

A New Zoning District – LB3

- The new district is based on the existing Commercial District, LB2.
- Some design requirements are modified from the LB2 zoning district.
- The ordinance also adds some additional design requirements.

Why was this created?

- Currently do not have enough options for zoning districts.
- Planning initiatives, as well as outside partners, have concluded we need another type of district.

Example: East North Avenue BID

- Some recent developments have not fit in as well as we believe they could have.

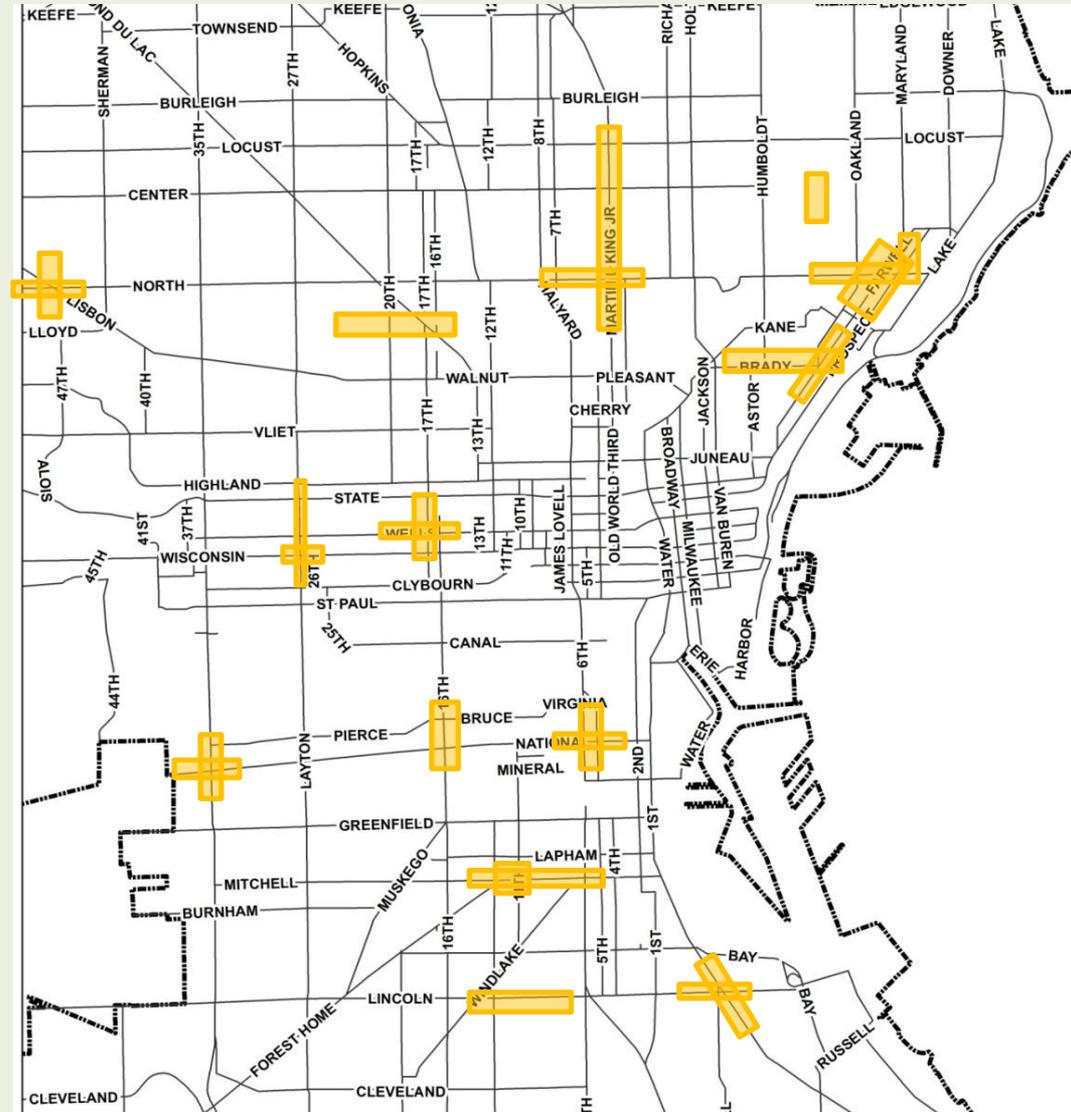
Example: New buildings have been too short, and have too much of the street frontage occupied by parking or by “gap”

- Developments of appropriate scale are sometimes needing Planned Development approval or variance in order to be allowed.



Where could LB3 be applied?

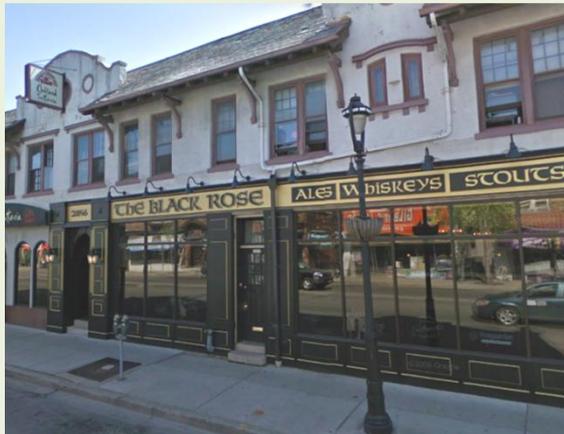
- Could be applied in numerous locations.
- Appropriate for the neighborhood “Main & Main” locations.
- This maps shows potential locations where a district like this might be appropriate.



