

**INSTRUCTION SHEET
ADDITIONS TO
MILWAUKEE CODE OF ORDINANCES
VOLUME 2**

SUMMARY

This supplement incorporates changes to Volume 2 of the Milwaukee Code of Ordinances enacted by the following Common Council file:

231418 A substitute ordinance relating to various revisions to the zoning code.

Remove old MEMO (Suppl. #340)

<u>Section Affected</u>	<u>Action</u>	<u>File Number</u>	<u>Effective Date</u>	<u>Remove Pages</u>	<u>Add Pages</u>
295-201-371	am	231418	6/29/2024	v-vi 673-674	v-vi 673-674
295-201-373	rp	"	"	"	"
295-201-495	am	"	"	677-678	677-678
295-203-6-a	am	"	"	687-690	687-690
295-203-6-d	rp	"	"	"	"
295-203-13-g	am	"	"	695-696	695-696
295-307-3-f	am	"	"	713-714	713-714
295-307-7-e	am	"	"	"	"
295-311-9-a	am	"	"	716a-722	716a-722
295-311-9-b	am	"	"	"	"
295-403-2-a (table)	am	"	"	725-726	725-726
295-404-2-a-3	am	"	"	729-732	729-732
295-404-2-a-7	rc	"	"	"	"
295-404-4-b-5	am	"	"	"	"
295-404-1 (table)	am	"	"	735-736	735-736
295-407-2-b-2-b	am	"	"	753-754	753-754
295-413-1-a	am	"	"	759-760	759-760
295-503-1 (table)	am	"	"	773-776	773-776
295-505-2 (table)	am	"	"	783-800	783-800
295-505-2-c-4	cr	"	"	"	"
295-505-2-L-2-b	am	"	"	"	"
295-505-3 (table)	am	"	"	"	"
295-505-3-f-6	am	"	"	"	"
295-505-4-f-5-a	am	"	"	"	"
295-505-4-f-7	am	"	"	"	"
295-505-5 (table)	am	"	"	"	"
295-505-5-b-3	cr	"	"	"	"
295-505-5-c-2-b	am	"	"	"	"
295-603-1 (table)	am	"	"	813-814	813-814
295-605-2-i-2-b	am	"	"	825-832	825-832
295-605-2-i-3-b	am	"	"	"	"
295-605-2-i-3-d	am	"	"	"	"
295-605-2-i-3-e	am	"	"	"	"

<u>Section Affected</u>	<u>Action</u>	<u>File Number</u>	<u>Effective Date</u>	<u>Remove Pages</u>	<u>Add Pages</u>
295-605-2-i-3-j	cr	231418	6/29/2024	825-832	825-832
295-605-2-i-6-b	am	"	"	"	"
295-605-3-f	cr	"	"	"	"
295-605-5 (table)	am	"	"	"	"
295-605-5-c	rn	"	"	"	"
295-605-5-c	cr	"	"	"	"
295-605-5-d	rn	"	"	"	"
295-605-5-e	rn	"	"	"	"
295-605-5-f	rn	"	"	"	"
295-605-5-g	rn	"	"	"	"
295-605-5-h	rn	"	"	"	"
295-703-1 (table)	am	"	"	843-844	843-844
295-703-2-f	rn	"	"	847-850	847-850
295-703-2-f	cr	"	"	"	"
295-703-2-g	rn	"	"	"	"
295-703-2-g-0	am	"	"	"	"
295-703-2-h	rn	"	"	"	"
295-703-2-i	rn	"	"	"	"
295-703-2-j	rn	"	"	"	"
295-703-2-k	rn	"	"	"	"
295-703-2-L	rn	"	"	"	"
295-703-2-m	rn	"	"	"	"
295-703-2-n	rn	"	"	"	"
295-703-2-o	rn	"	"	"	"
295-703-2-p	rn	"	"	"	"
295-703-2-q	rn	"	"	"	"
295-703-2-q	rc	"	"	"	"
295-703-2-r	rn	"	"	"	"
295-703-2-s	rn	"	"	"	"
295-703-2-t	rn	"	"	"	"
295-703-2-u	rn	"	"	"	"
295-703-2-v	rn	"	"	"	"
295-703-2-w	rn	"	"	"	"
295-703-2-x	rn	"	"	"	"
295-703-2-y	rn	"	"	"	"
295-703-2-z	rn	"	"	"	"
295-703-2-aa	rn	"	"	"	"
295-703-2-bb	rn	"	"	"	"
295-703-2-cc	rn	"	"	"	"
295-705-6-c	am	"	"	855-858	855-858
295-705-9-0	am	"	"	"	"
295-705-9-b	am	"	"	"	"
295-803-1 (table)	am	"	"	873-874	873-874
295-903-2-a (table)	am	"	"	903-906	903-906
295-905-2-a (table)	am	"	"	909-912	909-912
295-905-3-c	am	"	"	917-922	917-922
295-907-2-b-4	am	"	"	"	"
295-907-2-b-7	rc	"	"	"	"
295-907-2-b-8	rp	"	"	"	"

<u>Section Affected</u>	<u>Action</u>	<u>File Number</u>	<u>Effective Date</u>	<u>Remove Pages</u>	<u>Add Pages</u>
295-907-2-b-9	rp	231418	6/29/2024	917-922	917-922
295-907-2-b-10	rn	"	"	"	"
295-907-2-b-11	ra	"	"	"	"
295-907-2-c-1-f	am	"	"	"	"
295-907-2-c-1-h	am	"	"	"	"
295-907-2-c-1-i	am	"	"	"	"
295-907-2-c-4	am	"	"	"	"
295-907-2-c-7	am	"	"	"	"
295-907-2-c-8	am	"	"	"	"
295-907-2-c-9	rn	"	"	"	"
295-907-2-c-9	cr	"	"	"	"
295-907-2-c-10	rn	"	"	"	"
295-907-2-c-10	am	"	"	"	"
295-907-2-c-11	rn	"	"	"	"
295-907-2-c-11	am	"	"	"	"
295-907-2-c-12	rn	"	"	"	"
295-907-2-c-13	rn	"	"	"	"
295-907-2-c-14	rn	"	"	"	"
295-907-2-c-14	rc	"	"	"	"
295-907-2-c-15	rn	"	"	"	"
295-907-2-c-15	rc	"	"	"	"
295-907-2-c-16	rp	"	"	"	"
295-907-2-e-0	am	"	"	"	"
295-907-3-e	rc	"	"	"	"
295-907-3-h	am	"	"	"	"
295-907-3-L-0	am	"	"	"	"

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Abbreviations:

am=amended
cr=created
corr=correction

ra=renumbered and amended
rc=recreated

rn=renumbered
rp=repealed

MEMO

If all supplements have been properly inserted, this book contains all actions of the Common Council through June 11, 2024.

6/11/2024
Suppl. #341

351. LOT SIZE REQUIREMENT means the lot area and lot width requirements of the applicable zoning district.

353. LOT, THROUGH means a lot, other than a corner lot, having frontage on 2 streets.

355. LOT WIDTH means the distance between a side lot line and another side lot line or a side street lot line, measured at the front setback.

357. LUMBER YARD. See HOME IMPROVEMENT CENTER.

359. MALL means an interior, multi-story open space completely enclosed within a building and open to the public.

360. MANUFACTURED HOME means either a structure that is designed to be used as a dwelling with or without a permanent foundation and that is certified by the federal department of housing and urban development as complying with the standards established under 42 USC 5401 to 5425, or a mobile home, unless a mobile home is specifically excluded under the applicable statute. It does not include a mobile recreational vehicle as defined in s. 246-5-5

361. MANUFACTURING, HEAVY means an establishment engaged in manufacturing, assembly, fabrication, packaging or other industrial processing of products primarily from extracted or raw materials or the bulk storage and handling of such products and materials, or an industrial establishment having potential to produce noise, dust, glare, odors or vibration beyond its property line.

363. MANUFACTURING, INTENSE means an establishment engaged in manufacturing, assembly, fabrication, packaging or other industrial processing of products primarily from extracted or raw materials or the bulk storage and handling of such products and materials, where such activity involves the use or production of explosives, highly flammable liquids or gases, or toxic or hazardous materials or produces toxic, hazardous or noxious odors, fumes or dust. This term includes, but is not limited to:

- a. Animal or poultry slaughter or auction facility.
- b. Leather tannery.
- c. Distillery of products for finishes.
- d. Explosives manufacturer.
- e. Sawmill.
- f. Paper or pulp mill.
- g. Steel mill.
- h. Petroleum refinery.
- i. Petrochemical plant.
- j. Ore smelting facility.

365. MANUFACTURING, LIGHT means an establishment engaged in the indoor manufacturing, assembly, fabrication, packaging or other industrial processing of finished parts or products, primarily from previously prepared materials, or the indoor provision of industrial services, where there are few external effects across property lines. This term includes, but is not limited to, a business engaged in the processing, fabrication, assembly, treatment or packaging of textile, leather, wood, paper, chemical, plastic or metal products, but does not include basic industrial processing from raw materials. The establishment shall meet the following standards; failure to meet any one of these standards shall result in the establishment being classified as heavy manufacturing:

- a. Smoke, exhaust, glare, dust and airborne particulates shall be internally-remediated.
- b. Noise, sounds and vibrations shall not be evident beyond the walls of the establishment.
- c. Motor vehicle operating areas shall have sufficient turning-motion areas that are contained entirely on-site.

367. MARINA means a facility providing mooring of recreational boats in water, or piers, anchorage areas, launching facilities, boat storage areas or boat sales and service. This term does not include a ship terminal or docking facility or a passenger terminal.

295-201-369 Zoning

369. MATERIAL RECLAMATION FACILITY means an establishment engaged in processing and wholesaling scrap from automobiles, concrete, asphalt or industrial or other non-consumer recyclable materials. This term includes, but is not limited to, any recycling, salvaging or towing premises, as defined in s. 93-3-20, primarily engaged in dismantling motor vehicles for the purpose of wholesaling scrap.

371. MEDICAL OFFICE means an establishment providing diagnostic and outpatient medical care on a routine basis, but which is unable to provide prolonged inpatient medical or surgical care. Such facility may be staffed by up to 3 doctors, dentists, ophthalmologists, optometrists, chiropractors, physical therapists or similar practitioners licensed for practice by the state. This term includes an establishment that carries out testing of patient medical or dental laboratory samples, as well as a dialysis establishment. See also HEALTH CLINIC.

375. MEDICAL SERVICE FACILITY means an establishment operated such that physicians are present during less than 50 percent of normal business hours and which provides medical services for the specialized diagnosis, testing and treatment of alcoholism, chemical substance abuse, mental illness or sexually transmitted diseases. This term includes, but is not limited to, a facility offering methadone treatment programs, a prison parole or probation drug treatment distribution center, or a facility where components of human blood are removed and purchased for use in research or the manufacture of consumer or industrial products, but does not include a dialysis establishment.

377. MIXED-WASTE PROCESSING FACILITY means an establishment engaged in the processing, separating and sorting of recyclable materials from non-hazardous waste streams or from commingled consumer recyclable materials, such as paper, plastics, beverage cans or household metals.

379. MOBILE HOME means a manufactured building built on a chassis and transported to a site, with or without wheels, axles, hitches or other appurtenances of mobility and regardless of the type of foundation.

381. MOBILE HOME PARK means a lot or tract of land used as the site of occupied mobile homes, including any structure, vehicle or equipment accessory to the mobile home park.

382. MOBILE RECREATIONAL VEHICLE means a vehicle which is built on a single chassis, measures 400 square feet or less when measured at the largest horizontal projection, designed to be self-propelled, carried or permanently towable by a licensed, light-duty vehicle, licensed for highway use if registration is required and designed primarily for use not as a permanent dwelling, but as temporary living quarters for recreational, camping, travel or seasonal use. This term does not include a manufactured home that was towed or carried onto a parcel of land but does not remain capable of being towed or carried, including parked model homes.

383. MOTEL. See HOTEL.

385. MOTOR VEHICLE means any trailer or motorized vehicle, including but not limited to any automobile, truck, motorcycle, boat, snowmobile or recreational vehicle. See also HEAVY MOTOR VEHICLE and LIGHT MOTOR VEHICLE.

386. MOTOR VEHICLE PARKING SPACE means an area set aside, designated and of sufficient size for the parking of one automobile, van, sport-utility vehicle or truck with a cargo capacity of 1.5 tons or less, but does not include a designated motorcycle parking space.

387. MULTI-FAMILY DWELLING means a building containing more than 2 dwelling units.

389. MULTIPLE PRINCIPAL RESIDENTIAL BUILDINGS means use of a site for more than one principal residential building.

391. NAVIGABLE WATERS means Lake Michigan, all natural inland lakes within Milwaukee, and all streams, ponds, sloughs, flowages and waters within the city which are navigable under the laws of Wisconsin.

- 453.** PET SHOP. See RETAIL ESTABLISHMENT, GENERAL.
- 455.** PLANT NURSERY OR GREENHOUSE means an establishment engaged in growing crops of any kind within or under a greenhouse, cold frame, cloth house or lath house, or growing nursery stock, annual or perennial flowers, vegetables or other garden or landscaping plants. This term does not include a garden supply or landscaping center.
- 457.** PLAZA means an exterior open space which is open to the public and located between a building and a public street or pedestrian walkway.
- 459.** POWER GENERATION PLANT means a facility that converts one or more energy sources, including but not limited to water power, wind power, fossil fuels or nuclear power, into electrical energy or steam. This term does not include a small wind energy system. A power generation plant may also perform either or both of the following:
- a. Operation of a transmission system that conveys the energy or steam from the generation facility to a power distribution system.
 - b. Operation of a distribution system that conveys energy or steam from the generation facility or the transmission system to final consumers.
- 461.** PREMISES means one or more lots or portions of lots, including any structures, which are contiguous, under common ownership or control through the use of a permanent deed restriction or a certified survey map, and located entirely within one base zoning district.
- 463.** PRINCIPAL BUILDING or PRINCIPAL STRUCTURE means a building or structure containing the principal use of the lot on which it is located.
- 465.** PRINCIPAL USE means a primary use of a premises which is not accessory to any other use on the premises. Unless the use customarily occurs outdoors, or the definition of the use explicitly mentions that it occurs outdoors, a principal use occurs indoors.
- 467.** PROCESSING OR RECYCLING OF MINED MATERIALS means a mine site or the mining or quarrying of stone. This term includes a facility engaged in crushing, grinding, washing, screening, pulverizing, sizing or recycling stone, concrete, asphalt or similar materials.
- 469.** PUBLIC SAFETY FACILITY means a government facility for public safety and emergency services, including a facility that provides police or fire protection and related administrative facilities.
- 471.** RAILROAD SWITCHING, CLASSIFICATION YARD, OR FREIGHT TERMINAL means a facility for the operation of a line-haul or short-line freight railroad.
- 473.** RAISING OF LIVESTOCK means the use of land or buildings for aquaculture, or the keeping of bees, cows, cattle, horses, sheep, swine, goats, chickens, ducks, turkeys, geese or any other domesticated livestock if permitted by the health department under the provisions of ch. 78.
- 475.** RECEIVING BODY OF WATER means any water body, watercourse or wetland into which surface waters flow either naturally or from human-made conveyance.
- 477.** RECEPTION/TRANSMISSION SYSTEM means a system of electrical components that emit or receive radio frequency waves, including antennae, communication dishes and similar devices.
- 479.** RECREATION FACILITY, INDOOR means a facility primarily used for the indoor conduct of, or participation in, recreational activities, and secondarily for the viewing of such activities. This term includes, but is not limited to, an indoor driving range, volleyball court, bowling alley, ice or roller skating rink, billiard hall, video game center, archery or shooting range, soccer field or basketball court. This term does not include a sports facility or health club.
- 481.** RECREATION FACILITY, OUTDOOR means a facility primarily used for the outdoor conduct of, or participation in, recreational activities, and secondarily for the viewing of such activities. Such a facility may include one or more structures. This term includes, but is not limited to, a golf facility, tennis, basketball or volleyball court, soccer, baseball or football field, or amusement or water park. This term does not include a sports facility or health club.
- 483.** RECREATIONAL VEHICLE. See MOTOR VEHICLE, HEAVY MOTOR VEHICLE or LIGHT MOTOR VEHICLE.
- 485.** RECYCLABLE MATERIAL means waste material for which there exists a commercially demonstrated processing or manufacturing technology for the use of the material as a raw material.
- 487.** RECYCLING COLLECTION FACILITY means a facility for the deposit, sorting or batching, but not processing, of post-consumer recyclable materials. This term includes, but is not limited to, a residential self-help, drop-off facility or a transfer station which receives residential solid waste collected by city forces or deposited by city residents.

295-201-489 Zoning

489. RELIGIOUS ASSEMBLY means a facility where people regularly assemble for religious worship and any incidental religious education, which is maintained and controlled by a religious body organized to sustain public worship. This term does not include an elementary or secondary school, a specialty/personal instruction school or a college.

491. RENTAL CENTER. See FURNITURE AND APPLIANCE RENTAL AND LEASING.

493. RESALE SHOP. See SECONDHAND STORE.

495. RESEARCH AND DEVELOPMENT means an establishment which conducts research, development or controlled production of high-technology electronic, industrial, medical, or scientific products or commodities for sale or laboratories conducting educational or medical research. This term includes, but is not limited to, a biotechnology firm or a manufacturer of nontoxic computer components.

497. RESIDENTIAL DISTRICT means a single-family, 2-family or multi-family residential zoning district or a planned development district where a majority of the land area or floor area is devoted to residential uses.

499. RESTAURANT WITH DRIVE-THROUGH FACILITY means a restaurant where some or all of the food prepared is dispensed to customers in motor vehicles. The drive-through facility may include access lanes, signing, lighting and audio systems.

501. RESTAURANT WITHOUT DRIVE-THROUGH FACILITY means a restaurant where food is prepared and sold for on-site or off-site consumption, or both, but where no food is dispensed to customers in motor vehicles. This definition shall include a restaurant food truck park as defined in 295-201-502, or a building that hosts two or more licensed food dealers offering meals for on-site pick-up or consumption that share common kitchen facilities.

502. RESTAURANT FOOD TRUCK PARK means a permanent, principal use of a parcel where one or more food peddler vehicles, as defined in s. 68-1-24, also known as food trucks, vendor carts, or other similar mobile operations, serve food to the general public on a continuous or seasonal basis. The facility includes paving at truck operational and customer access areas, permanent electrical facilities, and restroom facilities. This definition does not include occasional or temporary parking and serving from mobile food peddler vehicles on parcels with established principal uses, including, but not limited to uses such as office or manufacturing premises, community serving uses, educational uses, or at live entertainment special events, where food peddler vehicles would be considered accessory uses to the principal use.

503. RETAIL means sale to the ultimate consumer for direct consumption and not for resale.

505. RETAIL ESTABLISHMENT, GENERAL means an establishment providing retail sale of new products to the public and rendering services incidental to the sale of such products, including, but not limited to, sale of: art supplies and picture frames, art works, auto parts, baked goods, bicycles, books, newspapers and magazines, collectibles, dry goods, notions and novelties, flowers and plants, food and beverages, furniture and floor coverings, hardware, hobbies, toys and games, household goods, jewelry, luggage, major appliances, music, records, compact discs and tapes, paint and wallpaper, pets, pharmaceutical products, photo equipment and processing, sewing apparatus, sporting goods, stationery and wearing apparel. This term includes, but is not limited to, a grocery store, specialty food store, antique store, liquor store, butcher shop, delicatessen, portrait studio, furniture or appliance rental establishment or video rental or sales business. This term does not include an adult retail establishment, tobacco or e-cigarette retailer, lumber yard, building supply or home improvement center, garden center or secondhand store.

507. ROOFLINE means the top of a roof or building parapet, excluding any cupola, pylon, chimney or other minor projection.

509. ROOMER means an occupant of a rooming house who is not a member of the family of the operator of that rooming house, and also means an occupant of a dwelling unit who is not the primary occupant of the dwelling unit.

511. ROOMING HOUSE means any building or part of any building or dwelling unit occupied by more than 3 persons who are not a family or by a family and more than 2 other persons for periods of occupancy usually longer than one night and where a bathroom or toilet room is shared. This term includes any building or part of any building in which one or more persons share a toilet room or bathroom with the occupants of one or more 2nd class dwelling units, as defined in s. 200-08-83.

