoning Di	strict						_	
	IO1		IO2		IL1	IL2	IC	IM	IH
Residentia	l Buffer					.	1	I	
Min. setb	ack (Buffe	25 ft.	10 ft.		50 ft.	10 ft.	no buffer r	equired	15 ft.
Evergree rontage or		1 per 5 ft. n.a					n.a.		1 per 5 ft
Evergreen tree 2 staggered rows with trees a maximum of 10 ft. on cen.a. in each row						same as IO1-IL2			
Min. tree	height at	6 ft.					n.a.		6 ft.
Max. tree	e height at	no limit					n.a.		no limit
Alternative	Residentia	al Buffer St	andards (N	lote: Where	e an alterna	ative reside	ential buffer	is permitted, the us	e or industr
Min. buff	er width	12.5 ft.		alternative standards not permitted	_	alternative permitted	e standards	no buffer required	10 ft.
New buil	5	no alternat standards			see s. 295 405, type "A" landsc			n.a.	

File #: 151407, Version: 1

Light motor vel	see s. 295-405, type "A" landsc.	see s. 29 405, type "A" lands		see s. 295 405, type "A" landsc.
· '	see s. 295-405, type "G" landsc.	see s. 29 405, type "G" lands		see s. 295 405, type "G" landsc
1	see s. 295-405, type "E" landsc.	see s. 29 405, type "E" lands		see s. 295 405, type "F" landsc.

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

		Table 295	5-805-5 IND	DUSTRIAL	DISTRICT	SIGN STA	NDARDS	
		•		Zoning District				
			IO1/IO2	IL1/IL2	IC	IM	IH	
Freestanding Signs			permitted	permitted	permitted	permitted	permitted	
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	
Wall Signs			permitted	permitted	permitted	permitted	permitted	
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	
Projecting Signs			permitted	permitted	permitted	permitted	permitted	
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	
Awning Signs			type "A" permitted only					
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	
Canopy and Hood Signs			permitted	permitted	permitted	permitted	permitted	
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	
Roof Signs			type "A" permitted on	permitted		type "A" permitted on	permitted	
Maximum number			1 per buildin	1 per buildin		1 per buildin façade	1 per buildin	
Type "A" max. display	area (sq. ft.)		100	no limit	See s. 295-8 5-g	see s. 295-8 -g	no limit	
Type "B" max. display	area (sq. ft.)		NA	100	NA	NA	100	
Off-premise Signs			permitted**	permitted**	permitted**	permitted**	permitted**	

File #: 151407, Version: 1

Maximum number	1 per site	1 per site	1 per site	1 per site	1 per site	
Maximum display are 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. or roof sign and a wall sign; 200 ft. between any 2				
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 s feet. ** 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