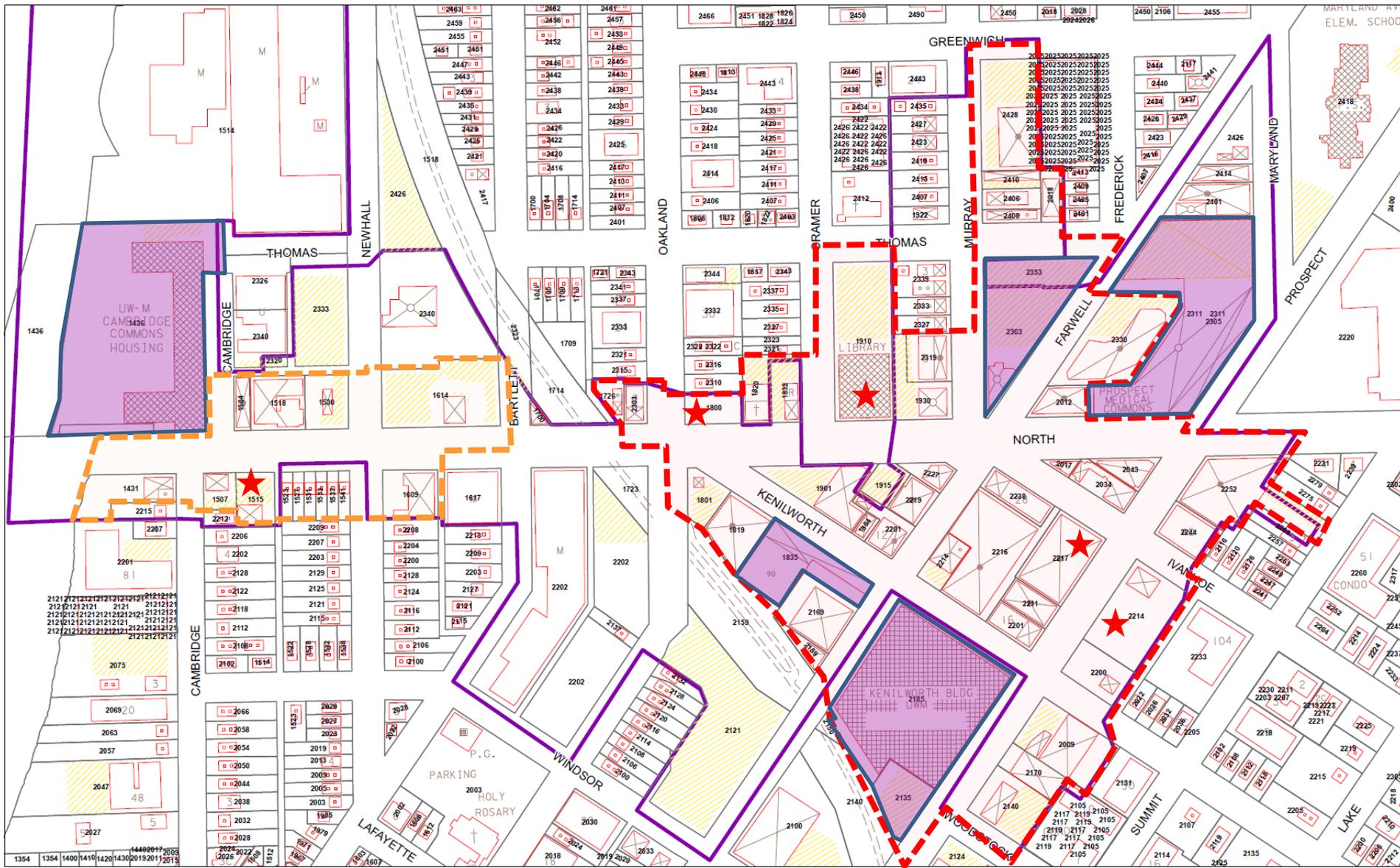
Where could LB3 be applied?



Where could LB3 be applied?



Application in the East North Ave. area



East North Avenue BID area Planning Concepts

-  BID Boundary
-  DPD Zoning
-  East Area from LB2 to LB3
-  West Area from LB2 to LB3
-  Susceptible to Change

Background – Current Districts

There are differing types of commercial districts:

- Neighborhood Shopping NS1, NS2
- Local Business LB1, LB2
- Regional Business RB1, RB2

In each of these,
there is a perimeter district designation, the “1”s,
and an “urban” district designation, the “2”s.

Pre-2002 code change, we had many more variations, clearly too many, however now we have not enough distinctions.

Background - Historical

- Before 2002, we had 14 variations on the Local Business Designations alone, now we only have 2.
- While we see the 14 as clearly too many, the 2 seems to not be enough.
- Difficult to “fine tune” districts due to unintended effects.