513. RUMMAGE SALE means the sale of used household goods from a residential premises.

c. "Community center" means a building or group of buildings operated by a public or nonprofit group or agency and used for recreational, social, educational or cultural activities. A community center may include a health clinic or social service facility if the clinic or facility is ancillary to the principal recreational, social, educational or cultural use of the premises.

d. "Religious assembly" means a facility where people regularly assemble for religious worship and any incidental religious education, which is maintained and controlled by a religious body organized to sustain public worship. This term does not include an elementary or secondary school, a specialty or personal instruction school, or a college.

e. "Cemetery or other place of interment" means a place for the interment of the dead. This term includes a columbarium or mausoleum, but does not include a crematorium or mortuary.

f. "Public safety facility" means a government facility for public safety and emergency services including a facility that provides police or fire protection and related administrative facilities.

g. "Correctional facility" means a correctional institution established under s. 301.13, Wis. Stats., or a state prison established under ch. 302, Wis. Stats.

5. COMMERCIAL AND OFFICE USES. a. "General office" means use of a building for business, professional or administrative offices. A general office is characterized by a low proportion of vehicle trips attributable to visitors or clients in relationship to employees. Examples include, but are not limited to, offices of firms or organizations providing architectural, computer software consulting, data management, engineering, interior design, graphic design, real estate, insurance, investment or legal services. This term does not include a bank or other financial institution or the office of a physician, dentist, optometrist or chiropractor. Accessory uses may include, but are not limited to, common areas, break rooms and lounge areas, including kitchens, coffee bars, outdoor spaces, pet-friendly areas, game rooms, fitness centers, locker and shower rooms, meeting rooms and conference centers. Accessory conference or meeting spaces may be occasionally used by outside groups. Accessory uses and functions may be related to an individual building occupant or may be common resources available to all occupants in a multi-tenant office building.

b. "Government office" means an administrative, clerical or public contact office of a government agency, including a postal facility, together with incidental storage and maintenance of the agency's vehicles.

c. "Bank or other financial institution" means a depository institution, mortgage banker, mortgage broker or mortgage loan originator, as defined in s. 224.71, Wis. Stats. This term does not include a currency exchange, a payday loan agency, an installment loan agency or a title loan agency.

d. "Currency exchange" means, in accordance with s. 218.05, Wis. Stats., any person except banks incorporated under the laws of this state and national banks organized pursuant to the laws of the United States and any credit union operating under ch. 186, Wis. Stats., which obtains a certificate of authority from the Wisconsin commissioner of credit unions, engaged in the business of and providing facilities for cashing checks, drafts, money orders and all other evidences of money acceptable to such community currency exchange for a fee, service charge or other consideration. This term does not include any person engaged in the business of transporting for hire, bullion, currency, securities, negotiable or nonnegotiable documents, jewels or other property of great monetary value nor any person engaged in the business of selling tangible personal property at retail nor any person licensed to practice a profession or licensed to engage in any business in this state, who in the course of such business or profession and, as an incident thereto, cashes checks, drafts, money orders or other evidences of money.

e. "Title loan agency" means an establishment providing loans to individuals in exchange for receiving titles to the borrowers' motor vehicles as collateral.

f. "Payday loan agency" means an establishment licensed by the Wisconsin department of financial institutions under s. 138.14, Wis. Stats., to originate or service payday loans.

g. "Installment loan agency" means an establishment licensed as a loan company by the Wisconsin department of financial institutions under s. 138.09, Wis. Stats., and providing personal loans that have terms of not less than 31 days and not more than one year and are repaid through cash payments, wage assignments, current-dated or post-dated checks, or automatic checking account withdrawals. This term shall not include a bank or other financial institution, a payday loan agency, a title loan agency or a currency exchange.

h. "Cash-for-gold business" means an establishment primarily engaged in buying used gold or jewelry.

295-203-6 Zoning

i. "Pawn shop" means an establishment primarily engaged in the business of lending money on the deposit or pledge of any article or jewelry, or purchasing any article or jewelry with an expressed or implied agreement or understanding to sell it back at a subsequent time at a stipulated price, and which is licensed as a pawnbroker by the state of Wisconsin pursuant to s. 134.71, Wis. Stats.

j. "Retail establishment, general" means an establishment providing retail sale of new products to the public and rendering services incidental to the sale of such products, including, but not limited to, sales of: art supplies and picture frames, art works, auto parts, baked goods, bicycles, books, newspapers and magazines, collectibles, dry goods, notions and novelties, flowers and plants, food and beverages, furniture and floor coverings, hardware, hobbies, toys and games, household goods, jewelry, luggage, major appliances, music, records, compact discs and tapes, paint and wallpaper, pets, pharmaceutical products, photo equipment and processing, sewing apparatus, sporting goods, stationery and wearing apparel. This term includes, but is not limited to, a grocery store, specialty food store, antique store, liquor store, butcher shop, delicatessen, portrait studio, furniture or appliance rental establishment or video rental or sales business. This term does not include an adult retail establishment, tobacco or e-cigarette retailer, lumber yard, building supply or home improvement center, garden center or secondhand store.

k. "Garden supply or landscaping center" means an establishment providing the retail sale of plants and the sale or rental of garden and landscape materials and equipment. This term includes outdoor storage of plants, materials or equipment.

L. "Home improvement center" means an establishment providing the sale or rental of building supplies, construction equipment or home decorating fixtures and accessories. This term includes a lumber yard or a contractor's building supply business and may include outdoor storage or tool and equipment sales or rental. This term does not include an establishment devoted exclusively to retail sales of paint, wallpaper or hardware or activities classified under vehicle/equipment sales and services, including vehicle towing services.

m. "Secondhand store" means an establishment in which used merchandise is sold at retail. This term does not include a cash-for-gold business, a pawn shop or an antique or collectibles store, jewelry store or other general retail establishment.

n. "Outdoor merchandise sales" means retail sale of produce, other foodstuffs or any of the products listed in par. g, primarily outside an enclosed structure, for more than 90 days in any calendar year. This term shall not include a motor vehicle sales facility, garden supply or landscaping center, lumber yard, building supply or home improvement center, or Christmas tree lot.

o. "Artist studio" means work space for one or more artists or artisans, including the accessory sale of art produced on the premises.

p. "Adult retail establishment" means an establishment in which 10 percent or more of the gross public floor area is devoted to, or 10 percent or more of the stock-in-trade consists of, the following: books, magazines and other periodicals, movies, videotapes, compact discs, digital versatile discs, novelty items, games, greeting cards and other materials which are distinguished or characterized by their emphasis on matters depicting, describing or relating to specified sexual activities: human genitals in a state of sexual stimulation or arousal; acts of human masturbation, sexual intercourse, oral copulation or sodomy; fondling or other erotic touching of human genitals (pubic region), buttocks or female breasts; or specified anatomical areas.

q. "Tobacco or e-cigarette retailer" means an establishment in which 10 percent or more of the gross public floor area is devoted to, or 10 percent or more of the stock in trade consists of, the following: cigarettes, tobacco products, e-cigarette products such as propylene glycol, glycerin, nicotine, flavorings, or other products for use in electronic cigarettes, personal vaporizers, or electronic nicotine delivery system, or any device used to ingest cigarettes, tobacco products, or e-cigarette products. This term does not include a tobacco bar as defined in s. 101.123 Wis Stats.

6. HEALTH CARE AND SOCIAL ASSISTANCE. a. "Medical office" means an establishment providing diagnostic and outpatient medical care on a routine basis, but which is unable to provide prolonged inpatient medical or surgical care. Such facility may be staffed by up to 3 doctors, dentists, ophthalmologists, optometrists, chiropractors, physical therapists or similar practitioners licensed for practice by the state. This term includes an establishment that carries out testing of patient medical or dental laboratory samples, as well as a dialysis establishment. See also "health clinic."

b. "Health clinic" means a group of associated offices for 4 or more physical or mental health care professionals who provide specialized diagnostic, testing, physical therapy or treatment services, including clerical and administrative services, to persons for periods of less than 24 hours. This term does not include a medical office or hospital.

c. "Hospital" means a state-licensed institution providing primary health services and medical, psychiatric, or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, deformity and other physical or mental conditions, and, as an integral part of the institution, related accessory uses or facilities, including, but not limited to, laboratories, central service facilities for inpatient or outpatient treatment, as well as training, research and administrative services for patients and employees. Also included are health services and care, and services and functions which support health services and care, which are shared with other hospitals or other health care providers.

e. "Medical service facility" means an establishment operated such that physicians are present during less than 50 percent of normal business hours and which provides medical services for the specialized diagnosis, testing and treatment of alcoholism, chemical substance abuse, mental illness or sexually transmitted diseases. This term includes, but is not limited to, a facility offering methadone treatment programs, a prison parole or probation drug treatment distribution center, or a facility where components of human blood are removed and purchased for use in research or the manufacture of consumer or industrial products, but does not include a dialysis establishment.

f. "Social service facility" means a facility operated by an organization which provides services such as training, counseling, health or the distribution of food or clothing. This term includes, but is not limited to, a facility offering life skills training, substance abuse counseling, housing services or a neighborhood recovery center. This term does not include an emergency residential shelter.

g. "Emergency residential shelter" means a facility, other than a community living arrangement, that provides short-term housing and a protective sanctuary for victims of fire, natural disaster, economic hardship, crime, abuse or neglect, including emergency housing during crisis intervention for victims of rape, child abuse or physical beatings, and which contains individual or group sleeping rooms and may or may not have food preparation facilities and private shower or bath facilities.

h. "Nursing home" means a place where 5 or more persons who are not related to the operator or administrator reside, receive care or treatment and, because of their mental or physical condition, require access to 24-hour nursing services, including limited nursing care, intermediate level nursing care and skilled nursing services, as defined in s. 50.01, Wis. Stats.

i. "Adult day care" means an establishment in which the operator is provided with compensation in return for providing adults with care for less than 24 hours at a time. This term does not include a day care center.

7. GENERAL SERVICE USES. a. "Personal service establishment" means an establishment providing services which are of a recurring and personal nature to individuals. This term includes, but is not limited to, a barber shop, beauty salon, shoe repair shop, seamstress, tailor, fortune teller, tanning salon, massage establishment, body piercing establishment or tattoo establishment. This term does not include a portrait studio, dry cleaning establishment, laundromat, photocopy center, health club or repair shop for household items.

b. "Business service" means an establishment providing services to business establishments on a fee or contract basis, including, but not limited to, advertising services, business equipment and furniture sales or rental or protective services. This term includes, but is not limited to, an employment agency, photocopy center, commercial photography studio or mailing service. This term does not include maintenance, repair and office uses such as accounting, advertising, architectural design, city planning, environmental analysis, insurance, interior design, investment, landscape design, law, management consulting, title research and real estate.

c. "Building maintenance service" means an establishment providing routine maintenance of buildings. This term includes, but is not limited to, a window washing, building cleaning, pest extermination or disinfecting service.

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d. "Catering service" means an establishment providing the processing, assembly and packaging of food into servings for consumption off-premises without provision for on-site pickup or consumption. This term includes, but is not limited to, the preparation of meals by a catering business or by a nonprofit organization operating a meal program.

e. "Funeral home" means an establishment providing services involving the care, preparation or disposition of human dead. This term includes, but is not limited to, a crematorium or a mortuary.

f. "Laundromat" means an establishment providing washing, drying or dry cleaning machines on the premises for rental use to the general public for laundering or dry cleaning purposes.

g. "Dry cleaning establishment" means an establishment which launders or dry cleans articles dropped-off on the premises directly by the customer or where articles are dropped off, sorted and picked up but where laundering or cleaning is done elsewhere.

h. "Furniture and appliance rental and leasing" means an establishment providing the rental or leasing of furniture, electronics, small appliances, major appliances or other household items. This term includes incidental storage and maintenance of such items.

i. "Household maintenance and repair service" means an establishment providing the repair or servicing of household goods, furniture, appliances or lawn and garden equipment.

j. "Tool/equipment rental facility" means an establishment providing the rental of tools, lawn and garden equipment, party supplies and similar goods and equipment, including storage and incidental maintenance. This term does not include a motor vehicle rental facility.

k. "Animal hospital/clinic" means an establishment providing medical and surgical treatment of domestic animals, including grooming and boarding for not more than 30 days if incidental to the medical care. This term also includes an animal crematorium.

L. "Animal boarding facility" means an establishment in which more than 3 dogs or 3 cats, or any combination thereof, over the age of 5 months may be kept for boarding, breeding, safekeeping, convalescence, humane disposal, placement, sale or sporting purposes. This is the same type of facility referred to as a "kennel" in ch. 78.

m. "Animal grooming or training facility" means an establishment providing bathing, trimming or training services for domestic animals on a commercial basis. This term includes the boarding of domestic animals for a maximum period of 48 hours incidental to the grooming or training services provided.

8. MOTOR VEHICLE USES. a. "Light motor vehicle sales facility" means an establishment providing retail sale of light motor vehicles, including incidental storage and maintenance. This term does not include a light motor vehicle wholesale facility.

b. "Light motor vehicle rental facility" means an establishment where contracts are prepared or reservations accepted for the rental or leasing of light motor vehicles. This term includes incidental storage of vehicles, but does not include on-premise maintenance of vehicles or a tool/equipment rental facility.

c. "Light motor vehicle repair facility" means an establishment providing the repair or servicing of light motor vehicles, including the sale, installation and servicing of related equipment and parts, where all such work is performed within an enclosed building. This term includes, but is not limited to, the repair or servicing of batteries, tires, mufflers, brakes, shocks, transmissions, engines or upholstery. This term includes, but is not limited to, an auto repair shop, wheel and brake shop, tire sales and installation, or upholstery shop. This term does not include vehicle dismantling or salvage, tire re-treading or recapping, or body bumping and painting.

d. "Light motor vehicle body shop" means an establishment providing the repair or rebuilding of light motor vehicle bodies by the replacement, smoothing, sanding or painting of the exterior surfaces of such vehicles within an enclosed building.

e. "Light motor vehicle outdoor storage" means the outdoor storage of operable light motor vehicles for more than 48 hours. This term does not include a surface parking lot, material reclamation facility, outdoor salvage operation or outdoor storage facility.

f. "Light motor vehicle wholesale facility" means an office for wholesale trade in light motor vehicles.

g. "Heavy motor vehicle sales facility" means an establishment providing retail sale of heavy motor vehicles, including incidental storage and maintenance.

h. "Heavy motor vehicle rental facility" means an establishment where contracts are prepared or reservations accepted for the rental or leasing of heavy motor vehicles. This term includes incidental storage of vehicles, but does not include on-premise maintenance of vehicles or a tool/equipment rental facility.

- f-4. Explosives manufacturer.
- f-5. Sawmill.
- f-6. Paper or pulp mill.
- f-7. Steel mill.
- f-8. Petroleum refinery.
- f-9. Petrochemical plant.
- f-10. Ore smelting facility.
- g. “Research and development” means an establishment which conducts research, development or controlled production of high-technology electronic, industrial, medical, or scientific products or commodities for sale or laboratories conducting educational or medical research. This term includes, but is not limited to, a biotechnology firm or a manufacturer of nontoxic computer components.
- h. “Processing or recycling of mined materials” means a mine site or the mining or quarrying of stone. This term includes a facility engaged in crushing, grinding, washing, screening, pulverizing, sizing or recycling stone, concrete, asphalt or similar materials.
- i. “Industrial wastewater treatment facility” means a facility engaged in the treatment of wastewater or other liquids or fluids produced as an undesirable or unwanted by-product of another industry or industries located off-site. After treatment, the treated wastewater, liquids or fluids may be reused or released to a sanitary sewer or to a surface water body in the environment.
- j. “Contractor’s shop” means an establishment used for the indoor repair, maintenance or storage of a contractor’s vehicles, equipment or materials, and may include the contractor’s business office.
- k. “Contractor’s yard” means an establishment used for the outdoor repair, maintenance or storage of a contractor’s vehicles, equipment or materials.
- 14. AGRICULTURAL USES.**
 - a. “Plant nursery or greenhouse” means an establishment engaged in growing crops of any kind within or under a greenhouse, cold frame, cloth house or lath house, or growing nursery stock, annual or perennial flowers, vegetables or other garden or landscaping plants. This term does not include a garden supply or landscaping center.
 - b. “Raising of livestock” means the use of land or buildings for aquaculture, or the keeping of bees, cows, cattle, horses, sheep, swine, goats, chickens, ducks, turkeys, geese or any other domesticated livestock if permitted by the health department under the provisions of ch. 78.
 - c. “Community garden” means any use of land or a premises for the growing of crops, plants or other vegetation by a group of individuals or by a public or non-profit organization. This use includes composting and the raising of crops, native vegetation or fruit not otherwise in violation of this code. It also includes the sale of produce and ornamental crops grown on-site. This use does not include a commercial farming enterprise or outdoor storage facilities.
 - d. “Commercial farming enterprise” means a premises used to grow and harvest plants or compost for sale to the general public, retail businesses or wholesale establishments. This use does not include community gardens or outdoor storage facilities.
- 15. UTILITY AND PUBLIC SERVICE USES.**
 - a. “Broadcasting or recording studio” means an establishment containing one or more broadcasting studios for over-the-air, cable or satellite delivery of radio or television programs, or studios for the audio or video recording or filming of musical performances, radio or television programs or motion pictures. This term does not include a transmission tower.
 - d. “Transmission tower” means a structure designed to support one or more reception/transmissions systems. This term includes, but is not limited to, a radio tower, television tower, telephone exchange/microwave relay tower or cellular telephone transmission/personal communications systems tower.
 - e. “Water treatment plant” means an establishment engaged in operating a water treatment plant or operating a water supply system. The water supply system may include pumping stations, aqueducts or distribution mains. The water may be used for drinking, irrigation or other uses. This term does not include an industrial wastewater treatment facility.
 - f. “Sewage treatment plant” means a facility which operates a sewerage system and sewage treatment facilities that collect, treat and dispose of human waste.
 - g. “Power generation plant” means a facility that converts one or more energy sources, including but not limited to water power, wind power, fossil fuels or nuclear power, into electrical energy or steam. This term does not include a small wind energy system. A power generation plant may also perform either of the following:
 - g-1. Operation of a transmission system that conveys the energy or steam from the generation facility to a power distribution system.

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g-2. Operation of a distribution system that conveys energy or steam from the generation facility or the transmission system to final consumers.

h. "Small wind energy system" means a wind energy system that is used to generate electricity, has a nameplate capacity of 100 kilowatts or less and has a total height of 170 feet or less, where "total height" means the vertical distance from ground level to the tip of a wind generator blade when the tip is at its highest point. A wind energy system that has a nameplate capacity of more than 100 kilowatts or a total height of more than 170 feet shall be classified as a power generation plant.

i. "Solar farm" means an array of multiple solar collectors on ground-mounted racks or poles that transmit solar energy and is the primary land use for the parcel on which it is located.

j. "Substation/distribution equipment, indoor" means a facility, other than a transmission tower and contained entirely within a building, which performs either of the following functions:

j-1. Aids in the distribution of a utility, including but not limited to electric power or telephone service.

j-2. Is used to operate, maintain or provide access to facilities for the transmission of voice, data, text, internet, sound or full-motion-picture video between network termination points.

k. "Substation/distribution equipment, outdoor" means a facility, other than a transmission tower and not contained entirely within a building, which performs either of the following functions:

k-1. Aids in the distribution of a utility, including but not limited to electric power or telephone service.

k-2. Is used to operate, maintain or provide access to facilities for the transmission of voice, data, text, internet, sound or full-motion-picture video between network termination points.

16. TEMPORARY USES. a. "Seasonal market" means a temporary facility used to conduct retail trade for a period not exceeding 180 days in a calendar year.

b. "Temporary real estate sales office" means a temporary office, including a manufactured building, for marketing, sales or rental of residential, commercial or industrial development for a maximum period of one year from the date of permit approval.

c. "Concrete/batch plant, temporary" means a temporary facility that produces or processes concrete or asphalt only for use in a particular construction project and only for the duration of that project.

d. "Live entertainment special event" means a concert, carnival, circus, fair or similar event lasting less than 15 days.

295-205. Rules of Measurement. The following rules of measurement shall be used in the administration and enforcement of this chapter:

1. BUILD-TO LINE. The build-to line shall be measured so that the accuracy of the building placement shall be within one foot, except that no encroachment into public rights-of-way shall be permitted unless allowed or authorized pursuant to the provisions of ch. 245.

3. BUILDING HEIGHT. Building height shall be measured from finished grade to the highest point of the building. Where a building is located on a sloping lot, the building height shall be the average of the building height on each building elevation, measured at the mid-point of the elevation.