SUBCHAPTER 14 LOCAL BUSINESS DISTRICTS

295-320. Districts Established. For the purpose of regulating and restricting the use of land in the city of Milwaukee, 14 local business districts are established and numbered:

1. L/A/85.
2. L/A/125.
3. L/B/40.
4. L/B/60.
5. L/C/40.
6. L/C/60.
7. L/C/85.
8. L/D/40.
9. L/D/60.
10. L/D/85.
11. L/E/40.
12. L/F-1/40.
13. L/F-3/40.
14. L/F-4/40.

295-321. Purpose. Local business districts are intended to provide a wide range of goods and services to a large consumer population coming from an extensive area. Within these districts, motor vehicle related activities are of major significance. Good access by motor vehicle or transit is important to local business districts which should preferably be located adjacent to intersections of major thoroughfares and in close proximity to transfer locations.

295-322. Permitted Uses. The following are permitted uses in all local business districts:

2. RESIDENTIAL. a. Single-family, 2-family and multi-family dwellings, except as provided in s. 295-323-2-d.
 - b. Family day care homes, subject to s. 295-14-20.
 - c. Convents.

i. Residential hotel
L/A/125 districts.

3. SCHOOLS. a. E
secondary schools.

b. Colleges.

c. Specialty school:

d. Transmission tow

elementary and secondary scho
295-14-17-c and provided that
does not exceed 2 times the dis
or 150 feet, whichever is less,
from all property lines a distan
to the height of the tower.

4. PUBLIC AND QU

a. Governmental
excluding transmission towers,
to the character of the district.

b. Public parks and

c. Libraries, art

museums.

d. Telephone centra

e. Transmission tow

exceed the district height li
s. 295-14-17-c.

6. OFFICES. a. Offi

b. Banks and c

institutions.

c. Membership org;

7. RETAIL SALES.

establishments.

b. General purpose

c. Office furniture s

d. Department stor

e. Mail order and

centers.

f. Consumer servic

g. Ticket offices and

h. Pet shops witho

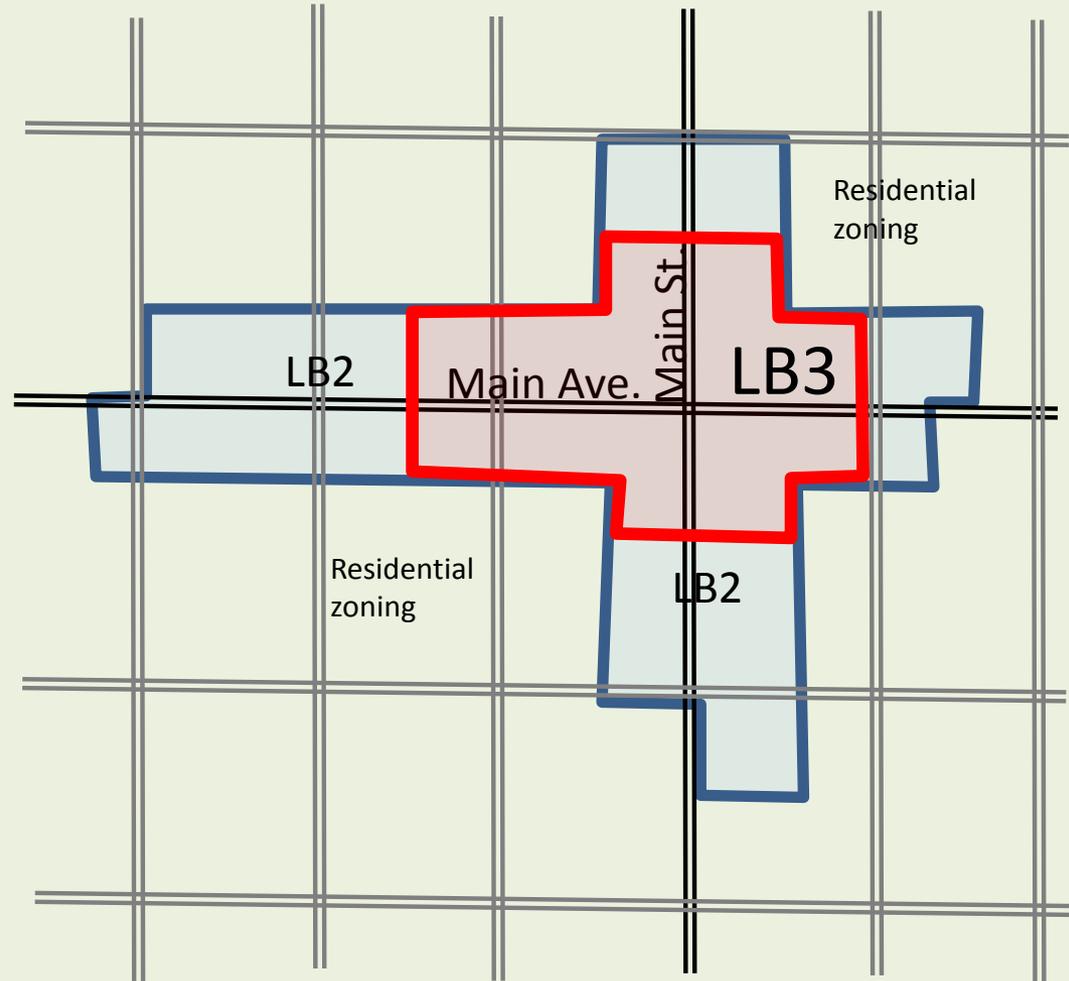
i. Open-air marke

s. 295-14-18.

8. MOTOR VEHIC

Where and How will LB3 be used?

- The district is intended to generally be applied at the main intersection of a local business corridor, or the “Main & Main”.
- This zoning designation could also be applied at “catalytic” sites to allow more substantial development and ensure greater minimum development.
- Diagram at right illustrates how LB3 could be applied.



Background - Design Standards inclusions

Design Standards in Commercial Districts regulate:

- Setback/build-to
- Height
- Entrance location
- Minimal glazing standards



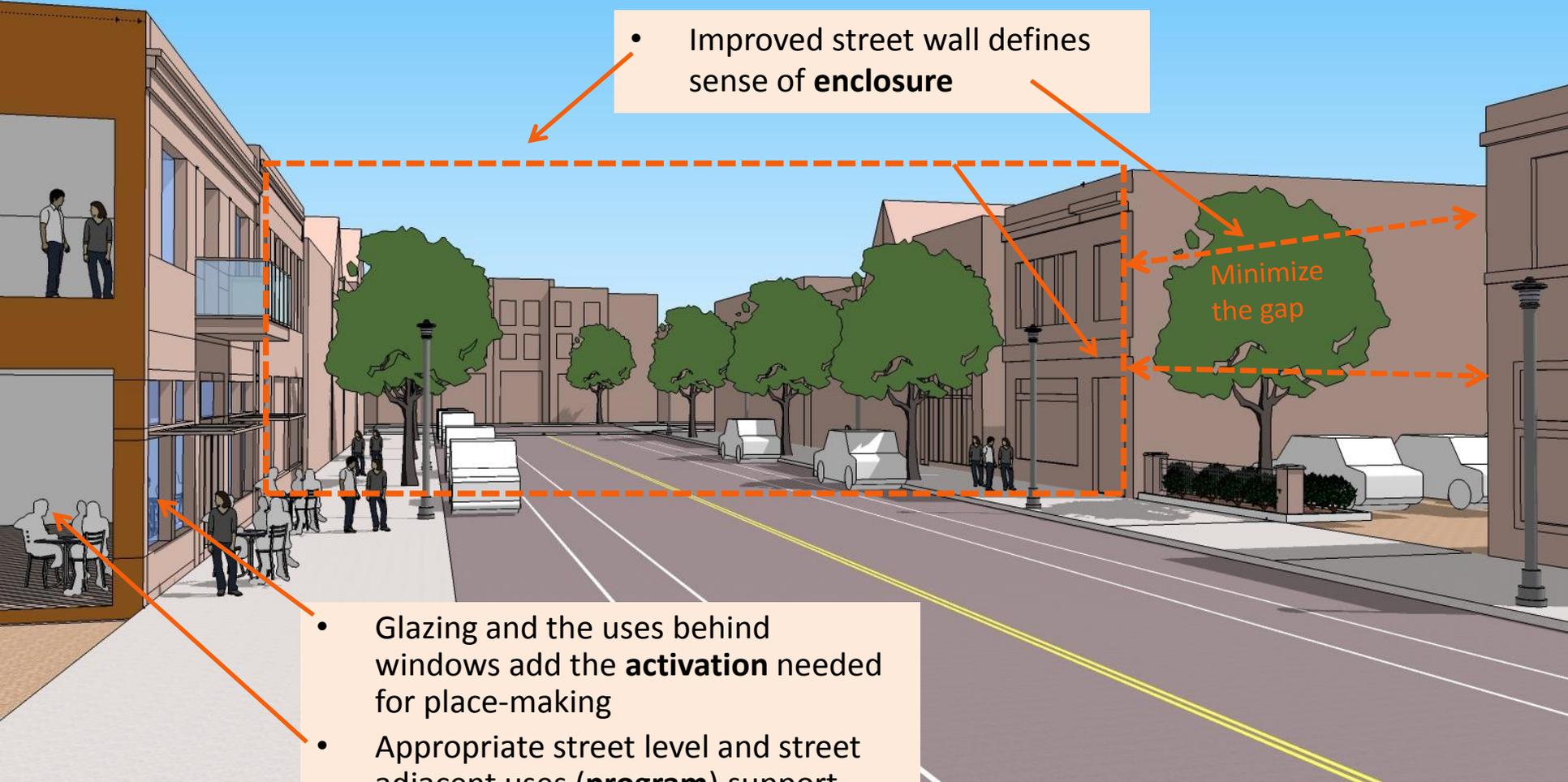
Note:

- There is no “minimum” amount of building in any district.
- In general, there are no maximums for “gaps” along the street.
- Design standards found in Zoning do **not** cover elements such as proportions, materials, details. These are often covered by overlays, ARB’s, or design “guidelines”.

Consistent with general Planning Principles

- A Zoning district's requirements and standards should be reflective of the context.
- Zoning should reinforce and improve our transit-oriented neighborhoods.
- Successful neighborhood commercial streets have a distinct quality, a "sense of place".
- "Place-making" includes enclosure, activation and program, all of which are affected by zoning.