5. DISPLAY AREA. The display area of a sign shall be measured as the area, in square feet, of the smallest rectilinear polygon, with a maximum of 8 sides, that describes the portion of the sign which encloses all lettering, wording design, or symbols together with any background that, through the use of illumination, color or other techniques, helps the sign stand out from its surroundings. The following rules shall also be used in measuring display area:

a. Where a sign has multiple display surfaces and any 2 of these display surfaces are parallel and face in opposite directions, only one of the parallel display surfaces shall be included when calculating display area.

b. For an internally-illuminated awning sign, the display area shall be calculated as the height of the awning multiplied by its width.

c. The area of temporary signs shall not be included in computation of allowable area for permanent signage. Only one of the parallel display surfaces shall be included when calculating display area.

d. Where a sign contains elements of both type A and type B signs, neither element shall exceed the maximum size for its sign type, and the combined area of both elements shall not exceed 100% of the combined total permitted area for the 2 sign types. For example, a freestanding sign in an LB1 district could include a 40-square-foot type A element (40% of the maximum size of 100 square feet) and a 30-square-foot type B element (60% of the maximum size of 50 square feet).

b. Referral to City Plan Commission. Upon introduction, the ordinance to make the zoning map amendment shall be referred to the city plan commission pursuant to s. 62.23, Wis. Stats.

c. Staff Actions. The department shall establish a time and date for a public hearing, notify affected property owners at least 10 days in advance of the hearing and prepare a staff report on the map amendment. In the case of any map amendment relating to a floodplain overlay zone, the department shall also submit the amendment and the notice of public hearing to the Wisconsin department of natural resources.

d. City Plan Commission. The commission shall hold at least one public hearing on any proposed map amendment. Notice of the public hearing shall be provided according to the commission's by-laws. Upon completion of its public hearing, the commission shall prepare a report of its findings and recommendations on the proposed map amendment and file a copy of the report with the common council.

e. Zoning, Neighborhoods and Development Committee. Following notice, review and report by the city plan commission, the common council's zoning, neighborhoods and development committee shall hold a class 2 public hearing after notifying the applicant, petitioners, owners of property under consideration and owners of property immediately surrounding and within at least 200 feet thereof, including streets and alleys. Upon conclusion of the public hearing, the committee shall prepare a recommendation for submittal to the common council.

f. Common Council. Upon receipt of the recommendation of the zoning, neighborhoods and development committee, the council shall either approve or disapprove the map amendment or refer the amendment back to the zoning, neighborhoods and development committee for additional consideration. Approval of a map amendment that meets the definition of a down zoning under s. 66.10015, Wis. Stats., shall require a two-thirds vote of the members-elect, unless the amendment was initiated by application of the owners of the land subject to the amendment or those owners have agreed to waive the two-thirds requirement.

4. STANDARDS. A proposed amendment to the zoning map may be approved if the common council finds:

a. The proposed amendment is consistent with other provisions of this chapter and with the comprehensive plan.

b. The adoption of the proposed amendment will not adversely affect the public health, safety and general welfare of residents of the city.

5. PROTEST OF MAP AMENDMENT. In case of a protest against a map amendment, duly signed and acknowledged by the owners of 20% or more of the areas of the land included in the proposed change, or by the owners of 20% or more of the land immediately adjacent extending 100 feet therefrom, or by the owners of 20% or more of the land directly opposite thereto extending 100 feet from the street frontage of the opposite land, the amendment shall not become effective except by the favorable vote of at least three-fourths of the members of the common council voting on the proposed change. A protest against a proposed change, or any modification to a protest, shall be submitted no later than 48 hours prior to the date of common council action on the proposed change.

Note: Subsection 5 is superseded by s. 66.10015(3)(a), Wis. Stats. (2023 Assembly Bill 266, effective June 23, 2023), which provides that a zoning amendment shall be approved by a simple majority of a quorum of common council members-elect.

6. INITIATION OF TEXT AMENDMENTS. An amendment to the zoning text shall be initiated as an ordinance introduced to the common council.

7. PROCEDURE FOR TEXT AMENDMENT.

a. Referral of Text Amendment. Upon introduction of an ordinance to amend zoning code text to the common council, the city clerk shall simultaneously refer the ordinance to the city plan commission and to the zoning code technical committee.

b. Zoning Code Technical Committee. b-1. Composition. The zoning code technical committee shall be composed of one representative each from the city attorney's office, the department of neighborhood services, the department of city development and the legislative reference bureau, designated by the respective agency heads. The representative of the legislative reference bureau shall serve as chair of the committee.

b-2. Staff. Staff for the zoning code technical committee shall be provided by the city clerk's office.

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b-3. Procedure. The zoning code technical committee shall review each proposed zoning text amendment referred to it for legality and enforceability, administrative efficiency and consistency with the format of the zoning code. Within 30 days of the date on which the city clerk refers the proposed text amendment to the committee, the committee shall provide a report of its findings with respect to these 3 criteria, as well as any recommended changes to the proposed amendment, to the zoning, neighborhoods and development committee.

c. City Plan Commission. The city plan commission shall hold a class 2 public hearing on the proposed zoning text amendment and, after receiving a report from the department, submit its report and recommendation to the zoning, neighborhoods and development committee.

d. Zoning, Neighborhoods and Development Committee. Following receipt of reports from the city plan commission and the zoning code technical committee, the zoning, neighborhoods and development committee shall prepare a recommendation for the common council. The zoning, neighborhoods and development committee may provide a recommendation to the common council prior to receipt of a report from the zoning code technical committee if the 30-day period described in par. b-3 has lapsed.

e. Common Council. Upon receipt of the report of the zoning, neighborhoods and development committee, the council shall either approve or disapprove the text amendment or refer the amendment back to the zoning, neighborhoods and development committee for additional consideration. Approval of a text amendment that meets the definition of a down zoning under s. 66.10015, Wis. Stats., shall require a two-thirds vote of the members-elect.

8. RECONSIDERATION OF APPLICATION. Whenever an application for an amendment to the zoning map is denied, the application for the amendment shall not be eligible for reconsideration for one year following the denial, except in the following cases:

a. The common council may initiate reconsideration once during the 12-month period following the date on which the common council voted to deny the zoning map amendment, provided a notice of intent to reconsider the matter has been filed with the city clerk at least 24 hours prior to the time of the common council meeting at which reconsideration is to occur. If a protest against the map amendment submitted under sub. 5 is found to be both in form and sufficient, reconsideration shall not be granted except by a favorable vote of at least three-fourths of the members of the common council voting on the proposed change.

b. An applicant may submit an application for reconsideration if the application was originally denied because the proposed zoning would not conform to the comprehensive plan and the comprehensive plan was subsequently amended such that the proposed zoning amendment would conform to the comprehensive plan. In such a case, at least 30 days must pass between approval of the comprehensive plan amendment and approval of the zoning amendment.

295-309. Enforcement. 1. COMMISSIONER OF NEIGHBORHOOD SERVICES. The commissioner of neighborhood services shall be authorized to enforce the provisions of this chapter. The commissioner of neighborhood services shall, on his or her own initiative or on complaint or referral, proceed to the remedy of violations.

2. PERMIT REVOCATION. Any permit issued by the commissioner of neighborhood services under the terms of this chapter may be revoked by the commissioner of neighborhood services whenever any of the conditions under which the permit was issued are not complied with.

3. PERMIT ISSUED IN ERROR. Any permit or approval granted in error or in conflict with any provision of this chapter shall be void.

4. FAILURE TO COMPLY. a. Correction of Violation. In the event of failure to comply with an order issued by the commissioner of neighborhood services to comply with any provision of this chapter, the commissioner of neighborhood services may take appropriate actions to restrain, correct or abate the violation of the order or cause the order to be carried out. The cost of restraining, correcting or abating the violation or of causing the order to be carried out shall be charged against the real estate upon which the violation is located, shall be a lien upon such real estate and shall be assessed and collected as a special charge.

f. Additional Procedures for Certain Special Uses. Those uses involving the bulk storage or manufacture of explosives, acid manufacture, petroleum refining, smelting of raw ores (except by electrical process), dead animal reduction, fat rendering, glue manufacture or distillation of bones, or any use requiring local approval under s. 289.22, Wis. Stats. (excluding city of Milwaukee-owned, leased, operated or contracted facilities) shall also require reports from the commissioner of health and the fire and police chiefs. Applicants shall present all applicable permits or approvals from the U.S. environmental protection agency and the Wisconsin department of natural resources. Presentation of all such approvals is a necessary, but not sufficient, condition for local approval to take effect. Such uses shall also be subject to the following:

f-1. The use shall not be closer than 200 feet to any property line nor less than 600 feet from the boundary of the industrial district in which it is located.

f-2. The site shall be entirely enclosed with a fence at least 8 feet in height.

f-3. Transportation of hazardous waste, as defined in ch. NR 600, Wis. Adm. Code, to and from the site shall be limited to routes designated in the special use application.

f-4. Trucks or vehicles used for intrastate or interstate transportation of waste shall be marked, labeled or placarded according to U.S. department of transportation regulations as adopted by reference in 40 CFR, parts 262 and 263.

f-5. The use shall not cause pollution of any public waterways, flood control channels, the storm drainage system, the sanitary sewer system or ground water.

f-6. The use shall not cause air pollution, malodorous emissions prohibited under ch. NR 429, Wis. Adm. Code, or noise prohibited under ch. 80 of this code.

f-7. The applicant shall submit a copy of the detailed facility-specific information required by the Wisconsin department of natural resources or the U.S. environmental protection agency.

f-8. Unless included under subd. 7, the applicant shall submit a map of the site and the area within 1/4 mile of the exterior property lines of the proposed site showing:

f-8-a. Water on the land surfaces such as a pond, creek, river, lake, stream or canal.

f-8-b. Any wells or reservoirs.

f-8-c. Wetlands, as defined in s. 23.32(1), Wis. Stats.

f-8-d. Floodplains.

f-8-e. Topography at 10-foot intervals.

f-8-f. Environmental corridors.

f-9. Unless included under subd. 7, the applicant shall submit an engineering certification for the proposed site indicating:

f-9-a. Depth to wet-weather seasonal high water table.

f-9-b. Soil drainage, composition, thickness and permeability.

f-9-c. Depth to bedrock and aquifers.

f-10. The applicant shall submit an assessment of the potential environmental impacts of a proposed project or activity following the format and provisions of ch. NR 150, Wis. Adm. Code, which shall include:

f-10-a. A description of the project, including proposed functions.

f-10-b. A description of the proposed site.

f-10-c. Environmental impacts of the proposed project.

f-10-d. Mitigating adverse impacts.

f-10-e. Adverse impacts which cannot be mitigated.

f-10-f. Alternatives to the project, including alternative sites, projects, sizes and designs.

f-10-g. A conclusion as to whether or not an environmental impact statement should be written for the project.

g. Filling or Grading of Land. For a filling or grading project for which a special use permit is required by s. 295-419, the applicant shall submit a plan, prepared at a recognized engineering or architectural scale that includes:

g-1. The existing and proposed topography of the site at a contour interval of 2 feet. All topographic information shall be prepared to city datum by a registered professional engineer or land surveyor.

g-2. The existing and proposed grades of the lot at each corner of the lot, at each corner of any existing or proposed buildings and at the center of the street pavement at the lot lines extended.

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- g-3. The existing and proposed grades of all driveways and parking lots.
 - g-4. Drainage patterns, or special drainage devices proposed, as well as spot elevations at the top and bottom of all drainage swales, if applicable.
 - g-5. Spot elevations of all significant cut and fill areas.
 - g-6. Locations of existing or proposed buildings.
 - g-7. Locations and heights of existing and proposed fences.
 - g-8. Locations of any recorded easements as well as above- or below-ground utilities.
 - g-9. The date of the plan, the north arrow and graphic scale.
 - g-10. A schedule for the project indicating the duration of the project, phasing and the proposed handling of interim conditions including, but not limited to, stockpiling of materials and equipment storage.
 - g-11. The proposed use of the site after the completion of the project.
 - g-12. The hours of the day and days of the week when the filling or grading activity will occur.
 - g-13. A description of the measures that will be taken to minimize the impacts, on the surrounding area, of noise, truck traffic and dust generated by the filling or grading activity.
 - g-14. Any other information as may be reasonably requested by the city.
 - h. Additional Findings for Day Care Centers. No special use permit for a day care center shall be granted by the board unless the board finds, in addition to the findings required by par. d, that:
 - h-1. The proposed day care center will not be located within 500 feet of an adult retail establishment.
 - h-2. If the day care center is not located in a building containing an elementary or secondary school, religious assembly, community center, cultural institution or library as a principal use, the facility will not be located within 300 feet of a premises for which the common council has granted any of the alcohol beverage licenses identified in s. 90-4-1, 2 and 5 and such license is currently valid. This finding shall not be required for a day care center that is in operation as a nonconforming use or that has been granted a special use permit by the board.
 - i. Additional Finding for a Group Home, Group Foster Home, Community Living Arrangement, Small Group Shelter Care Facility or Large Group Shelter Care Facility. No special use permit for a group home, group foster home, community living arrangement, small group shelter care facility or large group shelter care facility shall be granted by the board unless the board finds, in addition to the findings required by par. d, that:
 - i-1. The department of neighborhood services has received notification from the state of Wisconsin of application for licensure of the facility as a group home, group foster home, community living arrangement, small group shelter care facility or large group shelter care facility.
 - i-2. Prior to initial licensure of the group home, group foster home or community living arrangement by the state of Wisconsin, the applicant for licensure has made a good faith effort to establish a community advisory committee consisting of representatives from the proposed group home, group foster home or community living arrangement, the neighborhood in which the proposed facility will be located and a local unit of government, in accordance with s. 48.68(4) or s. 50.03(4)(g), Wis. Stats., as applicable, with the local government representative being the local common council member or the council member's designee. This provision shall not apply to an applicant for a special use permit for a small or large group shelter care facility.
- 3. VARIANCES.**
- a. Application. Every application for a variance shall be made upon a form which has been furnished by the board secretary and approved by the board. The applicant shall provide all information requested on the form and any additional information requested by the board chair or secretary that is necessary to inform the board of the facts of the variance request. In the case of a use variance, the applicant shall also submit the affidavit required by s. 295-313.
 - b. Public Hearing. Prior to making a determination with respect to a variance request, the board shall hold a public hearing and provide, by mail, written notice of the hearing to the petitioner, at the address provided on the variance application, and to owners of property immediately surrounding and within at least 150 feet thereof, inclusive of streets and alleys, as listed in the office of the city assessor. Such notice shall state that the board will be considering and conducting a public hearing on a request for a variance, and shall otherwise be in accordance with s. 19.84, Wis. Stats. In the case of a fence variance, written notice of the hearing need only be provided to owners of abutting properties, to the owner of the property determined by the department to be directly across the street from the premises, and to owners of properties on each corner opposite the premises if the property to which the variance would apply is a corner lot.

c. **Consideration Of Input From Parties Of Interest.** No variance hearing shall be held and no variance shall be granted unless the board or its staff has received a report of any comments, concerns or recommendations relating to the proposed variance from the department of public works, the department of city development, the department of neighborhood services and the common council member in whose district the premises to which the variance would apply is located. The board may proceed with its hearing and decision on the variance request regardless of whether any of these parties have submitted a report to the board, provided that 30 days have elapsed since the date on which the board's office notified each of these parties that a completed variance application had been received.

d. **Findings.** No variance shall be granted unless the board, after due notice to the parties of interest, finds that the following facts and conditions exist, and so indicates in the minutes of its proceedings or its decision:

d-1. **Preservation of Intent.** A variance would not be inconsistent with the spirit, purpose and intent of the regulations for the district in which it is requested.

d-2. **Exceptional Circumstances.** Exceptional, extraordinary or unusual circumstances or conditions apply to the lot or intended use that do not apply generally to other properties or uses in the same district, and the variance is not of so general or recurrent nature to suggest amendment of the regulation.

d-3. **Preservation of Property Rights.** The variance is necessary for the preservation and enjoyment of the same substantial property rights which are possessed by other properties in the same district and same vicinity.

d-4. **Absence of Detriment.** The variance will not create substantial detriment to adjacent property, and will not materially impair or be contrary to the spirit, purpose and intent of this chapter, or the public interest.

d-5. **Hardship; Dimensional Variance.** In the case of a dimensional variance request, compliance with the code requirement from which the variance is requested would unreasonably prevent the property owner from using his or her property for a permitted purpose or would otherwise be unnecessarily burdensome.

d-6. **Hardship; Use Variance.** The alleged difficulty or hardship is not self-imposed, nor is it based solely on economic grounds.

e. **Conditions Of Approval.** Conditions of approval may be imposed by the board to prevent or minimize adverse impacts upon the public and the city's neighborhoods and to ensure compatibility of land uses and consistency with the purposes and intent of this chapter. Conditions of approval may include, but shall not be limited to: limitations on size, bulk and location; standards for landscaping, buffering and lighting; limitations on emissions of odors, dust, smoke, refuse matter, vibration, noise and other factors affecting the comfort, enjoyment, health or safety of residents, workers or visitors in the surrounding area; adequate ingress and egress; and other on-site improvements.

4. ADDITIONAL SPECIAL USE AND VARIANCE REGULATIONS. a. **General Operation.** A special use or variance which has been approved by the board shall operate in conformance with its approved plan of operation, site plans and conditions of approval. Such special use or variance shall not be enlarged or intensified without the approval of the board unless otherwise permitted by this section.

b. **Combined Use.** A permitted use may be added to, enlarged, expanded or rebuilt as part of an approved special use or variance without board approval provided the hours of operation are limited to the hours specified in this code, if any, parking is provided in accordance with this chapter and the addition, enlargement, expansion or reconstruction is in conformance with all other provisions of this code and with any applicable elements of the city's comprehensive plan, and does not require modification of the approved plan of operation.

c. **Changes to Improvements.** Parking areas, landscaping, signs, structures, fences, awnings or similar site features of an approved special use may be constructed, expanded, enlarged or rebuilt without board approval provided that the construction, expansion, enlargement or reconstruction is in conformance with all other provisions of this code, any applicable elements of the city's comprehensive plan and the plan of operation or conditions established by the board.

d. **Repairs And Maintenance.** The buildings, site features and structures of an approved special use or variance may be repaired and maintained in compliance with this code without board approval.

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5. APPEALS OF ADMINISTRATIVE DECISIONS. a. Purpose. To avoid results inconsistent with the purposes of this chapter, administrative decisions of the commissioner of city development and the commissioner of neighborhood services may be appealed to the board. This subsection establishes general provisions for appeals of administrative decisions.

b. Application. Every appeal shall be made upon a form which has been furnished by the board secretary and approved by the board. The appellant shall provide all information requested on the form and any additional information requested by the board chair or secretary that is necessary to inform the board of the facts of the appeal. Appeals to the board shall be filed within a reasonable time, as provided by the rules of the board and in accordance with s. 62.23(7)(e)4., Wis. Stats.

c. Grounds For Appeal. The application shall state the specific grounds for the appeal and identify the provisions of the zoning code applicable to the appeal. Grounds for appeal shall include at least one of the following:

c-1. A description of the asserted error or abuse of discretion by the city officer whose decision is being appealed.

c-2. A description of how it is claimed a standard or review criteria was incorrectly applied.

c-3. A description of how the decision creates an inconsistency with the city's comprehensive plan or the code of ordinances.

d. Consideration of Input From Parties of Interest. After a completed notice of appeal is filed with the officer whose action is appealed, that officer shall submit a written report to the board that describes the reasons for the action or send a representative to the appeal hearing who will be prepared to comment on the action. The board may proceed with its hearing and decision on the appeal regardless of whether any of these parties have submitted a report to the board, provided that 30 days have elapsed since the date on which each of these parties was notified that an appeal was filed.

e. Public Hearing. The board shall establish a reasonable time for the hearing of the appeal and give public notice thereof, as well as due notice to the interested parties.

f. Actions. The board may reverse or affirm, wholly or partially, or may modify the requirement, decision or determination as appropriate.

g. Standards. A decision of the officer whose action is being appealed shall not be reversed or modified unless there is demonstrated evidence that the action:

g-1. Resulted from an error or abuse of discretion.

g-2. Resulted from an incorrect application of a standard or review criteria.

g-3. Is not supported by the evidence in the record.

g-4. Is inconsistent with the city's comprehensive plan or the code of ordinances.

6. APPEALS OF ORDERS. a. Purpose. To avoid results inconsistent with the purposes of this chapter, orders issued by the commissioner of neighborhood services relating to enforcement of the provisions of the zoning code may be appealed to the board. This subsection establishes general provisions for appeals of orders of the commissioner of neighborhood services relating to enforcement of the zoning code.

b. Application. Every appeal shall be made upon a form which has been furnished by the board secretary and approved by the board. The appellant shall provide all information requested on the form and any additional information requested by the board chair or secretary that is necessary to inform the board of the facts of the appeal.

c. Deadline for Appeal. An appeal of an order of the commissioner of neighborhood services relating to enforcement of the provisions of the zoning code shall be made in writing within 20 days of the date the order was issued, unless the order requires compliance in less than 20 days. Whenever an order requires compliance in less than 20 days, the appeal shall be made in writing before the end of the term required for compliance. If notification of the order is made by mail, any appeal of the order shall be made in writing within 30 days of the date of the order, unless the order requires compliance in less than 30 days. Whenever an order delivered by mail requires compliance in less than 30 days, the appeal shall be made in writing before the end of a period equal to the term required for compliance plus 5 additional days. In no case, however, shall the appeal period be longer than 30 days. Citations issued by the commissioner of neighborhood services may not be appealed to the board.

d. Grounds for Appeal. The application shall state the specific grounds for the appeal and identify the provisions of the zoning code applicable to the appeal. Grounds for appeal shall include at least one of the following:

d-1. A description of the asserted error or abuse of discretion by the city officer whose decision is being appealed.

d-2. A description of how it is claimed a standard or review criterion was incorrectly applied.

d-3. A description of how the order creates an inconsistency with the city's comprehensive plan or the code of ordinances.

e. Consideration of Input From Parties of Interest. After a completed notice of appeal is filed with the officer whose action is appealed, that officer shall submit a written report to the board that describes the reasons for the action or send a representative to the appeal hearing who will be prepared to comment on the action. The board may proceed with its hearing and decision on the appeal regardless of whether any of these parties have submitted a report to the board, provided that 30 days have elapsed since the date on which each of these parties was notified that an appeal was filed.

f. Public Hearing. The board shall establish a reasonable time for the hearing of the appeal and give public notice thereof, as well as due notice to the interested parties.

g. Actions. The board may reverse or affirm, wholly or partially, or may modify, the order being appealed.

h. Standards. An order of the commissioner of neighborhood services shall not be reversed or modified unless there is demonstrated evidence that the order:

h-1. Resulted from an error or abuse of discretion.

h-2. Resulted from an incorrect application of a standard or review criterion.

h-3. Is not supported by the evidence in the record.

h-4. Is inconsistent with the city's comprehensive plan or the code of ordinances.

7. APPEALS OF PERMIT DENIALS; OVERLAY ZONES. a. Purpose. To avoid results inconsistent with the purposes of this chapter, any denial of a permit by the commissioner of neighborhood services on the basis of failure to meet performance or design standards of a neighborhood conservation, development incentive or site plan review overlay zone may be appealed to the city plan commission. This subsection establishes general provisions for appeals of permit denials relating to development in these overlay zones.

b. Application. Every appeal shall be made upon a form which has been furnished by the commission secretary. The appellant shall provide all information requested on the form and any additional information requested by the commission chair or secretary that is necessary to inform the commission of the facts of the appeal. An application for appeal to the commission shall be filed with the commission secretary within 30 days of the date of permit denial. Upon receiving the appeal application, the commission secretary shall provide a copy of the application to the city officer whose decision to deny a permit is being appealed.

c. Grounds For Appeal. The application shall state the specific grounds for the appeal and identify the provisions of the neighborhood conservation plan or the development, performance or design standards or criteria applicable to the appeal. Grounds for appeal shall include at least one of the following:

c-1. A description of the asserted error or abuse of discretion by the city officer whose decision is being appealed.

c-2. A description of how it is claimed a plan, standard or review criterion was incorrectly applied or interpreted.

c-3. A description of how the decision to deny the permit creates an inconsistency with the city's comprehensive plan or the code of ordinances.

d. Consideration of Input From Parties of Interest. After a completed application for appeal is filed with the commission secretary, the officer whose decision to deny a permit is being appealed shall submit a written report to the commission that describes the reasons for the action or send a representative to the appeal hearing who will be prepared to comment on the action. The commission may proceed with its hearing and decision on the appeal regardless of whether this report has been submitted to the commission, provided that 30 days have elapsed since the date on which the appeal application was filed with the commission secretary.

e. Public Hearing. The commission shall establish a reasonable time for the hearing of the appeal and give public notice thereof, as well as due notice to the interested parties.

f. Actions. The commission may reverse or affirm, wholly or partially, the decision of the city officer to deny the applicant's permit request.

295-311-8 Zoning

g. Standards. A decision of the officer whose permit denial action is being appealed shall not be reversed or modified unless there is demonstrated evidence that the denial of the permit:

g-1. Resulted from an error or abuse of discretion.

g-2. Resulted from an incorrect application or interpretation of a neighborhood conservation plan or a development, performance or design standard or criterion.

g-3. Is not supported by the evidence in the record.

g-4. Is inconsistent with the city's comprehensive plan or the code of ordinances.

8. APPEALS OF SITE WORK DECISIONS; OVERLAY ZONES. Any person may appeal to the common council the decision of the city plan commission regarding an application for approval of site work within a development incentive or site plan review overlay zone. The appellant shall file a written request with the city clerk within 20 days of the date on which the city plan commission rendered its decision with respect to site work approval. The city clerk shall file the request to appeal with the common council. After a public hearing at the next regularly-scheduled meeting of the common council's zoning committee, the council may, by majority vote of the common council, reverse or modify the decision of the commission based on whether the development plan for the site work meets the standards of s. 295-1007-3-b or s. 295-1009-3-b, as the case may be.

9. DEVIATIONS FROM PERFORMANCE OR DESIGN STANDARDS; OVERLAY ZONES.

a. Plan Commission Approval Required. A deviation from the performance or design standards for a neighborhood conservation, development incentive, site plan review or master sign program overlay zone established before the effective date of this ordinance, July 5, 2019, may be approved by the city plan commission. An application for a deviation of this type shall be made upon a form furnished by the commission secretary. The applicant shall provide all information requested on the form and any additional information requested by the commission chair or secretary that is necessary to inform the commission of the facts of the request for deviation.

b. Common Council Approval Required. A deviation from the performance or design standards for a neighborhood conservation, development incentive, site plan review or master sign program overlay zone established on or after the effective date of this ordinance, July 5, 2019, may be approved by the common council, following review by the city plan commission and the common council's zoning committee. An application for a deviation of this type shall be made upon a form furnished by the commission secretary. The applicant shall provide all information requested on the form and any additional information requested by the commission chair or secretary that is necessary to inform the commission and the common council of the facts of the request for deviation.

c. Criteria for Deviation. The application shall state the specific grounds for the deviation and identify the provisions of the neighborhood conservation plan or the development, performance or design standards or criteria applicable to the request for deviation. A deviation from a performance or design standard shall be approved by the commission or the common council, as provided in pars. a and b, if the commission or the common council, whichever applies, finds all of the following to be true:

c-1. The purpose of the overlay zone is met.

c-2. The deviation improves the aesthetics of the site.

c-3. If applicable, the deviation addresses one or more unique site factors that make application of the standard impractical.

c-4. The deviation is consistent with the comprehensive plan.

d. Staff Report. After a completed application for deviation is filed with the commission secretary, department staff shall submit a written report to the commission that describes the reasons for the request for the deviation, along with a staff recommendation.

e. Plan Commission or Zoning Committee Public Hearing. The commission or the common council's zoning committee, whichever applies under pars. a and b, shall establish a reasonable time for a hearing of the application and give public notice thereof, as well as due notice to the interested parties.

f. Commission Action. In the case of a deviation under par a., the commission shall approve or deny the application following the public hearing and making a determination as to whether the deviation meets all of the standards of par. c.

g. Zoning Committee and Common Council Action. In the case of a deviation under par. b, the plan commission secretary shall prepare a report of the commission's findings and recommendation and provide a copy to the city clerk, who shall refer the report to the zoning committee of the common council. The committee shall hold a hearing on the application, following which it shall prepare a recommendation to the common council, basing its recommendation on its determination as to whether the deviation meets all of the standards of par. c. Following receipt of the committee's recommendation, the common council shall approve or deny the deviation.

295-313. Affidavits Required for Various Zoning-Related Applications. 1. POLICY. Each applicant for a zoning map amendment or approval of a planned development, and each applicant for a use variance or special use permit, shall submit to the city plan commission or the board of zoning appeals, as the case may be, a signed affidavit indicating whether the applicant is:

a. Delinquent in the payment of any property tax, special assessment, special charge or special tax due to the city, provided that all appeals of the tax, assessment or charge have been concluded or the time to appeal has expired.

b. A party against whom the city has an outstanding judgment, provided that all appeals of the judgment have been concluded or the time to appeal has expired.

c. A party against whom the city has outstanding health or building and zoning code violations or orders from the commissioner of health or commissioner of neighborhood services that are not actively being abated, provided that all appeals of orders to correct violations have been concluded or the time to appeal has expired.

d. A party who has been convicted of violating an order of the commissioner of health or commissioner of neighborhood services within the past year, provided that all appeals of the conviction have been concluded or the time to appeal has expired.

e. The owner of a premises found to be in violation of s. 80-10 to whom the commissioner of neighborhood services has charged the costs of police enforcement, pursuant to s. 80-10-4, provided that all appeals of these charges have been concluded or the time to appeal has expired.

2. NON-INDIVIDUAL APPLICANTS. a. Corporations. If the applicant is a corporation, a duly authorized officer or director of the corporation shall submit the affidavit required by sub. 1. The affidavit shall attest to whether each officer and director of the corporation, as well as each shareholder owning 5% or more of voting stock, fits any of the descriptions in sub. 1-a to e.

b. Partnerships. If the applicant is a partnership or limited partnership, a duly authorized partner, general partner or limited partner shall submit the affidavit required by sub. 1. The affidavit shall attest to whether each partner, general partner and limited partner fits any of the descriptions in sub. 1-a to e.

c. Limited Liability Companies. If the applicant is a limited liability company, a duly authorized member or manager of the company shall submit the affidavit required by sub. 1. The affidavit shall attest to whether each member and manager of the company fits any of the descriptions in sub. 1-a to e.

d. Nonstock Corporations. If the applicant is a nonstock corporation, a duly authorized officer or director of the corporation shall submit the affidavit required by sub. 1. The affidavit shall attest to whether each officer and director of the corporation fits any of the descriptions in sub. 1-a to e.

3. EXCEPTION. The affidavit requirement of sub. 1 shall not apply to any zoning map amendment request relating to an overlay zone other than a request for creation or amendment of a development incentive overlay zone.

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Table 295-403-2-a	
NUMBER OF PARKING SPACES REQUIRED, BY USE	
Uses	No. of Parking Space Required
Artist studio	none
Adult retail establishment	see general retail establishment
Tobacco or e-cigarette retailer	see general retail establishment
HEALTH CARE AND SOCIAL ASSISTANCE USES	
Medical office	see general office
Health clinic	see general office
Hospital	one for every 4 beds
Medical service facility	see general office
Social service facility	see general office
Emergency residential shelter	as required by the board for special use approval
Nursing home	One for every 4 beds
Adult day care	2 (limited use) or as required by the board (special use)
GENERAL SERVICE USES	
Personal service establishment	see general retail establishment
Business service	see general retail establishment
Catering service	see general office
Funeral home	one for each 100 square feet of floor area of a chapel, parlor or other room used for funeral services, but not less than 4 spaces
Laundromat	see general retail establishment
Dry cleaning establishment	see general retail establishment
Furniture and appliance rental and leasing	see general retail establishment
Household maintenance and repair service	see general retail establishment
Tool/equipment rental facility	see general retail establishment
<i>Animal Services</i>	
Animal hospital/clinic	see general retail establishment
Animal boarding facility	see general retail establishment
Animal grooming or training facility	see general retail establishment
MOTOR VEHICLE USES	
<i>Light Motor Vehicle</i>	
Sales facility	none (permitted use) or as required by the board (special use)
Rental facility	none (permitted or limited use) or as required by the board (special use)
Repair facility	as required by the board for special use approval
Body Shop	none (permitted use) or as required by the board (special use)
Outdoor storage	none (permitted use) or as required by the board (special use)
Wholesale facility	none
<i>Heavy Motor Vehicle</i>	
Sales Facility	none (permitted use) or as required by the board (special use)
Rental facility	none (permitted use) or as required by the board (special use)
Repair facility	none (permitted use) or as required by the board (special use)
Body shop	none (permitted use) or as required by the board (special use)
Outdoor storage	none (permitted use) or as required by the board (special use)

295-403-2-a Zoning

Table 295-403-2-a	
NUMBER OF PARKING SPACES REQUIRED, BY USE	
Uses	No. of Parking Spaces Required
<i>General Motor Vehicle</i>	
Filling station	as required by the board for special use approval
Car wash	none
Non-restaurant drive-through facility	None
Electric vehicle charging facility	None
<i>Parking</i>	
Parking lot, principal use	N.A.
Parking lot, accessory use	N.A.
Parking structure, principal use	N.A.
Parking structure, accessory use	N.A.
Heavy motor vehicle parking lot, principal	N.A.
Heavy motor vehicle parking lot, accessory	N.A.
ACCOMMODATION AND FOOD SERVICE USES	
Bed and breakfast	one for each sleeping room, plus one additional space
Hotel, commercial	one for every 1,000 square feet, or fraction thereof, of gross floor area on the ground floor or above
Hotel, residential	one for every 2 sleeping rooms
Tavern	see general retail establishment
Assembly hall	one for every 1,000 square feet of gross floor area or fraction thereof
Brewpub	see general retail establishment
Restaurant without drive-through facility	see general retail establishment
Restaurant with drive-through facility	see general retail establishment
ENTERTAINMENT AND RECREATION USES	
Park or playground	none
Festival grounds	none
Recreation facility, indoor	see general retail establishment
Recreation facility, outdoor	as required by the board for special use approval
Health club	see general retail establishment
Sports facility	as required by the board for special use approval
Gaming facility	N.A.
Theater	one for every 100 square feet of floor area in the theater auditorium
Convention and exposition center	as required by the board for special use approval
Marina	none
Outdoor racing facility	as required by the board for special use approval
STORAGE, RECYCLING AND WHOLESALE TRADE USES	
Recycling collection facility	none
Mixed-waste processing facility	none
Material reclamation facility	none
Salvage operation, indoor	none
Salvage operation, outdoor	none
Wholesale and distribution facility, indoor	none
Wholesale and distribution facility, outdoor	none
<i>Storage Facilities</i>	
Indoor	none
Self-service	none
Outdoor	none
Hazardous material	none

c-2. An applicant for a mixed residential and commercial development or a shopping center development adjacent to one or more existing mixed residential and commercial developments or shopping center developments shall submit to the commissioner of neighborhood services a parking demand study that indicates whether off-street parking for the proposed development can be combined with off-street parking at the existing developments.

d. Exception to Exceed Maximum Number of Off-Street Parking Spaces. d-1. The number of off-street parking spaces provided for a general retail establishment, or for any land use for which the off-street parking space requirement for a general retail establishment is cross-referenced in table 295-403-2-a, may exceed the maximum specified in table 295-403-2-a if the commissioner of neighborhood services finds one or more of the following to be true:

d-1-a. The additional spaces will be located in a parking structure.

d-1-b. The development site will contain additional facilities for the handling or treatment of storm water runoff.

d-1-c. A parking demand study indicates that provision of more than the maximum number of spaces is warranted by anticipated parking demand.

d-1-d. The adverse environmental effects of allowing additional parking spaces will be offset by other mitigation measures approved by the commissioner of neighborhood services, including but not limited to the creation or preservation of wetlands, acquisition of open space or implementation of storm water best management practices, as defined in s. 120-3-2, within the same watershed, as defined in s. 295-201-678.

d-2. To qualify for the exception from the maximum number of parking spaces permitted, the property owner, developer or other applicant shall submit to the commissioner of neighborhood services a written plan and supporting documents indicating an acceptable manner in which one or more of the criteria in subd. 1 will be met.

d-3. If the commissioner of neighborhood services determines, using the criteria in subd. 1, that an exception from the maximum number of parking spaces is not warranted, the property owner, developer or other applicant may appeal the commissioner's determination to the board. The board shall consider the appeal in the same manner it considers a request for a dimensional variance.

3. STANDARDS OF DESIGN. a. Dimensions. Parking spaces shall contain at least 160 square feet, excluding drives, lanes or aisles, and be provided with an unobstructed access lane thereto from a public street, alley or other open space approved by the commissioner of neighborhood services, except that spaces designated for compact cars shall contain at least 120 square feet.

b. Paving. All areas used for the parking of motor vehicles or trailers or light or heavy motor vehicle storage shall have paved or approved surfaces, as required in s. 252-74. The use of permeable paving, as defined in s. 200-08-68.5, is encouraged for all parking spaces provided above the minimum number required by this chapter.

c. Illumination. Parking spaces and areas shall comply with the illumination standards of s. 295-409.

d. Landscaping. Parking spaces and areas, and their required setbacks, shall comply with the applicable requirements of s. 295-405.

e. Motorcycle Parking Spaces. Each motorcycle parking space shall measure at least 4 feet wide and 32 square feet in total area. Five motorcycle parking spaces may be provided in lieu of any required automobile parking space. Motorcycle parking spaces provided in lieu of an automobile parking space need not be contiguous.

f. Electric Vehicle Supply Equipment.

f-1. Electric vehicle supply equipment is permitted in any legally established parking space.

f-2. Unless part of a legally established electric vehicle charging facility, electric vehicle supply equipment in a residential zoning district shall be for the use of owners, residents and tenants of the property, and shall not be retailed directly to the public.

f-3. Electric vehicle supply equipment shall not block any required pedestrian walkways, conflict with adjacent site elements such as bicycle parking, exempt the parking area from any required landscaping, or block vision triangle.

f-4. When outdoor electric vehicle charging equipment requires electrical distribution equipment, the electrical distribution equipment shall meet the applicable screening requirement of s. 295-405-6.

295-404 Zoning

295-404. Bicycle Parking. 1. NUMBER OF SPACES. a. Number Required. The number of bicycle parking spaces required for a particular use shall be as specified in table 295-404-1. Bicycle parking spaces shall be required in all zoning districts, including RED redevelopment districts. Prior to issuance of any occupancy permit, documentation that the required bicycle parking spaces exist shall be provided to the commissioner of neighborhood services. A planned development shall comply with the minimum bicycle parking standards set forth by this code unless otherwise specified in the planned development documents.

b. Compliance; When Required. Compliance with the bicycle parking space requirements of table 295-403-2-a shall be required for any of the following:

b-1. Construction of a new building.

b-2. Construction of an addition to an existing building.

b-3. Substantial improvement of an existing building.

b-4. A change in the use classification of an occupancy of any portion of an existing building, as evidenced by an application for a certificate of occupancy.

b-5. Reconstruction, reconfiguration or increase in the number of on-site parking spaces that serve a use for which short-term bicycle parking spaces are required. Long-term bicycle parking space requirements shall not be applicable.

c. Minimum Required. c-1. Where table 295-404-1 specifies a minimum number of bicycle parking spaces, this number is the minimum number of spaces required. A greater number of bicycle parking spaces may be provided.

c-2. The minimum number of bicycle parking spaces required apply to each use on a lot.

d. Calculation of Number Required. d-1. Square Footage Basis. The minimum number of bicycle parking spaces required shall be based on the gross square footage of each occupancy, unless information is presented to the commissioner of building inspection that shows actual net habitable or occupied space is a lesser amount. Basement, preparation and mechanical areas shall not be included in the gross square footage used to calculate the number of spaces required.

d-2. Multiple Uses. In a building with multiple uses, the minimum number of bicycle parking spaces required shall be calculated by adding the required number of spaces for each proposed use within the building, based on the square footage associated with each use.

d-3. Multiple Occupancies; Retail and Office Uses. In a building with multiple retail or office occupancies, the minimum number of bicycle parking spaces required shall be calculated by adding the minimum number of spaces required for each occupancy.

d-4. Multiple Buildings. For a property with multiple buildings, the minimum number of bicycle parking spaces required, as well as the locational requirements for those spaces, shall be determined and enforced on a building-by-building basis.

e. Spaces Required for a Special Use. For any use classified as a special use, the number of bicycle parking spaces required shall be determined by the board, regardless of the number required by table 295-404-1. The board shall not be bound to require bicycle parking spaces, but if any parking spaces are to be required, such requirement shall be specified by the board at the time of special use approval.