Place-making in Planning



- Improved street wall defines sense of **enclosure**

Minimize the gap

- Glazing and the uses behind windows add the **activation** needed for place-making
- Appropriate street level and street adjacent uses (**program**) support place-making

- Increased density that brings more **people** to support the uses in these focused locations

Translating Planning Principles to Zoning Requirements: Enclosure / Activation / Program



GOALS

- Create a more consistent “street wall” with taller buildings.
- Promote building that “fill out” street frontages.
- Minimize “gaps” in the street wall.
- Windows that are taller and more open to the street.
- Limit uses that diminish the pedestrian environment, such as surface parking lots along street edges.
- In the minimized “gaps” in street wall, have higher standards for fencing and landscaping.
- Promote signage that is more pedestrian-oriented, but also allows for the more substantial uses at these locations.

Zoning **can** regulate and promote all of these items.

Result: Created a new LB3 District

- Based on the existing urban, commercial Local Business District (LB2).
- Added /introduce a new design standard for street wall “build-out”.
- Best way to understand this new LB3 district is to learn how it differs from the “urban” Local Business District (LB2) that we currently have in our code.

New LB3 District vs. existing LB2

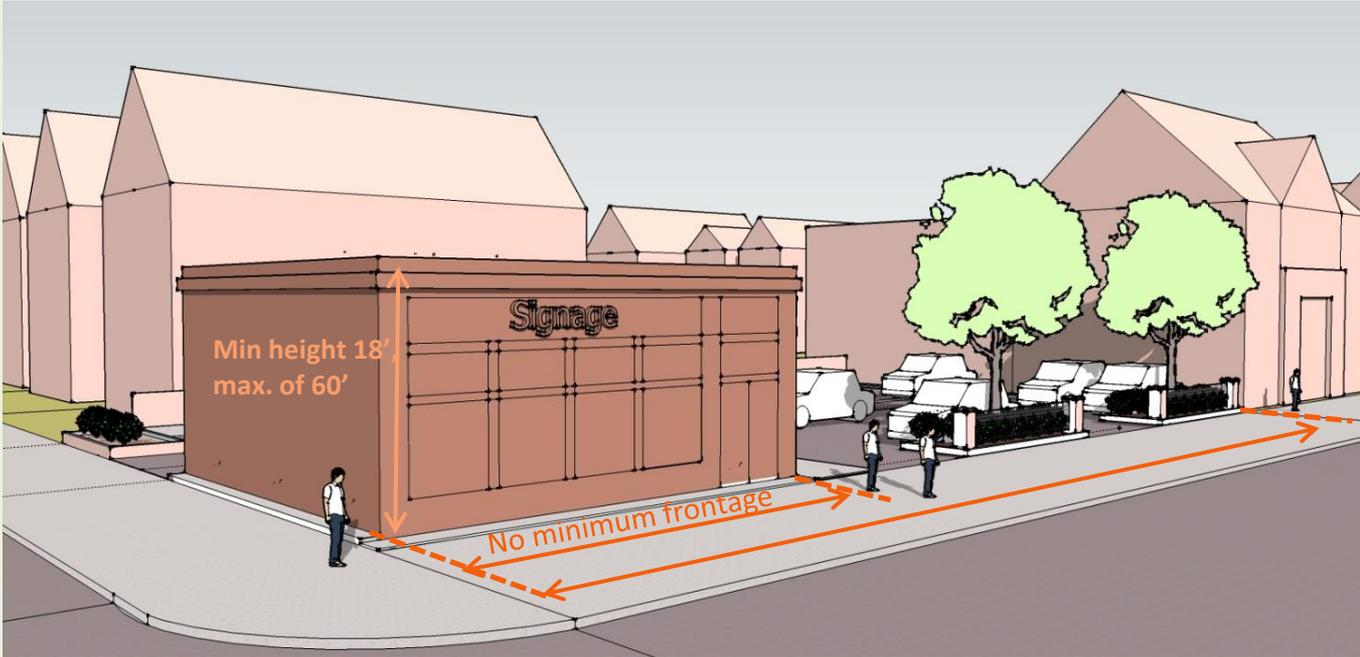
- Taller minimum **building heights** (30' instead of 18') and taller maximum (75' instead of 60').
- **Street wall** that is built out at least 75% of street frontage on the principle street.
- Allowable parking **lot width reduced** from 60' to 45' (minimal frontage build-out still required).
- Taller **ground level windows**, required to be at least 6' in height as compared to 4' in LB2.
- **Density** maximum **increased** by reducing to 300 sq. ft. of lot area per dwelling unit from the 800 sq. ft. of lot area per dwelling unit currently in LB2.
- Disallow 14' tall Type B free-standing signs, and instead allow only more **pedestrian oriented** Type A monument signs not taller than 8', and allow larger, higher quality Type A wall signs.