2. LOCATION OF SPACES. a. Location of Long-Term Spaces. a-1. All required long-term bicycle parking spaces serving an office or retail use greater than 12,000 square feet shall be located indoors, except as provided in subd. 4.

a-2. All required long-term bicycle parking spaces serving a residential use containing 4 or more dwelling units shall be located indoors, except as provided in subd. 4.

a-3. Indoor bicycle parking spaces may be provided in a bicycle storage room, an integral structured parking area, or other dedicated area located to provide direct access to an entrance a bicyclist may use. If the spaces are on a floor other than the ground floor, an elevator that is sufficiently large to accommodate bicycles, and other reasonable means, shall be provided to access the bicycle parking area.

a-4. Long-term bicycle parking may be provided in an approved outdoor structure if the structure meets the accessory-structure placement standards for the district in which it is located or if approved within a detailed plan development or approved by the commissioner of neighborhood services. Long-term spaces for educational uses may be located outdoors provided they meet the location standards for short-term spaces.

a-5. A bicycle rack in an indoor bicycle storage room or located in a parking garage shall meet the design and security standards for short-term bicycle storage racks specified in par. b.

a-6. A bicycle storage rack may have an upper tier for additional bicycles. However, required bicycle parking spaces shall be provided in bicycle-rack spaces at floor-surface level.

a-7. When long-term bicycle parking is provided in an integral or accessory parking structure, the bicycle parking shall be as convenient as the most convenient motor vehicle parking. If motor vehicles are stored at the grade or entrance level, at least 50 percent of the required bicycle spaces shall be at that level. If motor vehicles are only stored at levels above or below grade, bicycle parking may be on a level other than grade level, as long as they are directly accessible by elevator in accordance with subd. 3 and a clear pathway from the elevator is provided. In addition, bicycle parking areas shall be clearly marked as such and shall be separated from motor vehicle parking by some form of barrier to minimize the possibility of a parked bicycle being hit by a motor vehicle. Furthermore, all required bicycle parking spaces shall be located inside the structure or in areas protected from the weather.

b. Location of Short-Term Spaces. b-1. For convenient access by visitors and patrons, short-term bicycle parking spaces shall be located outdoors and, except as provided in subds. 2 and 3, within 50 feet of the main entrance of the occupancy served. Short-term bicycle parking spaces shall be readily visible to visitors and patrons, and located to allow maximum visibility for security of bicycles. The location of the bicycle parking spaces shall be sufficiently lit and not obstructed in a way that creates difficulty in accessing or locking bicycles.

b-2. Exception for Bicycle Corral. A location for the short-term parking of multiple bicycles, such as a bicycle corral, that does not comply with the 50-foot requirement of subd. 1 may be provided, as long as the first 2 spaces are located within 50 feet of the main entrance of the occupancy served. The bicycle corral shall be located within 100 feet of the path between the entrance to the site and the building entrance, shall not be in a location which discourages its use, such as behind a building or at the far end of the parking lot, and shall meet the design standards of sub. 4-d. A bicycle corral may be located within the public right-of-way subject to approval of the department of public works.

b-3. Spaces to be Provided On-Site Whenever Possible. If space near the entrance of the occupancy served, and visible from that entrance, is available on the lot on which the occupancy is located, the required short-term bicycle parking spaces shall be located on-site. If site layout and building placement do not allow for the required spaces to be located on-site within 50 feet of the entrance of the occupancy served, the required spaces may be located within the public right-of-way, subject to the approval of the department of public works. All required short-term bicycle parking spaces provided in the public right-of-way shall be located within 50 feet of the entrance of the occupancy served, shall allow for safe storage of bicycles, and shall not, in the determination of the department of public works, obstruct pedestrian traffic on the sidewalk.

b-4. Visibility and Signage. Whenever short-term bicycle parking spaces are not visible from the primary street frontage of the occupancy they serve, signage shall be used to direct cyclists safely to the parking spaces.

3. ADJUSTMENT TO NUMBER OF SPACES REQUIRED. a. Long-Term Bicycle Parking.

a-1. For an office or manufacturing use, or a use for which one of these uses is cross-referenced in table 295-404-1, the required number of long-term bicycle parking spaces may be reduced by one-half for any portion of the occupancy above 240,000 square feet.

a-2. For a retail use, or a use for which a retail use is cross-referenced in table 295-404-1, the required number of long-term bicycle parking spaces may be reduced by one-half for any portion of the occupancy above 36,000 square feet.

a-3. For any individual retail occupancy, not more than 10 long-term bicycle parking spaces shall be required. However, this maximum does not eliminate the requirement to provide a minimum number of bicycle parking spaces for other occupancies on the lot.

a-4. In elderly multi-family housing, bicycle parking spaces shall be required only for independent living units.

b. Short-Term Bicycle Parking. b-1. For an office or manufacturing use, or a use for which one of these uses is cross-referenced in table 295-404-1, the required number of short-term bicycle parking spaces may be reduced by one-half for any portion of the occupancy above 240,000 square feet.

b-2. For a retail use, or a use for which a retail use is cross-referenced in table 295-404-1, the required number of short-term bicycle parking spaces may be reduced by one-half for any portion of the occupancy above 36,000 square feet.

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b-3. For any individual retail occupancy, not more than 20 short-term bicycle parking spaces shall be required. However, this maximum does not eliminate the requirement to provide a minimum number of bicycle parking spaces for other occupancies on the lot.

4. STANDARDS OF DESIGN. a. **Bicycle Parking Space.** A bicycle parking space provided to comply with the requirements of this section shall be a minimum of 2 feet in width and 6 feet in length, with a vertical clearance of at least 7 feet, and allow for both wheels to be at or near the floor or ground surface. If located outdoors, the space shall be hard-surfaced, well-drained and illuminated. A properly-positioned inverted, U-shaped rack, commonly referred to as a bike staple, shall be considered 2 bicycle parking spaces.

b. **Bicycle Rack.** b-1. **General Design.** A bicycle rack used to comply with the requirements of this section shall be a stationary device of steel tubing or stock, not less than one inch in diameter nor more than 3 inches in diameter, or 2.25 inches square, which provides bicycle-locking points between one and 3 feet off the ground and a gap near the bottom for pedal clearance, such that a person can lock a bicycle frame and one bicycle wheel to the tubing with a standard, 4-inch-by-8-inch or larger, U-shaped bicycle lock. A bicycle rack shall be securely anchored to the ground or adjacent structure.

b-2. **Securing of Bicycles.** The rack shall be designed such that there are 2 or more contact points between a bicycle and the rack. A rack which only allows securing of a wheel, such as a low-profile rack, grid rack or comb rack, may not be used to meet the requirements of this section.

b-3. **Wave Rack.** An existing rack of the type known as a wave rack may be used to comply with the requirements of this section; however, new racks may not use wave racks for provision of new bicycle parking spaces.

b-4. **Decorative Rack.** A decorative or custom rack that meets all of the requirements of this subdivision shall be permitted.

b-5. **Proximity to Ground or Floor.** A rack used to meet the requirements of this section shall allow a bicycle to have at least the rear wheel on or near the ground or floor surface to ensure the rider does not have difficulty with parking and securing the bicycle. Additional racks providing more than the required number of bicycle parking spaces may be provided in alternative designs, such as wall-hung, vertically-stored or placed on a second, raised tier of storage.

b-6. **Townhouses.** In townhouse-style dwelling units with private garages, bicycle parking may be accommodated within the garage space. A wall-hung rack is acceptable.

c. **Outdoor Enhanced Facilities; Long-Term Bicycle Parking Spaces.** An outdoor enhanced facility for long-term bicycle parking spaces shall be coordinated with the overall site layout of the property and follow any placement and setback requirements applicable to an accessory structure. The facility may consist of individual bicycle lockers or a locked common area that accommodates multiple bicycles, provided the facility provides protection from rain or snow and is located on a hard, well-drained surface. For a multiple-bicycle facility, any bike rack used for securing bicycles shall meet the standards of pars. a and b and allow securing of individual bikes. Access aisles, minimum vertical clearance and other standards for bicycle parking spaces shall be met.

d. **Bicycle Corral.** A bicycle corral shall meet the positioning and spacing standards for bike racks set forth in sub. 5-d. The corral shall be protected from motor vehicles with appropriate guarding as needed for the specific installation.

5. OUTDOOR BICYCLE PARKING POSITIONING. a. **Part of Overall Site Layout and Design.** Bicycle parking shall be an integral part of the overall site layout and landscape design, and be placed to minimize visual clutter. No bike rack shall be placed in landscaping or in a position that damages adjacent landscaping.

b. **Preservation of Pedestrian Circulation.** Bicycle parking spaces shall be placed such that they do not interfere with pedestrian circulation on the site, including required pedestrian paths from the street to building entrances and site circulation between entrances. Nor shall bicycle parking spaces obstruct any fire access routes or facilities, access from parking areas, or Americans with Disabilities Act-required circulation features.

c. **Protection of Bicycles from Damage.** Bicycle parking and motor vehicle parking shall be located in a manner that protects bicycles from damage. To this end, each bicycle parking space shall meet the design standards of sub. 4-a and allow reasonable movement when securing or removing a bicycle.

d. **Positioning and Spacing of Racks.** Every bicycle rack shall comply with the following standards:

Table 295-404-1 NUMBER OF BICYCLE PARKING SPACES REQUIRED, BY USE		
Use	Long-Term Bicycle Parking Spaces Required	Short-Term Bicycle Parking Spaces Required
<i>Foster Homes</i>		
Foster family home	none	none
Small foster home	none	none
Group home or group foster home	none	none
<i>Shelter Care Facilities</i>		
Family shelter care facility	none	none
Small group shelter care facility	none	none
Large group shelter care facility	none	none
Community living arrangement	none	none
EDUCATIONAL USES		
Day care center	none	none
School, elementary or secondary	one per classroom	one per classroom
College	one per classroom	one per classroom
School, personal instruction	one per classroom	one per classroom
COMMUNITY-SERVING USES		
Library	see general office	see general retail establishment
Cultural institution	see general office	see general retail establishment
Community center	see general office	see general retail establishment
Religious assembly	none	one for every 30 seats in the assembly hall; min. of 2 spaces
Cemetery or other place of interment	none	none
Public safety facility	none	none
Correctional facility	none	none
COMMERCIAL AND OFFICE USES		
General office	for an occupancy larger than 12,000 sq. ft., one for every 6,000 sq. ft. of gross floor area; min. of 2 spaces	one for every 24,000 sq. ft. of gross floor area; min. of 2 spaces
Government office	see general office	see general office
Bank or other financial institution	see general office	see general office
Currency exchange, payday loan or title loan agency	see general retail establishment	see general retail establishment
Installment loan agency	see general retail establishment	see general retail establishment
Cash-for-gold business	see general retail establishment	see general retail establishment
Pawn shop	see general retail establishment	see general retail establishment
Retail establishment, general	for an occupancy larger than 12,000 sq. ft., one for every 6,000 sq. ft. of gross floor area; min. of 2 spaces	one for every 3,000 sq. ft. of gross floor area; min. of 2 spaces
Garden supply or landscaping center	see general retail establishment	see general retail establishment
Home improvement center	see general retail establishment	see general retail establishment
Secondhand store	see general retail establishment	see general retail establishment
Outdoor merchandise sales	none	see general retail establishment
Artist studio	none	none

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Table 295-404-1 NUMBER OF BICYCLE PARKING SPACES REQUIRED, BY USE		
Use	Long-Term Bicycle Parking Spaces Required	Short-Term Bicycle Parking Spaces Required
Adult retail establishment	see general retail establishment	see general retail establishment
Tobacco or e-cigarette retailer	see general retail establishment	see general retail establishment
HEALTH CARE AND SOCIAL ASSISTANCE USES		
Medical office	see general office	see general office
Health clinic	see general office	see general office
Hospital	see general office	see general office
Medical service facility	see general office	see general office
Social service facility	see general office	see general office
Emergency residential shelter	as required by the board for special use approval	as required by the board for special use approval
Nursing home	see general office	see general office
Adult day care	None	none
GENERAL SERVICE USES		
Personal service establishment	see general retail establishment	see general retail establishment
Business service	see general office	see general office
Catering service	see general office	see general office
Funeral home	see general office	see general office
Laundromat	see general retail establishment	see general retail establishment
Dry cleaning establishment	see general retail establishment	see general retail establishment
Furniture and appliance rental and leasing	see general retail establishment	see general retail establishment
Household maintenance and repair service	see general retail establishment	see general retail establishment
Tool/equipment rental facility	see general retail establishment	see general retail establishment
<i>Animal Services</i>		
Animal hospital/clinic	see general retail establishment	see general retail establishment
Animal boarding facility	see general retail establishment	see general retail establishment
Animal grooming or training facility	see general retail establishment	see general retail establishment
MOTOR VEHICLE USES		
<i>Light Motor Vehicle</i>		
Sales facility	none	none
Rental facility	none	none
Repair facility	none	none
Body shop	none	none
Outdoor storage	none	none
Wholesale facility	none	none
<i>Heavy Motor Vehicle</i>		
Sales facility	none	none
Rental facility	none	none
Repair facility	none	none
Body shop	none	none
Outdoor storage	none	none
<i>General Motor Vehicle</i>		

a-6. Type “F” landscaping means one row of 6-foot-tall shrubs with plants spaced a maximum of 3 feet on center in a landscape area at least 5 feet in width, a 6-foot-tall opaque fence, and a minimum of one canopy tree every 25 feet. If a chain link fence is present, 2 staggered rows of 6-foot-tall shrubs with plants spaced a maximum of 4 feet on center in each row are required and the width of the landscaped area shall be increased to 15 feet.

a-7. Type “G” landscaping means 2 staggered rows of 6-foot-tall shrubs with plants spaced a maximum of 4 feet on center in each row, or one row of 6-foot-tall shrubs with plants spaced a maximum of 3 feet on center and an opaque fence or wall one foot taller than the object being screened. If a chain link fence is present, the landscaped area shall be at least 15 feet in width. If a loading dock is present, trees are also required.

a-8. Type “H” landscaping means one row of 6-foot-tall shrubs spaced a maximum of 8 feet on center, a 6-foot-tall opaque fence or wall, and one canopy tree every 25 feet. The fence or wall shall be reduced to 3.5 feet where adjacent to a residential front yard. When a parking lot or structure provides parking for single-family or 2-family dwellings, educational uses or community serving uses, shrubs and trees are not required.

a-9. Type “I” landscaping means one row of 6-foot-tall shrubs with plants spaced a maximum of 4 feet on center in a landscaped area at least 10 feet in width, a 6-foot-tall ornamental metal fence or masonry wall, and a minimum of one tree every 25 feet. If a masonry wall is provided, shrubs are not required.

295-407. Signs. 1. PURPOSE. The sign regulations in this section apply to signs on private property. The specific purposes of these regulations are to: a. Provide each sign user an opportunity for effective identification by applying uniform standards to entire zoning districts.

- b. Ensure that all signs are architecturally compatible and are in scale with building design.
- c. Maintain and enhance the quality of the city's appearance.
- d. Enable consumers to identify establishments offering goods and services to meet their needs.
- e. Regulate the number and size of signs according to standards consistent with the types of establishments in each zoning district.
- f. Protect residential districts adjoining non-residential districts from adverse impacts of excessive signs.
- g. Regulate signs attached to structures and extending into the public right-of-way.

2. ON-PREMISE SIGNS. a. General. a-1. Sign Construction. All signs shall meet the design and construction specifications of ch. 244.

a-2. Maximum Sign Area. The maximum sign area shall be as specified in the regulations for the applicable zoning district, unless additional sign area is authorized by a master sign program approved pursuant to s. 295-1017.

a-3. Number. See regulations for the applicable zoning district.

a-4. Measurement of Display Area. The display area of a sign shall be measured in accordance with s. 295-205-5.

a-5. Illumination. The light source for an illuminated sign shall be screened and shielded so that it is not visible from a residential district or beyond the curb line.

b. Sign Types. For the purpose of distinguishing different sign types and, thus, different size limitations, the following standards are set forth:

b-1. Freestanding Signs.

b-1-a. Type A Freestanding Signs. A type A freestanding sign is characterized by a continuous sign base that extends from grade to the display area and is at least 75% as wide as the display area of the sign. Only individual letters or symbols may be internally illuminated. This type of sign includes, but is not limited to: letters or symbols cut from an opaque panel such as metal; pin-set letters where individual letters may be back-lit, carved entablature-type signs and other general individual-letter, non-illuminated signs. Signs of this type are commonly referred to as “monument signs”. A carved, painted board or an entablature-type face is considered a type A sign and may be externally lit by focused lighting that does not create glare or illumination beyond the property line.

b-1-b. Type B Freestanding Signs. A type B freestanding sign is one with a display area that has a background that is designed as an integral part of the sign. This type of sign is typically a plastic-panel-faced box sign. Other types of freestanding signs which do not have the characteristics of a type A sign are included in this category. This type may be mounted on one or multiple poles, or may have a monument-type bases.

b-1-c. Location. No freestanding sign may project over a property line.

b-1-d. Mounted to Fence. A sign mounted to a fence shall be considered a freestanding sign. However, a fence-mounted sign may not exceed 6 square feet in size, regardless of district maximums for

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freestanding signs. The area of the fence-mounted sign shall be counted towards the maximum sign area allowed per street frontage for the district.

b-2. Wall Signs. b-2-a. Type A Wall Signs; General. A type A wall sign includes, but is not limited to: individual raised letters and symbols, sometimes considered pin-set; a carved entablature-type sign; a general individual-letter, non-illuminated sign; a carved or painted board sign; or a box-cabinet, opaque-face plate panel, such as metal material, where letters or symbols are cut out of the panel. The letters in the panel shall have at least one-half inch of extrusion. A type A wall sign does not include signage with a face plate of plastic, acrylic or similar material, even where the plastic has an opaque background.

b-2-b. Type A Wall Signs; Mounting. Type A signage is generally attached to a flat, opaque wall surface and shall not cover window openings or building façade details such as corbelled brick details, cornices, window sills or lintels, or similar surface variation so as to damage the details in the mounting process. An individual letter type A wall sign may be placed in front of details if mounted on a metal channel extended beyond the details. The sign may protrude up to 2 feet from the wall plane as long as any projection over the property line is at least 10 feet above the adjacent grade. A sign may be mounted from a soffit of a building recess and hung down in front of transom windows or wall below the soffit. On glass curtain wall building sections, signage shall not be placed over vision glass in the required glazing area, but may be coordinated with the façade in opaque spandrel sections, upper transoms and similar conditions. Individual letters may be mounted to a back channel, a non-illuminated backer panel or a non-illuminated, metal-faced box cabinet that does not exceed an area equal to an additional 60% of the total area of the sign.

b-2-c. Type A Wall Signs; Lighting. Only individual letters or symbols may be internally illuminated. Pin-set letters may be internally back-lit. A carved entablature-type sign, individual-letter sign or board sign may be externally illuminated by a focused spotlight or goose-neck-type fixture so that illumination does not create glare or excess light spill beyond the wall on which the sign is mounted. Where an opaque metal face plate is used in a cabinet-type box, internal illumination may only glow through cut-out letters and symbols. Decorative lighting elements, such as halo-lit layers of the mounting cabinet, and other decorative individual lights, such as perimeter lights, are permitted.

b-2-d. Type B Wall Signs. A type B wall sign is one with a display area that has a background that is designed as an integral part of the sign. This type of sign is typically a plastic-panel-faced box sign. A permanent banner sign with a display area that is parallel to the building façade is also included in this category. Other types of wall signs which do not have the characteristics of a type A sign, including but not limited to painted-on wall signs, are included in this category. Such wall signs shall be attached only to flat, opaque wall surfaces.

b-2-e. Standard for Wall Signs. No wall sign shall be erected or maintained to extend more than one-half of its height above the top of the exterior wall to which it is attached.

b-2-f. Exemption from Display Area Limitation. A professional nameplate, street address sign, historical tablet or marker, or sign indicating membership in a civic, business or professional organization shall not be included when calculating the total display area of wall signage provided the aggregate display area of all such signs does not exceed 6 square feet. If the aggregate display area of all signs of these types exceeds 6 square feet, only the portion of the display area in excess of 6 square feet shall be included in the calculation of the total display area of signs on the premises.

b-3. Awning Signs. b-3-a. Type A Awning Signs. A type A awning sign is one with letters or symbols applied to or integral with an opaque, non-translucent material covering an awning structure. Such sign may be illuminated from a general building lighting source above the awning.

b-3-b. Type B Awning Signs. A type B awning sign is one with letters or symbols applied to or integral with a translucent material covering an awning-like structure. Such sign may be internally illuminated.

b-3-c. Awnings Projecting Beyond Street Lines. Any awning which projects beyond a street line shall comply with the applicable regulations of ss. 245-6, 245-6.5 or 245-7.

b-4. Projecting Signs. b-4-a. Type A Projecting Signs. A type A projecting sign is one with a display area that does not have a background that is designed as an integral part of the sign, except that a non-illuminated wood or metal board-type sign or a permanent banner sign shall be considered a type A projecting sign. Only individual letters or symbols may be internally illuminated. This type of sign includes, but is not limited to: letters or symbols cut from an opaque panel such as metal; pin-set letters where individual letters are back lit; non-illuminated pin-set letters. If individual letters are used on the sign, they shall be applied to or affixed to a projecting board or to a cabinet not more than 12 inches thick in order for the sign to be considered within the type A category. A carved or painted-board projecting sign is considered a type A sign and may be externally lit by focused lighting that does not create glare or illumination beyond the property line. Decorative lighting elements, such as halo-lit layers of the mounting cabinet and other decorative individual lights, such as perimeter lights, shall be permitted.

b-4-b. Type B Projecting Signs. A type B projecting sign is one with a display area that has an internally illuminated overall background. This type of sign is typically a plastic-panel-faced box sign. Other types of projecting signs which do not have the characteristics of a type A sign are included in this category.

c. Signs Adjacent to Freeways and Parkways. Off-premise signs adjacent to freeways or the Lake Parkway shall conform to the following standards:

c-1. Setbacks. c-1-a. The minimum setback from the freeway or Lake Parkway right-of-way for a sign located in an industrial district shall be 75 feet plus 10 feet for each 100 square feet of sign area over 750 square feet.

c-1-b. The minimum setback from the freeway or Lake Parkway right-of-way for a sign located in a commercial district shall be 500 feet.

c-2. Minimum Spacing. The minimum distance between any 2 off-premise signs located on the same side of a freeway or the Lake Parkway shall be 1,000 feet.

c-3. Prohibited Locations. Off-premise signs are prohibited within 1,000 feet of the High Rise Bridge or the Hoan Memorial Bridge/Lake Parkway. In this paragraph, "High Rise Bridge" means that portion of Interstates 94 and 43 located between the center line of West St. Paul Avenue and the center line of West National Avenue, and "Hoan Memorial Bridge/Lake Parkway" means those portions of Interstate 794 and State Trunk Highway 794 located between East St. Paul Avenue extended and the south city limits.

d. Automatic Changeable Message Signs. No person may erect a new off-premise automatic changeable message sign, or convert an existing off-premise sign with a static display area to an off-premise automatic changeable message sign, without first obtaining a special use permit from the board if the new or existing sign will be or is located more than 1,000 feet from a freeway or the Lake Parkway.

8. EXCEPTIONS. Notwithstanding any other provisions of this chapter, the following signs are permitted if they meet the standards specified in this subsection:

a. Signs placed by public utilities or units of government for the safety or welfare of the public, such as signs identifying high voltage underground cable or signs related to the construction of capital improvement projects by units of government.

b. Official fire- or police-related signs or signs required to be maintained by law or governmental order, such as warning, traffic, parking or similar regulatory signs, or warning signs at a railroad crossings.

c. Public service information signs with no commercial messages.

d. Political signs, provided that:

d-1. In the case of an election for office or a referendum, such sign is removed within 30 days of the end of the election campaign period, as defined in s. 12.04(1)(a), Wis. Stats.

d-2. If the sign is located in a residential zoning district, the sign does not exceed 6 square feet.

e. Any of the following temporary signs, provided such signs do not exceed 6 feet in height, are not located in the public right-of-way and are not illuminated:

e-1. Special event signs not exceeding 6 square feet advertising community-wide events of general interest and sponsored by non-commercial groups, placed for 15 days or less.

e-2. Signs erected and maintained on lots to advertise the leasing, rental or sale of buildings or other improvements located on such lots. Only one such sign shall be permitted on each street frontage. Signs shall not exceed the maximum area specified in the sign regulations of the zoning districts in which they are located.

e-3. Residential real estate signs not exceeding 6 square feet relating to open house events or providing directions.

e-4. Signs pertaining to the construction of buildings or the sale or lease of vacant land. No sign of this type shall exceed applicable height or area limitations or be illuminated. A construction sign shall be removed within 30 days of issuance of a certificate of occupancy for the building or structure to which the sign pertains.

f. The changeable copy or message portion of a theater marquee or reader board.

g. Painted murals, permanent banners and flags not containing commercial messages.

h. Signs placed on the interiors of buildings such that the signs cannot be seen by the general public from outdoors.

i. Holiday decorations, lights and displays.

j. Construction or advisory signs installed by units of government.

k. Signs of up to 18 square feet in area and not more than 6 feet in height identifying specific geographic areas having common characteristics but multiple ownerships, such as residential subdivisions, commercial shopping areas and industrial parks.

L. "NO TRESPASSING," "NO DUMPING" and similar signs not exceeding 6 square feet in area.

m. Signs painted on or attached to motor vehicles in a manner allowing normal operation of such vehicles

n. A sign on a solar array, provided that:

n-1. The sign contains only the name of the manufacturer, installer or owner and any appropriate warning messages.

n-2. Only one sign per solar array shall be permitted.

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- n-3. The display area of the sign shall not exceed 6 square feet.
- n-4. The sign is used solely for educational or acknowledgement purposes.
- o. A sign up to 4 square feet in area designating a parking space used for electric vehicle charging.

9. PROHIBITED SIGNS. The following signs are prohibited:

- a. Animated signs, including pennants, streamers, roof-mounted balloons, feather signs and other inflatable objects, unless part of a master sign program.
- c. Portable signs.
- d. Flashing signs.
- e. Signs attached to or painted on a vehicle parked on a premises for the sole purpose of advertising or relaying commercial messages to the public.
- f. Signs attached to light poles, canopy supports or utility masts.
- g. Temporary banner signs, except as permitted under sub. 3.
- h. Abandoned signs.

295-409. Lighting. In all zoning districts, with the exception of automatic changeable message signs, as provided in s. 295-407-4-d, all on-site lighting shall have cut-off fixtures that ensure that lighting levels and glare are controlled as follows: **1.** No light source shall be visible from an adjoining property or public right-of-way.

2. Where adjoining properties are zoned residential, the maximum illumination at a property line shall be one foot-candle. In all other circumstances, the maximum illumination at a property line shall be 5 foot-candles.

295-411. Encroachments into the Public Right-of-way. See ch. 245.

295-413. Transmission Towers. 1. LIMITED USE STANDARDS. Whenever a transmission tower is a limited use, the permit applicant shall submit, to the department, plans and other permit application materials which demonstrate that the facility will comply with the following standards. If the department finds that the tower will not meet these standards, the tower may only be permitted upon the granting of a special use permit by the board.

a. All ground-level equipment, storage buildings and structural support elements shall be screened by a landscaped buffer which completely surrounds such equipment or structures, except for necessary openings for sidewalks or driveways that provide access to the equipment or structures. The buffer shall be located no farther than 5 feet from the equipment or structures, measured at the nearest point of the buffer to the equipment or structures. The buffer shall be at least 5 feet wide and meet the standards for type "G" landscaping set forth in s. 295-405-7-a-7.

b. All access drives shall be paved.

c. The tower shall not be illuminated except as required by the federal aviation administration or other applicable government regulations.

d. If the tower is freestanding and any abutting property contains one or more dwelling units or a structure for which an occupancy certificate is required, the base of the tower shall be set back from the property lines of such abutting property a distance equal to at least 25% of the tower's height.

e. No structure other than related accessory structures may be located in an area 20 feet on each side of the radial line between the center of the transmission tower and each guy anchorage.

f. No tower guy anchor or enclosure for the same may be located closer than 30 feet to any lot line, street line or street line extended if the abutting property contains one or more dwelling units or a structure for which an occupancy certificate is required.

g. The tower's design shall be as advanced as technologically feasible and appropriate for individual site characteristics and proximity to other buildings and uses.

h. If the tower will be located within 1,000 linear feet of any dwelling unit or any structure for which an occupancy certificate is required, the tower permit applicant shall take steps to protect such dwelling units and structures from adverse impacts of the tower. Such steps may include installation of landscaping or buffering beyond what is required in this subsection, provision of informational materials about the construction and operation of the tower, and scheduling of informational meetings with owners and residents of abutting properties to discuss tower design and construction.

i. The transmission tower permit applicant shall provide a written statement that the permit applicant has made every reasonable effort to locate reception/transmission systems on existing structures. This statement shall be accompanied by documentation that demonstrates that such efforts have been made.

j. When a new transmission tower is erected, it shall be designed to accommodate multiple reception/transmission systems and related equipment. A tower for television or radio facilities shall be designed to support at least 3 additional reception/transmission systems having power equal to or greater than that of the

Table 295-503-1 RESIDENTIAL DISTRICTS USE TABLE									
Y = Permitted Use S = Special Use	L = Limited Use N = Prohibited Use	Zoning Districts							
Uses	RS1-RS5	RS6	RT1-RT2	RT3	RT4	RM1-RM2	RM3-RM7	R01	R02
RESIDENTIAL USES									
Single-family dwelling	Y	Y	Y	Y	Y	Y	Y	Y	Y
Two-family dwelling	L	L	Y	Y	Y	Y	Y	Y	Y
Multi-family dwelling	N	N	L	L	L	Y	Y	Y	Y
Permanent supportive housing	N	N	N	N	N	Y	Y	Y	Y
Transitional housing	N	N	N	N	S	S	S	S	S
Attached single-family dwelling	N	N	L	L	L	Y	Y	Y	Y
Live-work unit	N	N	N	L	L	L	L	Y	Y
Mobile home	N	N	N	N	N	N	N	N	N
Watchman/service quarters	N	N	N	N	N	N	N	N	N
Family day care home	L	L	L	L	L	L	L	L	L
GROUP RESIDENTIAL USES									
Rooming house	N	N	N	N	S	S	S	S	S
Convent, rectory or monastery	Y	Y	Y	Y	Y	Y	Y	Y	Y
Dormitory	N	N	N	N	S	S	S	S	S
Fraternity or sorority	N	N	N	N	S	S	S	S	S
Adult family home	L	L	L	L	L	L	L	L	L
<i>Foster Homes</i>									
Foster family home	Y	Y	Y	Y	Y	Y	Y	Y	Y
Small foster home	L	L	L	L	L	L	L	L	L
Group home or group foster home	L	L	L	L	L	L	L	L	L
<i>Shelter Care Facilities</i>									
Family shelter care facility	Y	Y	Y	Y	Y	Y	Y	Y	Y
Small group shelter care facility	L	L	L	L	L	L	L	L	L
Large group shelter care facility	N	N	N	N	S	S	S	S	S
Community living arrangement	L	L	L	L	L	L	L	L	L
EDUCATIONAL USES									
Day care center	L	L	L	L	L	L	L	L	L
School, elementary or secondary	Y	Y	Y	Y	Y	Y	Y	Y	Y
College	N	N	N	N	S	S	S	Y	Y
School, personal instruction	N	L	N	L	L	N	L	Y	Y
COMMUNITY-SERVING USES									
Library	Y	Y	Y	Y	Y	Y	Y	Y	Y
Cultural institution	N	L	N	L	L	L	L	L	L
Community center	N	S	N	N	S	S	S	S	S
Religious assembly	Y	Y	Y	Y	Y	Y	Y	Y	Y
Cemetery or other place of interment	N	N	N	N	N	N	N	N	N
Public safety facility	Y	Y	Y	Y	Y	Y	Y	Y	Y
Correctional facility	N	N	N	N	N	N	N	N	N

295-503-1 Zoning

Table 295-503-1 RESIDENTIAL DISTRICTS USE TABLE									
Y = Permitted Use S = Special Use	L = Limited Use N = Prohibited Use	Zoning Districts							
Uses	RS1- RS5	RS6	RT1- RT2	RT3	RT4	RM1- RM2	RM3- RM7	R01	R02
COMMERCIAL AND OFFICE USES									
General office	N	L	N	L	L	N	L	Y	Y
Government office	N	L	N	L	L	N	L	Y	Y
Bank or other financial institution	N	L	N	L	L	N	L	Y	Y
Currency exchange, payday loan or title loan agency	N	N	N	N	N	N	N	N	N
Installment loan agency	N	N	N	N	N	N	N	N	N
Cash-for-gold business	N	N	N	N	N	N	N	N	N
Pawn shop	N	N	N	N	N	N	N	N	N
Retail establishment, general	N	L	N	L	L	N	L	L	L
Garden supply or landscaping center	N	N	N	N	N	N	N	N	N
Home improvement center	N	N	N	N	N	N	N	N	N
Secondhand store	N	N	N	N	N	N	N	S	S
Outdoor merchandise sales	N	N	N	N	N	N	N	N	N
Artist studio	N	L	N	L	L	N	L	Y	Y
Adult retail establishment	N	N	N	N	N	N	N	N	N
Tobacco or e-cigarette retailer	N	N	N	N	N	N	N	N	N
HEALTH CARE AND SOCIAL ASSISTANCE USES									
Medical office	N	L	N	L	L	N	L	Y	Y
Health clinic	N	N	N	N	N	N	S	S	S
Hospital	N	N	N	N	N	N	N	N	N
Medical service facility	N	N	N	N	N	N	N	N	N
Social service facility	N	N	N	N	S	N	S	S	S
Emergency residential shelter	N	N	N	N	N	S	S	S	S
Nursing home	N	S	N	N	S	S	S	S	S
Adult Day Care	L	L	L	L	L	L	L	L	L
GENERAL SERVICE USES									
Personal service	N	L	N	L	L	N	L	Y	Y
Business service	N	S	N	L	S	N	S	L	L
Catering service	N	L	N	L	L	N	L	L	L
Funeral home	N	L	N	L	L	N	L	Y	Y
Laundromat	N	N	N	L	N	N	N	L	L
Dry cleaning establishment	N	L	N	L	L	N	L	L	L
Furniture and appliance rental and leasing	N	N	N	N	N	N	N	N	N
Household maintenance and repair service	N	N	N	N	N	N	N	N	N
Tool/equipment rental facility	N	N	N	N	N	N	N	N	N
Animal Services									
Animal hospital/clinic	N	N	N	N	N	N	N	N	N
Animal boarding facility	N	N	N	N	N	N	N	N	N
Animal grooming or training facility	N	N	N	N	N	N	N	N	N

Table 295-503-1 RESIDENTIAL DISTRICTS USE TABLE									
Y = Permitted Use S = Special Use	L = Limited Use N = Prohibited Use	Zoning Districts							
Uses	RS1-RS5	RS6	RT1-RT2	RT3	RT4	RM1-RM2	RM3-RM7	R01	R02
MOTOR VEHICLE USES									
<i>Light Motor Vehicle</i>									
Sales facility	N	N	N	N	N	N	N	N	N
Rental facility	N	N	N	N	N	N	N	N	N
Repair facility	N	N	N	N	N	N	N	N	N
Body Shop	N	N	N	N	N	N	N	N	N
Outdoor storage	N	N	N	N	N	N	N	N	N
Wholesale facility	N	N	N	N	N	N	N	N	N
<i>Heavy Motor Vehicle</i>									
Sales facility	N	N	N	N	N	N	N	N	N
Rental facility	N	N	N	N	N	N	N	N	N
Repair facility	N	N	N	N	N	N	N	N	N
Body shop	N	N	N	N	N	N	N	N	N
Outdoor storage	N	N	N	N	N	N	N	N	N
<i>General Motor Vehicle</i>									
Filling station	N	N	N	N	N	N	N	N	N
Car wash	N	N	N	N	N	N	N	N	N
Non-restaurant drive-through facility	N	N	N	N	N	N	N	N	N
Electric vehicle charging facility	S	S	S	S	S	S	S	S	S
<i>Parking</i>									
Parking lot, principal use	N	S	N	N	S	S	S	S	S
Parking lot, accessory use	Y	L	Y	Y	L	Y	L	Y	L
Parking structure, principal use	N	N	N	N	N	N	S	S	S
Parking structure, accessory use	N	N	N	N	N	Y	L	Y	L
Heavy motor vehicle parking lot, principal	N	N	N	N	N	N	N	N	N
Heavy motor vehicle parking lot, accessory	N	N	N	N	N	N	N	N	N
ACCOMMODATION AND FOOD SERVICE USES									
Bed and breakfast	S	L	L	L	L	L	L	Y	Y
Hotel, commercial	N	N	N	N	N	N	N	N	S
Hotel, residential	N	N	N	N	N	N	N	N	Y
Tavern	N	L	N	L	L	N	L	N	S
Brewpub	N	N	N	N	N	N	N	N	S
Assembly hall	N	N	N	N	N	N	N	N	L
Restaurant without drive-through facility	N	L	N	L	L	N	L	Y	Y
Restaurant with drive-through facility	N	N	N	N	N	N	N	N	N
ENTERTAINMENT AND RECREATION USES									
Park or playground	Y	Y	Y	Y	Y	Y	Y	Y	Y
Festival grounds	N	N	N	N	N	N	N	N	N
Recreation facility, indoor	N	N	N	N	N	N	N	S	S
Recreation facility, outdoor	N	N	N	N	N	N	N	N	N

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Table 295-503-1 RESIDENTIAL DISTRICTS USE TABLE									
Uses	Zoning Districts								
	RS1- RS5	RS6	RT1- RT2	RT3	RT4	RM1- RM2	RM3- RM7	R01	R02
Health club	N	N	N	N	N	N	N	Y	Y
Sports facility	N	N	N	N	N	N	N	N	N
Gaming facility	N	N	N	N	N	N	N	N	N
Theater	N	N	N	N	N	N	N	L	L
Convention and exposition center	N	N	N	N	N	N	N	N	N
Marina	N	N	N	N	N	N	N	N	N
Outdoor racing facility	N	N	N	N	N	N	N	N	N
STORAGE, RECYCLING AND WHOLESALE TRADE USES									
Recycling collection facility	N	N	N	N	N	N	N	S	S
Mixed-waste processing facility	N	N	N	N	N	N	N	N	N
Material reclamation facility	N	N	N	N	N	N	N	N	N
Salvage operation, indoor	N	N	N	N	N	N	N	N	N
Salvage operation, outdoor	N	N	N	N	N	N	N	N	N
Wholesale and distribution facility, indoor	N	N	N	N	N	N	N	N	N
Wholesale and distribution facility, outdoor	N	N	N	N	N	N	N	N	N
<i>Storage Facilities</i>									
Indoor	N	N	N	N	N	N	N	N	N
Self-service	N	N	N	N	N	N	N	N	N
Outdoor	N	N	N	N	N	N	N	N	N
Hazardous materials	N	N	N	N	N	N	N	N	N
TRANSPORTATION USES									
Ambulance service	N	N	N	N	N	N	N	N	N
Ground transportation service	N	N	N	N	N	N	N	N	N
Passenger terminal	N	N	N	N	N	N	N	N	N
Helicopter landing facility	N	N	N	N	N	N	N	N	N
Airport	N	N	N	N	N	N	N	N	N
Ship terminal or docking facility	N	N	N	N	N	N	N	N	N
Truck freight terminal	N	N	N	N	N	N	N	N	N
Railroad switching, classification yard or freight terminal	N	N	N	N	N	N	N	N	N
INDUSTRIAL USES									
Alcohol beverage facility, micro	N	N	N	N	N	N	N	N	N
Alcohol beverage facility, large	N	N	N	N	N	N	N	N	N
Food processing	N	N	N	N	N	N	N	N	N
Manufacturing, light	N	N	N	N	N	N	N	N	N
Manufacturing, heavy	N	N	N	N	N	N	N	N	N
Manufacturing, intense	N	N	N	N	N	N	N	N	N
Research and development	N	N	N	N	N	N	N	N	N
Processing or recycling of mined materials	N	N	N	N	N	N	N	N	N
Industrial wastewater treatment facility	N	N	N	N	N	N	N	N	N
Contractor's shop	N	N	N	N	N	N	N	N	N
Contractor's yard	N	N	N	N	N	N	N	N	N

Table 295-505-2 PRINCIPAL BUILDING DESIGN STANDARDS											
	Single-family Districts							Two-family Districts			
		RS1	RS2	RS3	RS4	RS5	RS6	RT1	RT2	RT3	RT4
Lot	Lot area, minimum (sq. ft.) <i>detached housing</i>	20,000	12,000	9,000	7,200	6,000	3,600	7,200	4,800	3,000	2,400
	Lot area, minimum (sq. ft.) <i>attached housing</i>	not applicable						3,600	3,000	1,800	1,800
	Lot area, maximum (sq. ft.)	none	none	none	none	none	none	none	none	none	none
	Lot width, minimum (ft.) <i>detached housing</i>	100	100	75	60	50	30	60	40	30	24
	Lot width, minimum (ft.) <i>attached housing</i>	not applicable						30	25	18	18
	Lot width, maximum (ft.)	none	none	none	none	none	none	none	none	none	none
Density	Lot area per dwelling unit, minimum (sq. ft.)	none	none	none	none	none	3,600	3,600	2,400	1,800	1,200
	Lot area per roomer or transitional housing client, minimum (sq. ft.)	NA	NA	NA	NA	NA	NA	NA	NA	NA	600
	Lot coverage, minimum <i>interior lot</i>	none	none	none	none	none	*	none	none	*	*
	Lot coverage, maximum <i>interior lot</i>	15%	30%	30%	30%	30%	60%	30%	30%	50%	70%
	Lot coverage, minimum <i>corner lot</i>	none	none	none	none	none	*	none	none	*	*
	Lot coverage, maximum <i>corner lot</i>	15%	30%	30%	30%	40%	70%	40%	40%	60%	85%
	Floor area, minimum (sq. ft.) <i>one-story structure</i>	1,500	1,500	1,300	1,200	900	none	none	none	none	none
Floor area, minimum (sq. ft.) <i>split-level or taller</i>	1,900	1,900	1,700	1,450	1,200	none	none	none	none	none	
Height	Height, minimum (ft.)	none	none	none	none	none	**	none	none	*	*
	Height, maximum (ft.)	45	45	45	45	45	45	45	45	45	48

*The requirements of table 295-505-2-i apply in lieu of the minimum lot coverage and minimum height requirements of this table.
 **A structure shall meet the minimum height requirements of table 295-505-2-i unless it is adjacent to a lot containing a one-story house, in which case there shall be no minimum height requirement.