TABLE 295-605-2 PRINCIPAL BUILDING DESIGN STANDARDS									
<i>Design Standards for Non-residential and Multi-family Principal Buildings</i>									
	NS1	NS2	LB1	LB2	LB3	RB1	RB2	CS	
Primary Street									
Front setback, maximum (ft.) (see s. 295-505-2-b)	average	none	average	none	none	average	none	none	
Front setback, maximum (ft.) (see s. 295-505-2-b)	50	average	70	average	average	none	70	average	
Secondary Street									
Side street setback, min. (ft.)	none	none	none	none	none	none	none	none	
Side street setback max. (ft.)	15	5	25	5	5	none	70	5	
Rear street setback, minimum (ft.)	none	none	none	none	none	none	none	none	
Rear street setback, maximum (ft.)	none	none	none	none	none	none	none	none	
Side setback, minimum (ft.)	none	none	none	none	none	none	none	none	
Side setback, maximum (ft.)	none	none	none	none	none	none	none	none	
Rear setback, minimum (ft.)	none	none	none	none	none	none	none	none	
Rear setback, maximum (ft.)	none	none	none	none	none	none	none	none	
Lot area per dwelling unit, minimum (sq. ft.)	2,400	1,200	1,200	800	300	1,200	800	1,200	
Lot area per dwelling unit, permanent supportive housing, minimum (sq. ft.)	1,200; 2,400 for a unit with 2 or more bedrooms	600; 1,200 for a unit with 2 or more bedrooms	600; 1,200 for a unit with 2 or more bedrooms	400; 800 for a unit with 2 or more bedrooms	150; 300 for a unit with 2 or more bedrooms	600 1,200 for a unit with 2 or more bedrooms	400; 800 for a unit with 2 or more bedrooms	600; 1,200 for a unit with 2 or more bedrooms	
Lot area per transitional housing client, minimum (sq. ft.)	1,200	600	600	400	150	600	400	600	
Height, minimum (ft.)	none	18	none	18	30	none	24	none	
Height, maximum (ft.)	45	60	45	60	75	85	85	60	
Minimum glazed area, primary street frontage	40%	60%	30%	60%	60%	20%	30%	10%	
Minimum glazed area, secondary street frontage	10%	15%	10%	15%	15%	10%	15%	5%	
Minimum build-out, primary street frontage	none	30%	none	30% ^s	75%	none	30%	none	
Minimum build-out, secondary street frontage	none	none	none	none	50%	none	none	none	
Multiple principal buildings permitted?	yes	yes	yes	yes	yes	yes	yes	yes	
<i>Design Standards for Single family and Two-family Dwellings</i>									
	NS1	NS2	LB1	LB2	LB3	RB1	RB2	CS	
Refer to design standards in subch. 5 for this residential district	RM1	RM4	RM2	RM5	RM5	RM2	RM5	RM4	

Existing LB2 Standards and past standards

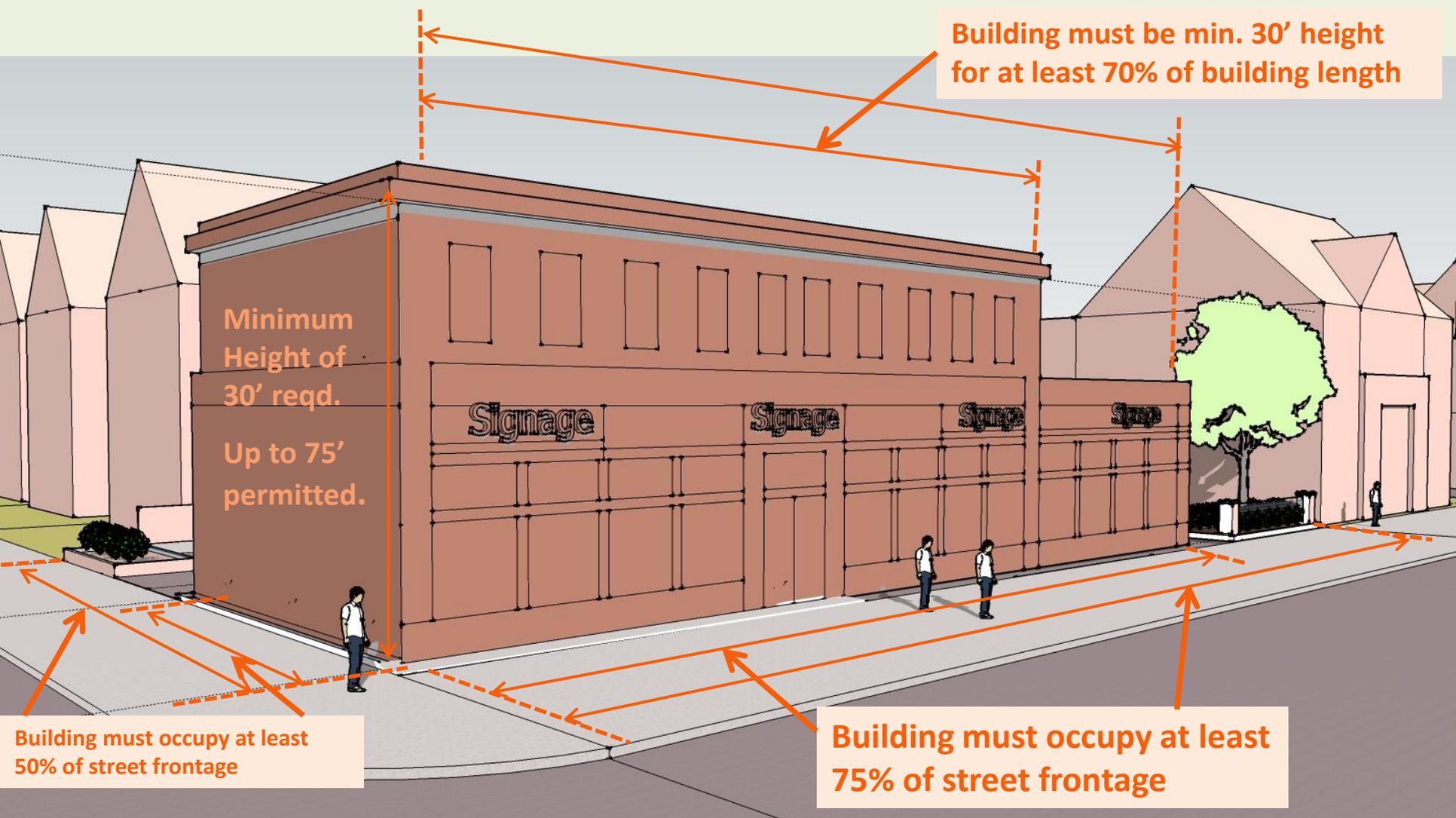
Massing permitted by existing LB2 Zoning District includes: 18' tall minimum height, a 3500 square foot building could allow up to 10 parking spots, windows at least 4' in height.