295-505-2 Zoning

Table 295-505-2 PRINCIPAL BUILDING DESIGN STANDARDS											
Single -family Districts								Two-family Districts			
		RS1	RS2	RS3	RS4	RS5	RS6	RT1	RT2	RT3	RT4
Primary Frontage	Front setback, minimum (ft.) (see s. 295-505-2-b)	average or 25 ft., whichever is less	average or 25 ft., whichever is less	average	average	average	average	average	average	average	average
	Front setback, maximum (ft.) (see s. 295-505-2-b)	none	none	none	none	average	average	none	none	average but never more than 20 ft.	
	Side street setback, minimum (ft.)	20% of lot width but never more than 20 ft.		10% of lot width but never more than 15 ft.		10% of lot width but never more than 6 ft.		20% of lot width but never more than 20 ft.		10% of lot width but never more than 6 ft.	3
	Side street setback, maximum (ft.)	none	none	none	none	none	none	none	none	none	15
Side Setback	North or west side setback, minimum (ft.)	3	3	3	3	3	1.5	3	3	1.5	1.5
	South or east side setback, minimum (ft.)	6	6	6	6	6	3	6	6	3	3
	Combined side setback, minimum (ft.)	12	12	12	12	12	4.5	12	12	4.5	4.5
	Maximum depth of building without side setback adjustment	50	50	50	50	50	75	50	50	75	100
	Max. no. of stories without side or rear setback adjustment	2	2	2	3	3	3	2	2	3	4
Rear Setback	Rear setback, minimum (ft.) <i>interior lot</i>	25	25	25	20	15	15	25	25	15	15
	Rear setback, minimum (ft.) <i>corner lot</i>	25	25	25	15	10	10	20	20	10	10
	Rear street setback, minimum (ft.) (see s. 295-505-2-e)	average	average	average	average	average	average	average	average	average	average
	Rear street setback, maximum (ft.)	none	none	none	none	none	none	none	none	none	none
Multiple principal residential buildings permitted?		no	no	no	no	no	same as RT4	no	no	no	yes, if in existence on Nov. 22, 2003; otherwise, special use

Table 295-505-2 PRINCIPAL BUILDING DESIGN STANDARDS										
Multi-family Districts									Residence & Office	
		RM1	RM2	RM3	RM4	RM5	RM6	RM7	R01	R02
Lot	Lot area, minimum (sq. ft.) <i>detached housing</i>	3,600	3,600	3,000	2,400	2,400	2,400	2,400	3,600	2,400
	Lot area, minimum (sq. ft.) <i>attached housing</i>	3,000	3,000	1,800	1,800	1,800	1,800	1,800	3,000	1,800
	Lot area, maximum (sq. ft.)	none	none	none	none	none	none	none	none	none
	Lot width, minimum (ft.) <i>detached housing</i>	40	40	30	24	24	24	24	30	24
	Lot width, minimum (ft.) <i>attached housing</i>	25	25	18	18	18	18	18	25	18
	Lot width, maximum (ft.)	none	none	none	none	none	none	none	none	none
Density	Lot area per dwelling unit, minimum (sq. ft.)	2,400	1,200	2,400 ea. (3 or more); 3,600 for 2; 1,800 for 1	1,200	800	400	150	2,400	400
	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	900; 1,800 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	200; 400 for a unit with 2 or more bedrooms	75; 150 for a unit with 2 or more bedrooms	1,200; 2,400 for a unit with 2 or more bedrooms	200; 400 for a unit with 2 or more bedrooms
	Lot area per roomer or transitional housing client, minimum (sq. ft.)**	1,200	600	900	600	400	200	75	1,200	200
	Lot coverage, minimum interior lot	15%	15%	*	*	*	*	20%	15%	*
	Lot coverage, maximum interior lot	30%	50%	50%	70%	70%	70%	85%	30%	none
	Lot coverage, minimum corner lot	15%	15%	*	*	*	*	20%	15%	*
	Lot coverage, maximum corner lot	40%	60%	60%	85%	85%	85%	85%	40%	none
	Floor area, minimum (sq. ft.) <i>One-story structure</i>	none	none	none	none	none	none	none	none	none
Floor area, minimum (sq. ft.) <i>Split level or taller</i>	none	none	none	none	none	none	none	none	none	

*The requirements of table 295-505-2-i apply in lieu of the minimum lot coverage and minimum height requirements of this table.
For premises with a mixture of residential types including either permanent supportive housing or transitional housing, the minimum lot area per dwelling unit or per roomer or Transitional housing client shall be calculated pursuant to s. 295-505-2-n

295-505-2 Zoning

Table 295-505-2 PRINCIPAL BUILDING DESIGN STANDARDS										
Multi-family Districts									Residence & Office	
		RM1	RM2	RM3	RM4	RM5	RM6	RM7	R01	R02
HEIGHT	Height, minimum (ft.)	none	none	*	*	*	*	20	none	*
	Height, maximum (ft.)	45	45	45	60	60	85	85; no limit if floor area ratio is less than 4:1	45	85
Primary Frontage	Front setback, minimum (ft.) (see s. 295-505-2-b)	average	average	average	average	average	average	average	average	average
	Front setback maximum (ft.) (see s. 295-505-2-b)	none	none	average but not more than 20 ft.		average but never more than 15 ft.			none	15 ft.
	Side street setback, minimum (ft.)	10% of lot width but not more than 15 ft.		3	3	3	3	3	same as RM1-RM2	none
	Side street setback, maximum (ft.)	none	none	15	15	15	15	15	none	none
Side Setback	North or west side setback, minimum (ft.)	3	3	1.5	1.5	1.5	1.5	1.5	3	none
	South or east side setback, minimum (ft.)	6	6	3	3	3	3	3	6	none
	Combined side setback, minimum (ft.)	12	12	4.5	4.5	4.5	4.5	4.5	12	none
	Maximum depth of building without side setback adjustment	50	50	75	100	100	100	100	50	none
	Max. no. of stories without side or rear setback adjustment	2	2	3	4	6	8	8	2	8
Rear Setback	Rear setback, minimum (ft.) <i>interior lot</i>	25	25	20	15	15	15	10	20	none
	Rear setback, minimum (ft.) <i>corner lot</i>	10	10	10	10	10	10	10	10	none
	Rear street setback, minimum (ft.) (see s. 295-505-2-e)	average	average	average	average	average	average	average	average	average
	Rear street setback, maximum (ft.)	none	none	none	none	none	none	none	none	none
Multiple principal residential buildings permitted?		no	no	no	yes	yes	yes	yes	yes	yes

b-4-a. Adjacent Structures. Where immediately adjacent lots contain principal buildings, the front setback dimensions of those structures shall be averaged to establish the average front setback.

b-4-b. No Adjacent Structures. If one or both adjacent lots do not contain principal buildings, the average front setback shall be determined by averaging the front setbacks of the 2 nearest principal buildings located on the same blockface, on adjacent blockfaces on the same side of the street, on the blockface across the street or on the nearest similar street, in that order.

b-5. Required Setback for Addition or Alteration. b-5-a. In a case where portions of the existing structure are closer to the front street lot line than the nearest adjacent buildings, a new addition or alteration may come up to the portion of the structure closest to the front property line.

b-5-b. Where the existing structure is set back farther from the front property line than the nearest adjacent buildings, a new addition or alteration shall be permitted within the front setback range described in subd. 2 or may be placed up to any point between the existing front setback and the setback range.

b-5-c. No structure may be altered by removing a portion of the structure such that the front of the building will no longer be within the allowed setback range, or will be even farther from the permitted range than it already is.

b-6. Atypical Properties. b-6-a. When determining the required setback, the commissioner of neighborhood services shall exclude any building with a setback that exceeds the average setback of other buildings on the blockface by more than 25 percent.

b-6-b. When determining the required setback, the commissioner of neighborhood services shall exclude any building with a setback that is at least 25 percent less than the average setback of other buildings on the blockface if the permit applicant requests such exclusion.

b-7. Exclusion of Non-residential Buildings. When determining the required setback for residential buildings, the commissioner of neighborhood services shall exclude the setbacks of non-residential buildings if the permit applicant requests such exclusion.

b-8. Adjustment Due to Topography. Where a sloping front yard rises at least one foot for every 2 feet of run and application of the maximum front setback requirement would result in the front of the proposed building being placed on the slope or within 10 feet of the crest of the sloping front yard, the maximum front setback may be increased to not more than 10 feet back from the crest of the sloping front yard.

b-9. Exception for All Non-Residential Uses. There shall be no minimum front setback for a principal structure of any non-residential use located on a corner lot.

b-10. Exception for Educational and Community-serving Uses. Principal structures of educational and community-serving uses may be set back a distance greater than the maximum front setback otherwise required.

c. Side Setback Standards. c-1. Minimum Setback for Property Adjacent to Developed Parcels or Alleys. c-1-a. A new principal building on a property that is adjacent to another property containing an existing principal building located closer than 1.5 feet from the shared property line shall maintain a minimum dimension of 3 feet from such existing structure, even when table 295-505-2 allows the new structure to be less than 3 feet from the property line.

c-1-b. Where a side property line abuts an alley, the minimum setback shall be the lesser of the 2 required side setbacks.

c-2. Adjustment for Buildings with Excessive Depth. When a structure exceeds the maximum depth specified in table 295-505-2, as measured from the front façade of the building, 1.5 additional feet of side setback shall be required for each additional 10 feet of building depth. Only the portion of the structure which exceeds the maximum building depth shall be required to have the additional setback. This adjustment shall not apply on the side of a lot that abuts an alley or a side street.

c-3. Adjustment for Buildings with Excessive Number of Stories. As specified in table 295-505-2, 4 additional feet of side setback shall be required on each side for each additional story above the maximum number of stories allowed. Only stories above the maximum story shall be required to have these additional setbacks. This adjustment shall not apply on the side of a building that abuts an alley.

c-4. Attached Housing. When a permitted dwelling unit is attached to another dwelling unit on an adjacent lot, no minimum setback shall be required where a common wall attaching the dwellings is located. Walls of an attached dwelling that are not attached to another dwelling on an adjacent lot shall follow setback standards specified in table 295-505-2.

d. Side Street Setback Standards. d-1. Build-to Line. Where a maximum side street setback is specified, at least 30% of the side street façade shall be located between the minimum and maximum required setbacks.

d-2. Exception for All Non-Residential Uses. There shall be no minimum side street setback for a principal structure of any non-residential use located on a corner lot.

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d-3. Exception for Educational and Community-serving Uses. Principal structures of educational and community-serving uses may be set back a distance greater than the maximum side street setback specified in table 295-505-2.

e. Rear Street Setback Standards. e-1. Determination of Required Setback. There shall be no maximum rear street setback. The minimum rear street setback for both new construction and additions to existing structures shall be determined by using the most applicable of the following methods:

e-1-a. Adjacent Structures. Where immediately adjacent lots contain principal or accessory buildings, the rear street setback shall be calculated as the average of the distance between the rear-most façade element or roofed area of the adjacent buildings and the street property line.

e-1-b. No Adjacent Structures. Where one or both of the immediately adjacent lots do not contain buildings, the rear street setback shall be determined by averaging the rear street setbacks of the 2 nearest buildings located on the same blockface, in adjacent blockfaces on the same side of the street, in the blockface across the street or on the nearest similar street, in that order. Buildings included in this calculation may be either principal structures or accessory structures.

e-2. Setback Average and Range. When table 295-505-2 specifies that the minimum rear street setback for a principal building in a residential district shall be determined by averaging, the minimum rear street setback may be anywhere in the range of the average setback minus 20% to the average setback plus 20%.

e-3. Atypical Properties. e-3-a. When determining the required setback, the commissioner shall exclude any building with a setback that exceeds the average setback of other buildings on the blockface by more than 25 percent.

e-3-b. When determining the required setback, the commissioner shall exclude any building with a setback that is at least 25 percent less than the average setback of other buildings on the blockface if the permit applicant requests such exclusion.

e-4. Exclusion of Non-residential Buildings. When determining the required setback for residential buildings, the commissioner shall exclude the setbacks of non-residential buildings if the permit applicant requests such exclusion.

f. Permitted Setback Intrusions. f-1. General. In order for buildings to have various features that provide variety, articulation and unique character, standards are established to allow certain elements of modest size to be placed in setback areas. These standards are found in table 295-505-2-f.

f-2. Porches. As used in table 295-505-2-f, the term "porch" refers to a covered, open-sided protrusion from the principal building. It does not refer to an enclosed porch, which is considered part of the principal building, or to an uncovered porch, which is considered a deck.

g. Intrusions Into Public Right-of-way. See ch. 245 for regulations pertaining to intrusions of structures into the public right-of-way.

h. Building Height. h-1. Compliance with Minimum Height Requirement. At least 50% of a structure's roof shall meet the minimum height requirement. In the case of a pitched roof, this standard shall be applied to the ridge of the roof. In the case of a flat roof, this standard shall apply to the entire surface area of the roof.

h-2. Exceptions to Height Limitations. All structures shall comply with the height limitations established in each zoning district, except the following:

h-2-a. Chimneys and flues.

h-2-b. Water towers or tanks other than those located on the roof of a building.

h-2-c. Bulkheads, elevator enclosures, penthouses, skylights or water tanks occupying in the aggregate less than 25% of the area of the roof on which they are located.

h-2-d. Parapet walls or cornices extending above the height limit not more than 5 feet.

h-2-e. Monuments, television reception antennae, radio reception antennae, flag poles, spires, church roofs, domes, cupolas or belfries for ornamental purposes and not used for human occupancy.

h-2-f. Religious assemblies, convents, schools, dormitories, colleges, libraries and museums in zoning districts which limit height to 45 or 60 feet. Such a building or portion thereof may exceed the height limit of the district if the building, or portion of the building in excess of the limit, is set back from side lot lines a distance equal to one-half the height of the building or portion thereof.

h-2-g. Transmission towers which are in compliance with the height-related standards of s. 295-503-2-r.

h-2-h. Buildings in the RM7 district which have a floor area ratio of less than 4:1.

h-2-i. Solar farms and solar arrays.

Table 295-505-2-f PRINCIPAL BUILDING INTRUSIONS INTO SETBACK AREAS				
Type of Intrusion	Front or Rear Street Setback	Side Street Setback	Side Setback	Rear Setback
Porch	Shall not encroach into required setbacks; however, stairs leading to a porch may encroach.	Shall not encroach into required setbacks; however, stairs leading to a porch may encroach.	Up to 4 ft.; however, the porch shall not be more than 6 ft. wide or be closer than 3 ft. from the side property line and shall be open on all sides.	Shall not encroach into required setback; however, stairs leading to a porch may encroach.
Uncovered wheelchair ramp	Permitted in setback only if: 1. The ramp has skirting material to screen the areas beneath the ramp. 2. The ramp is kept in a reasonably good state of repair and maintenance. 3. Trees or shrubs displaced by the ramp shall be relocated or replaced.			Permitted anywhere in rear setback area.
Uncovered wheelchair lift	Permitted in setback only if: 1. Skirting with a minimum height of 4 feet is provided. 2. The lift is equipped to prevent lowering if the area beneath the lift is not clear of obstructions. 3. The lift has skirting material which prevents obstructions to the movement of the chair.			
Planter	Permitted anywhere in a setback area, but shall not exceed 4 feet in height.			
Air-conditioning condenser	Not permitted unless set back at least 50 feet and entirely screened.		Not permitted unless the use on the adjacent lot is non-residential or unless any dwelling on the adjacent lot is at least 15 feet from the lot line.	Permitted anywhere in rear setback area.
Hood or awning	Up to 6 feet	Up to 6 feet	Up to 4 feet, but not closer than 2 feet from any property line	
Eave	Up to 4 feet	Up to 4 feet	Up to 2 feet, or one-half of the required setback, whichever is less.	Up to 4 feet, but not closer than 2 feet from any property line.
Balcony	Up to 4 feet	Up to 4 feet	Not permitted	Up to 4 feet, but not closer than 2 feet from any property line.
Fire escape	Not permitted	Not permitted	Permitted only along a side facing an alley	Up to 6 feet, but not closer than 2 feet from any property line
Bay window	Up to 6 feet in width and 30 inches in projection, but never closer than 18 inches from a side property line. Not more than one-third of the facade may have similar protrusions.			
Chimney	Up to 6 feet in width and 30 inches in projection, but never closer than 18 inches from a side property line.			

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h-3. Airports. In any area within the city where the height limitations of the Milwaukee county airport approach height ordinances are applicable, such height limitations shall apply, except where the height limitations of this chapter are more restrictive. Exceptions permitted under s. 200-44 and objects of natural growth shall not exceed the height limitations established by the Milwaukee county general ordinances and by s. 114.136, Wis. Stats.

i. Lot Coverage. i-1. The lot coverage standards set forth in table 295-505-2 relate to the proportion of a lot occupied by principal buildings. Accessory structures shall not be included when determining principal building lot coverage.

i-2. Table 295-505-2-i provides minimum building height and minimum front façade width requirements that are to be applied, in certain zoning districts, in place of the lot coverage standards of table 295-505-2. The standards in table 295-505-2-i apply only to single-family, 2-family and multi-family dwellings.

i-3. For any interior lot in an RS4, RS5 or RS6 zoning district, the maximum lot coverage for a residential use or group residential use shall be as follows:

i-3-a. If the area of the lot is less than or equal to 1.3 times the average lot area of other lots on the blockface that are occupied by residential or group residential uses, the maximum lot coverage shall be as specified in table 295-505-2.

i-3-b. If the area of the lot is more than 1.3 times the average lot area of other lots on the blockface that are occupied by residential or group residential uses, the maximum lot coverage shall be 60% of the maximum lot coverage specified in table 295-505-2.

i-4. For any corner lot in an RS4, RS5 or RS6 zoning district, the maximum lot coverage for a residential use or group residential use shall be as follows:

i-4-a. If the area of the lot is less than or equal to 1.3 times the average lot area of other lots on both blockfaces that are occupied by residential or group residential uses, the maximum lot coverage shall be as specified in table 295-505-2.

i-4-b. If the area of the lot is more than 1.3 times the average lot area of other lots on both blockfaces that are occupied by residential or group residential uses, the maximum lot coverage shall be 60% of the maximum lot coverage specified in table 295-505-2.

j. Multiple Principal Buildings. j-1. Intent. Standards for properties with more than one principal building are established to recognize the various contexts in which this type of development occurs and to allow practical use and improvement of such properties. More than one principal residential building shall be permitted on a lot only as provided in table 295-505-2. Multiple principal non-residential buildings shall be permitted in all residential zoning districts. The standards of this paragraph apply to both multiple principal residential buildings and multiple principal non-residential buildings.

j-2. Distance Between Buildings. The front-to-back minimum distance between 2 principal residential buildings shall be 10 feet. The side-to-side minimum distance between 2 principal residential buildings shall be 5 feet. There shall be no required minimum distance between 2 principal non-residential buildings.

j-3. Side Setback. The minimum side setback shall be as specified in table 295-505-2.

j-4. Rear Setback. Where the rear of a property abuts an alley, the minimum rear setback shall be 4 feet, regardless of the requirement specified in table 295-505-2.

j-5. Lot Coverage. On a lot having multiple principal residential buildings, maximum lot coverage may be increased by up to an additional 15% as long as the accessory building lot coverage is reduced by a corresponding amount.

k. Conversion of Non-Residential Buildings to Residential Use. A non-residential building may be converted to residential use. The density regulations of table 295-505-2 shall be applicable to any such conversion. Where the conversion would otherwise be prohibited by these density regulations, each existing non-residential unit may be converted to one residential unit.

L. Design Features. L-1. Intent. The standards of this paragraph are intended to enable a residential building to be compatible with its context, as well as to encourage pedestrian-oriented residential development.

L-2. Entrance Door Orientation.