Permissible PRIOR to current standards

Example of a development permitted under LB2 zoning: Building required at corner, parking lot permissible at mid-block, window requirement and entrance required on the street.

Example utilizing zoning standards for LB3 Zoning



Building must be min. 30' height for at least 70% of building length

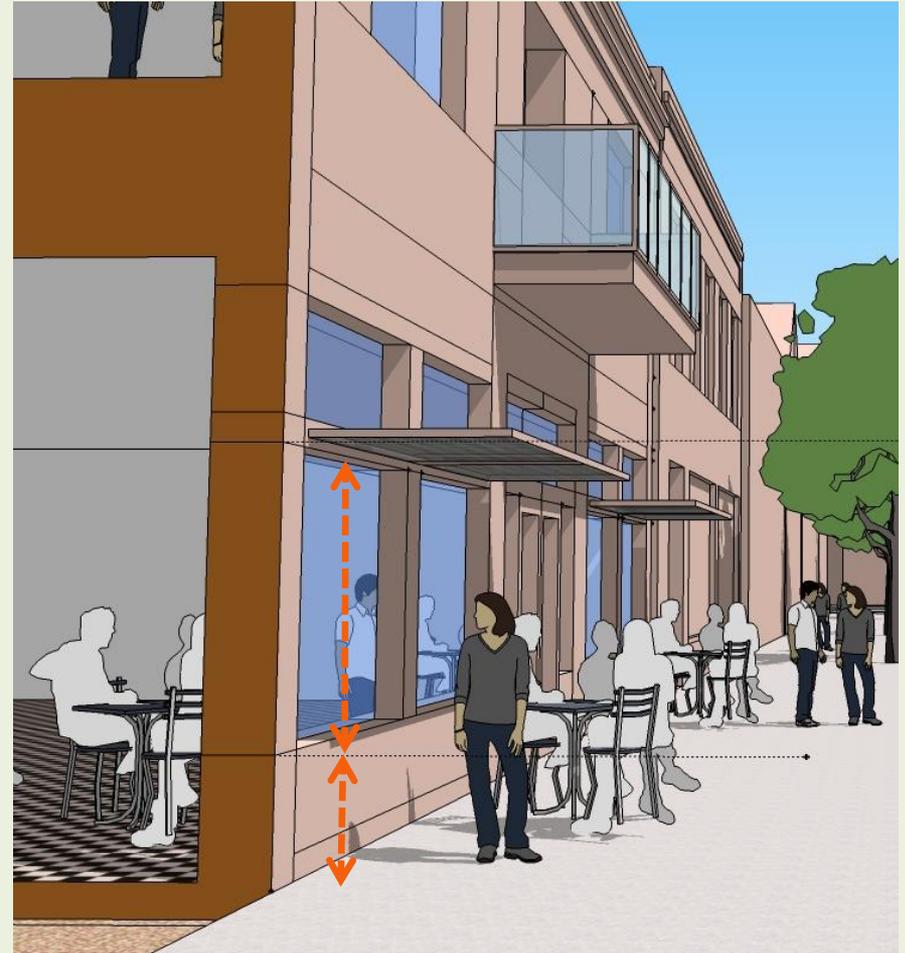
Minimum Height of 30' reqd.
Up to 75' permitted.

Building must occupy at least 50% of street frontage

Building must occupy at least 75% of street frontage

- The front setback allowed is between 0' and no greater than the average. The side street setback allowed is between 0' and 5'.
- Parking is not allowed between the building and either street frontage.
- Minimum 30' height and maximum 75' height. Minimum height is required for at least 70% of the street frontage.
- Street wall is required to be built out to at least 75% of street frontage on the principle street, 50% on the secondary street.
- Minimum glazed frontage of 60% on the primary street frontage and 15% on the secondary street frontage.

Explanation of standards for LB3



- Windows required to be at least 6' in height as compared to 4' in LB2.

Explanation of standards for LB3



- Allowable parking lot width reduced from 60' to 45' (minimal frontage build-out still required).



- Street wall that is built out at least 75% of street frontage on the principle street.

Explanation of standards for LB3



- In order to respond to context and appropriate development the **density maximum** is 300 sq. ft. of lot area per dwelling unit (compared to the 800 sq. ft. of lot area per dwelling unit in LB2.)
- As a more **pedestrian oriented** district, **signage** regulations are calibrated to reflect this, with Type B pole signs prohibited, monument signs allowed to only 8', and instead larger, high quality Type A wall signs.

Clarifications

- This new district is not intended to be applied over broad swaths of the city's commercial corridors, but rather at focused locations.
- Practical exceptions for narrow sites, small additions, existing buildings are included in ordinance.
- The new LB3 District was created by the action of the Common Council.
- Currently, it has been applied to some properties in the East North Avenue area. Further ordinances will be needed to apply it to specific boundaries in specific neighborhoods throughout the city.

295-605-2-g Zoning

f-2-b. Additions to Nonconforming Buildings. An addition to an existing building that does not meet the minimum height requirement may be constructed to the same height as the existing building.

f-2-c. Additions to Conforming Buildings. In the LB3 district, an addition not meeting the minimum height requirement may be constructed along a street frontage provided it does not exceed 18 feet in width and meets the minimum height requirement of the LB2 districts. In all districts, an addition to the rear or other non-street wall area of a building shall not be required to meet a minimum height requirement.

f-2-d. Narrow Lots in LB3 District. For a lot located in the LB3 district and measuring 24 feet or less in width along the primary street frontage, the minimum height requirement of the LB2 district shall apply.

f-3. Sidewall Height. At least 70% of the sidewall of the front façade and, when located on a corner lot, at least 70% of the sidewall of the side street façade of any newly constructed principal building shall meet the minimum sidewall height requirement specified in table 295-605-2.

f-4. Minimum Height by Street Frontage. In a district having a minimum building height requirement, at least 70% of the building façade along the primary street frontage shall meet this requirement. On secondary and tertiary street frontages, at least 25% of the building façade shall meet the minimum height requirement.

f-5. Measuring Height. The following standards shall be used to determine compliance with the minimum height requirements specified in table 295-605-2:

f-5-a. Height shall be measured from the average grade level at the front façade to the top of the parapet wall or fascia, except as provided in subpar. c. With a gabled roof or similar wall conditions, the measurement shall be taken at the midpoint of the gable or similar shape.

f-5-b. Height shall be measured for the portion of the façade that is at the front wall line or not more than 10 feet stepped back. The height of a portion of the building that is not at the front wall line, such as a massing of the building that is set back, shall not count towards compliance with the minimum height requirement.

f-5-c. If a gable or irregular roof shape faces the primary street, the measurement shall be taken at the midpoint of the gable or other roof shape. If a gable or irregular roof shape faces the secondary street or a side lot line, the measurement shall be taken at a point 10 feet back from the front façade.

f-5-d. A penthouse for mechanical equipment may not be included when determining compliance with the minimum height requirement unless the penthouse is an integral part of the front façade. Other structures exempt from height limitations, as listed in subd. 1, may not be included when determining compliance with the minimum height requirement.

g. Build-Out Requirement. In a district having a minimum height requirement, the front façade of a building shall be built-out to at least the minimum percentage of the street frontage specified in table 295-605-2.

**Table 295-605-5
COMMERCIAL DISTRICT SIGN STANDARDS**

	Zoning District							
	NS1	NS2	LB1	LB2	LB3	RB1	RB2	CS
Maximum number	1 per 25 lineal feet	1 per 25 lineal feet	1 per 25 lineal feet	1 per 25 lineal feet	1 per 25 lineal feet	1 per 25 lineal feet	1 per 25 lineal feet	1 per 25 lineal feet
Type "A" max. display area (sq. ft.)	20	10	20	20	20	20	10	20
<i>Canopy and Hood Signs</i>	<i>permitted</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 25 lineal feet	1 per 25 lineal feet	1 per 25 lineal feet	1 per 25 lineal feet	1 per 25 lineal feet	1 per 25 lineal feet	1 per 25 lineal feet	1 per 25 lineal feet
Type "A" max. display area (sq. ft.)	50	50	60	50	100	100	60	50
Type "B" max. display area (sq. ft.)	25	25	30	25	25	50	30	25
<i>Roof Signs</i>	<i>not permitted</i>	<i>not permitted</i>	<i>permitted</i>	<i>type "A" permitted only</i>	<i>type "A" permitted only</i>	<i>permitted</i>	<i>permitted</i>	<i>type "A" permitted only</i>
Maximum number	NA	NA	1 per building	1 per building	1 per building	1 per building	1 per building	1 per building
Type "A" max. display area (sq. ft.)	NA	NA	150	150	150	150	150	100
Type "B" max. display area (sq. ft.)	NA	NA	32	NA	NA	32	32	NA
<i>Off-Premise Signs</i>	<i>not permitted</i>	<i>not permitted</i>	<i>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	1 per site
Maximum display area per sign (sq. ft.)	NA	NA	300	300	300	300	300	300
Minimum distance 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, freestanding sign (ft.)	NA	NA	35	35	35	35	35	35
Maximum height, wall sign (ft.)	NA	NA	40	40	40	40	40	40
Maximum height, roof sign	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.								
** Subject to special use permit requirement set forth in s. 295-407-7-d.								

Conclusion

- Promoting compact, pedestrian friendly districts is inherently environmentally favorable.
- Transit supportive density levels are necessary to advance our principle of transportation diversity.
- Aligning regulations with building developments that “fit in” to the context makes sense.
- This new LB3 District is now available as a “tool” to better align development with context.