L-2-a. Standard. Every new principal building shall have a primary entrance door that faces a street.

L-2-b. Multi-Family Use. Every new multi-family building with common hallways to access units shall have a primary entrance door on a front façade or a side street façade, even if other doors serving individual townhouse-style units, or other uses, are present. The main entrance used by residents and visitors, as well as the door where mail is delivered and deliveries are made, is considered the primary entrance of a multi-family residential use. This requirement shall not apply to a building where all units have direct access to the exterior, such as a townhouse building, and a pedestrian path that connects to a public sidewalk in accordance with s. 295-505-4-d-1.

L-2-c. Exception. A new principal building may have an entrance door that does not face a street if the building or building site includes physical features that clearly identify the location of the front entrance of the building and are readily visible from the public right-of-way. Examples of such features include, but shall not be limited to, covered stoops, porches, retaining walls and masonry planters.

Table 295-505-2-i			
MINIMUM RESIDENTIAL BUILDING FRONT FACADE WIDTH AND BUILDING HEIGHT			
Lot width (ft.)	Min. building front facade width (ft.)	Min. no. of stories *	Min. building height (ft.)
25	No requirement	1	20
30	No requirement	1	20
31	No requirement	1	20
32	No requirement	1	20
33	No requirement	1	20
34	No requirement	1	20
35	20	1	20
36	22	1	20
37	22	1	20
38	24	1	20
39	24	1	20
40	24	1	20
41	24	1	20
42	24	1	20
43	24	1	20
44	24	1	20
45	24	1	20
46	26	2	25
47	28	2	25
48	30	2	25
49	30	2	25
50	32	2	25
51	32	2	25
52	34	2	25
53	34	2	25
54	34	2	25
55	36	2	25
56	36	2	25
57	38	2	25
58	38	2	25
59	40	2	25
60	40	2	25
More than 60	Width X 0.65	2	25
* If the structure is adjacent to a lot containing a one-story house, a one-story structure shall be permitted regardless of the width of the lot on which it is located.			

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L-3. Overhead Garage Doors Facing Streets. For any new building constructed in the RS6, RT3, RT4 and RM3-RM7 districts, an attached garage which has an overhead garage door that faces the street shall be set back at least 4 feet from the street façade of the main building mass. The following exceptions shall apply:

L-3-a. An overhead garage door may be flush with the street façade of the building if the building has a porch, floor-to-ceiling bay window, balcony, hood, canopy, integral planter, landscaping wall or other significant design feature or combination of features which extend at least 4 feet forward from the wall plane on which the door is placed. A garage door which is recessed within the thickness of the garage wall as a result of typical construction practices shall be considered "flush."

L-3-b. An overhead garage door may be flush with the street façade of the building if at least 40% of the façade on which the door is located is comprised of windows.

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.

m. Garage Door Setback. Garage doors shall be set back a minimum of 4 feet from alley lot lines.

n. Minimum Lot Area for Premises with Mixture of Dwelling Unit Types. n-1. Permanent Supportive Housing. Where permanent supportive housing is mixed with other types of dwelling units, the calculation of lot area per dwelling unit first requires that the lot area be prorated between the different housing types according to the number of units of each type, using the formula $PSF = ((PN/RN) \times LSF)/PN$, where:

n-1-a. PSF is the lot area, in square feet, per permanent supportive housing unit.

n-1-b. PN is the number of permanent supportive housing units.

n-1-c. RN is the total number of residential units both permanent supportive housing units other types of dwelling units.

n-1-d. LSF is total lot area, in square feet.

n-2. Transitional Housing. Where transitional housing is mixed with other types of dwelling units, the calculation of lot area per dwelling unit first requires that the lot area be prorated between the different housing types according to the number of units of each type, using the formula $TSF = ((TN/2)/((TN/2) + GN)) \times LSF/TN$, where:

n-2-a. TSF is the lot area, in square feet, per transitional housing client

n-2-b. TN is the total number of transitional housing clients

n-2-c. GN is the total number of dwelling units, not including transitional housing

n-2-d. LSF is total lot area, in square feet

3. ACCESSORY STRUCTURE STANDARDS. a. Introduction. The design standards for accessory structures in residential districts are set forth in table 295-505-3. These standards apply to accessory structures of permitted non-residential uses in residential districts, as well as to structures which are accessory to residential buildings. The provisions of this subsection explain, qualify or specify exceptions to the standards in the table.

b. Principal Building Required. No accessory building shall be located on a lot not containing a principal building, unless the principal use of the lot is for the raising of livestock, a community garden or a

<p align="center">Table 295-505-3 ACCESSORY STRUCTURE DESIGN STANDARDS</p>								
	Garage	Shed	Deck/stoop less than one foot above grade	Deck/stoop one to 3 feet above grade	Deck/stoop 3 to 7 feet above grade	Deck/stoop more than 7 feet above grade	Pergola, trellis or arbor	Open pavilion
Included in lot coverage calculation?	Yes	Yes	No	No	Yes	Yes	No	Yes
Minimum front setback	Same as principal building; if the garage door faces the front of the lot, an additional 4 ft. shall be required.	Same as principal building.	No restriction.	Same as principal building.	Same as principal building.	Same as principal building.	No restriction.	Same as principal building.
Minimum side street setback	Same as principal building, but not closer to side street than any existing principal building.		No restriction.	Same as principal building.		Same as principal building.	No restriction.	No restriction.
Minimum rear street setback	Average in accordance with s. 295-505-2-e.					No restriction.	No restriction.	Average in accordance with s. 295-505-2-e.
Minimum side setback when located in the side yard	Same as principal building.	Same as principal building.	No restriction.	Up to property line; however, all railings above 4 feet shall be at least 50% open.	1.5 feet; however, all railings above 4 feet shall be at least 50% open.	Same as principal building.	Same as principal building.	Same as principal building.
Minimum side setback when located in the rear yard	1.5 feet; 4 feet if access crosses side lot line from an alley.	1.5 feet.	No restriction.	No restriction.	1.5 feet; however, all railings above 4 feet shall be at least 50% open.	1.5 feet; however, all railings above 4 feet shall be at least 50% open.	No restriction.	1.5 feet.

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**Table 295-505-3
ACCESSORY STRUCTURE DESIGN STANDARDS**

	Garage	Shed	Deck/stoop less than one foot above grade	Deck/stoop one to 3 feet above grade	Deck/stoop 3 to 7 feet above grade	Deck/stoop more than 7 feet above grade	Pergola, trellis or arbor	Open pavilion
Minimum rear setback	4 feet; may be reduced to 1.5 feet if there is no alley or no access from an alley.	4 feet; may be reduced to 1.5 feet if there is no alley or no access from an alley.	No restriction.	No restriction.	1.5 feet; however, all railings above 4 feet shall be at least 50% open	4 feet; may be reduced to 1.5 feet if there is no alley.	No restriction.	1.5 feet.
Maximum height of sidewall	10 feet**	8 feet.	No restriction.	No restriction.	No restriction.	10 feet.	8 feet.	Not applicable.
Maximum overall height	24 feet or the height of the principal building, whichever is less.	14 feet.	Not applicable.	Not applicable.	Not applicable.	14 feet	14 feet	10 feet*

*Maximum overall height for an open pavilion that is accessory to a permitted non-residential use shall be 14 feet or the height of the principal building, whichever is less.

**Sidewall height may be increased by up to 2 feet on the down-sloped side of the sloped lot.

commercial farming enterprise. If a principal building on a lot is removed, any accessory building on the lot shall also be removed within 60 days and the premises made compliant with this code.

c. **Maximum Lot Coverage.** See table 295-505-3 to determine which structures shall be included when calculating the lot coverage of accessory structures. The total lot coverage of all accessory structures which are subject to inclusion in the lot coverage calculation shall not exceed 15% of the lot area. Total lot coverage may be increased to 22% if at least 7% of the coverage is for an open pavilion.

d. **Maximum Number.** Not more than 2 accessory buildings may be located on a single lot.

e. **Maximum Size.** For any lot occupied solely by a single-family or 2-family dwelling, no garage or deck shall exceed 1,000 square feet in area and no open pavilion shall exceed 500 square feet in area.

f. **Garages and Sheds.** f-1. **General.** An accessory building that is 150 square feet or less in area shall meet the requirements for sheds set forth in table 295-505-3. An accessory building that is greater than 150 square feet in area shall meet the requirements for garages set forth in table 295-505-3. A carport or similar roofed structure shall meet the requirements for either garages or sheds, depending on the size of the structure.

f-2. **Location.** A garage or shed may be located in the rear yard of the principal structure. A garage or shed may also be located in the side yard, provided it is not in the required side setback area of the principal structure. Garages and sheds shall not be permitted in front yards.

f-3. **Roof Overhang.** A roof overhang may project into a required setback area up to one-third of the required setback. Gutters shall not be considered part of a roof overhang.

f-4. **Dormers.** Dormers shall be permitted provided that, in the aggregate, they are no wider than half of the length of the roof, begin no closer than 4 feet from either of the gable ends and have a roof pitch of at least 3:12.

f-5. **Sidewall Height.** The maximum height of a garage or shed sidewall shall be as specified in table 295-505-3. The height of a sidewall shall be measured from the level of the grade to a horizontal line even with the bottom edge of the fascia board. Where rafter tails are exposed, measurement shall be to a horizontal line even with the bottom edge of the rafters.

f-6. **Parapet Walls.** A parapet wall on a flat-roofed garage may extend up to 4 feet above the permitted sidewall height.

f-7. **Rooftop Decks.** Railings for a rooftop deck may extend up to 3.5 feet above the maximum sidewall height if they are at least 50% open. Portions of a parapet wall may also extend up to 3.5 feet above the permitted sidewall height if these sections are no wider than half the width of the side of the garage on which they are located.

f-8. **Roof Type.** A shed may have a gambrel-style roof. A garage may have a gambrel-style roof only if the principal building has a gambrel-style roof. When a gambrel-style roof is used, its pitch shall be similar to the roof pitch of the principal building.

f-9. **Attachment to Principal Building.** A garage or shed may be attached to a principal building. If an attached garage or shed has no second-floor living space, it shall be included in the lot coverage calculation for accessory structures, rather than the lot coverage calculation for the principal building. In addition, an attached garage or shed with no second-floor living space shall be subject to the setback requirements for an accessory building, rather than the setback requirements for a principal building.

f-10. **Exception for Small Lots.** Notwithstanding the limitations of subd. 1, a garage shall be permitted to have an area of at least 484 square feet.

g. **Uncovered Wheelchair Lifts and Ramps.** Uncovered wheelchair lifts and ramps shall be permitted within required setback areas in accordance with the provisions of table 295-505-2-f. Adjacent deck areas shall also be in compliance with the applicable provisions of this table. Uncovered wheelchair lifts and ramps shall not be included in the calculation of lot coverage of accessory structures.

h. **Decks and Stoops.** h-1. **General.** Decks and stoops shall meet the requirements set forth in table 295-505-3. Decks and stoops are classified into the following 4 categories on the basis of height above grade:

h-1-a. At grade to not more than one foot above grade.

h-1-b. More than one foot above grade to not more than 3 feet above grade.

h-1-c. More than 3 feet above grade to not more than 7 feet above grade.

h-1-d. More than 7 feet above grade.

h-2. **Exception.** Notwithstanding the requirements of table 295-505-3, a principal building may have a deck or stoop up to 3 feet above grade in the front or side street setback provided the area of the deck or stoop does not exceed 25 square feet.

h-3. **Stairs.** Stairs leading to a permitted deck, stoop or building entrance may be located in a required setback area.

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- h-4. Deck Skirting. Skirting to screen the area underneath the deck shall be provided for any deck that is more than 2 feet above grade. Skirting shall not be required if any of the following are true:
- h-4-a. The deck is more than 30 feet from any property line.
 - h-4-b. The deck is located within 3 feet of a property line and an opaque fence at least 4 feet high is present or is constructed along that property line such that the view of the deck from the neighboring property or public way is obscured.
 - h-4-c. The area adjacent to the deck is landscaped with plantings that obscure the view of the underside of the deck from the neighboring property or public way.
 - i. Open Trellises and Arbors. An open trellis or arbor may be located in the front yard, side yard or rear yard in accordance with table 295-505-3.
 - j. Children's Playhouse. A playhouse shall not be subject to any of the regulations of this subsection, except that no playhouse shall be located in the front yard or the required side setback.
 - k. Swimming Pools. An in-ground or above-ground swimming pool shall not be subject to any of the regulations of this subsection, except that no swimming pool shall be located in the front yard or the required side setback.
 - L. Mechanical Equipment. L-1. Permitted Equipment. Mechanical equipment such as, but not limited to, air-conditioning condensers, satellite dishes and utility boxes shall be permitted only in portions of side yards and rear yards outside required setback areas. Air conditioning condensers may also be placed in the required setback areas of principal buildings to the extent allowed by table 295-505-2-f.
 - L-2. Wood-burning Furnaces. Because of their potential to create adverse off-site effects, outdoor wood-burning furnaces are prohibited in all residential districts.
 - m. Portable Moving and Storage Containers. No portable moving and storage container shall be placed on a lot in a residential zoning district for more than 30 days.
 - n. Chicken Coops. Chicken coops, under s. 78-6.5, shall not be subject to any of the regulations of this subsection if the covered portion of the coop is 50 square feet or less in size and 10 feet or less in height
 - o. Solar Arrays. A ground-mounted solar array that is more than 20 feet in height shall comply with the setback regulations for a principal building. A ground-mounted solar array that is 20 feet or less in height shall comply with the front setback requirement and be set back a minimum of 1.5 feet from all side, side street and rear lot lines.
 - p. Accessory Structures for Agricultural Uses. p-1. Permitted Structures. The following accessory structures supporting the raising of livestock, a community garden or a commercial farming enterprise shall be permitted:
 - p-1-a. Sheds.
 - p-1-b. Large agricultural structures.
 - p-1-c. Hoop houses.
 - p-2. Maximum Number. Not more than one shed and one large agricultural structure may be located on a single lot. The number of hoop houses on a single lot is unlimited.
 - p-3. Lot Coverage. The total lot coverage of all sheds, large agricultural structures and hoop houses on a single lot shall not exceed 70% of lot area. The total lot coverage of sheds and large agricultural structures on a single lot shall not exceed 15% of lot area.
 - p-4. Setbacks. p-4-a. The minimum front setback, side street setback or rear street setback for a shed, large agricultural structure or hoop house shall be the average plus 5 feet.
 - p-4-b. The minimum side setback or rear setback for a shed, large agricultural structure or hoop house shall be 5 feet.
 - p-5. Maximum Height. p-5-a. The maximum height of the sidewall of an agricultural accessory structure shall be 8 feet for a shed, 10 feet for a large agricultural structure and 14 feet for a hoop house.
 - p-5-b. The maximum overall height of an agricultural accessory structure shall be 10 feet for a shed, 14 feet for a hoop house, 14 feet for a large agricultural structure on a vacant lot, and 24 feet or the height of the principal building for a large agricultural structure on a lot containing a principal building.
 - q. Other Accessory Structures. Miscellaneous accessory structures shall meet the requirements applicable to the most similar accessory building or site feature for which requirements have been established.
 - 4. SITE STANDARDS. a. Applicability. Unless otherwise noted, the provisions of this subsection apply to all residential and non-residential uses.
 - b. Parking Spaces. b-1. General. Off-street parking spaces for uses in residential zoning districts shall be provided in accordance with the requirements of s. 295-403-2 and shall meet the design standards of s. 295-403-3.
 - b-2. Reduction Prohibited. The number of parking spaces provided for a use in a residential zoning district shall not be reduced below the number required by s. 295-403-2.

b-3. Location of Parking Spaces. Parking spaces may be located in a rear yard or the portion of a side yard that is beyond the required setback. Parking spaces shall not be located within the front yard or in the side setback, rear street setback or side street setback of the principal building.

b-4. Maximum Number of Vehicles. Not more than 4 motor vehicles may be parked outdoors on a lot containing a single-family, 2-family dwelling or community living arrangement with 8 or fewer clients.

b-5. Commercial Vehicles. Not more than one commercial vehicle may be parked on a lot in a single-family, 2-family or multi-family zoning district.

b-6. Recreational Vehicles. Not more than one recreational vehicle, other than a motorcycle or snowmobile, may be parked on a lot in a single-family, 2-family or multi-family district.

b-7. Maximum Vehicle Length, Vehicle Height and Number of Wheels. No vehicle in excess of 22 feet in length, or in excess of 10 feet in height or with more than 6 wheels may be parked on a lot in a single-family, 2-family or multi-family district.

b-8. Tow Trucks. No tow truck may be parked on a lot in a single-family, 2-family or multi-family zoning district unless the tow truck is parked inside a building.

b-9. Unregistered Vehicles. No motor vehicle lacking valid license plates shall be parked for a period exceeding 30 days outside any structure or lot used in whole or in part for residential purposes.

c. Access Drives. c-1. Location. An access drive leading to parking spaces in a permitted rear-yard or side-yard location may be located in a required setback area. An access drive which leads to permitted parking spaces may also be used for parking, but any such parking shall not count toward the parking-space requirements of s. 295-403-2. An access drive may be placed directly adjacent to an interior side property line.

c-2. Configuration. An access drive shall generally traverse the front property line at a right angle. The commissioner of public works shall approve the location and design of the curb cut and driveway apron for the access drive.

c-3. Width. An access drive traversing the side yard to a permitted parking area of a residential building shall not exceed 18 feet in width. An access drive leading to an overhead garage door facing the street shall be not more than 2 feet wider, on each side, than the door being served.

c-4. Shared Drives. For any single-family or 2-family dwelling, an access drive to the abutting public street may be shared with an adjoining single-family or 2-family dwelling provided there exists a recorded legal instrument which guarantees access to the drive for occupants of each dwelling served by the shared drive and which assigns responsibility for maintenance of the drive.

d. Pedestrian Access. d-1. General. Where a lot is adjacent to a public sidewalk, each principal building on the lot shall be served by a clearly identifiable walkway leading from the public sidewalk to the entrance to the building. The presence of an access drive does not fulfill this requirement.

d-2. Paving. All required pedestrian access ways shall be paved with non-asphalt materials.

d-3. Width. All required pedestrian access ways shall be at least 3 feet in width.

e. Landscaping. e-1. Intent. Landscaping shall be designed as an integral part of any development in a residential zoning district. As in commercial and industrial zoning districts, parking lots, dumpsters and other unsightly site features shall be screened such that they are not visible from public streets and neighboring residential properties.

e-2. Parking Lots. All uses, with the exception of single-family and 2-family dwellings, shall provide parking lot landscaping in accordance with s. 295-405.

e. Landscaping.

e-3. Containers Used for Solid Waste Disposal. Every use, except a residential building containing 4 or fewer dwelling units, shall provide an area for all dumpsters or other containers used for solid waste disposal, including containers for recycled materials. Containers used for solid waste disposal shall meet the following location and screening requirements:

e-3-a. On-site Location. All containers, including dumpsters, shall be provided on-site for all uses contained within a building. This location may be in an indoor location on the premises or in an outdoor location that complies with the screening requirements of s. 295-405-6.

e-3-b. Alternatives to On-Site Location. An off-site container or dumpster area location may be provided if the applicant submits documents acceptable to the department of neighborhood services showing that the applicant has entered into an agreement with an adjacent property owner for access to containers or dumpster areas that meet the screening requirements of s. 295-405-6. Alternatively, an off-site container or dumpster area location may be provided if the applicant has applied for a special privilege to place solid waste and recycled material storage containers in the public right-of-way pursuant to s. 245-12 and the commissioner of public works has found that the criteria for recommending approval of a special privilege have been met.

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e-3-c. Plan Submittal. Prior to the issuance of construction or alteration permits for a new use or a substantial improvement of an existing building, dumpsters or other containers used for solid waste disposal, including containers for recycled materials, and the screening for these containers, if required, shall be shown on submitted plans.

f. Fences. f-1. General. Fences shall be permitted anywhere on a lot in a residential zoning district, including along property lines. For purposes of this paragraph, the term "fence" shall include a wall or similar structure.

f-2. Fences in Front Yards. A fence located in a front yard shall not exceed 4 feet in height. However, an ornamental metal fence may be erected to a height of 6 feet. Such ornamental fence may include piers constructed of masonry, wood or other approved materials, provided the fence is at least 50% open overall. An ornamental metal fence may also be constructed atop a masonry wall provided the combined height of the wall and fence does not exceed 6 feet and the portion of the wall/fence structure above 4 feet high is at least 50% open.

f-3. Fences in Side Yards. A fence located in a side yard shall not exceed 4 feet in height. However, a fence may be erected to a height of 6 feet if the entire fence is constructed of chain link, wrought iron or similar open construction or if the area above 4 feet high is at least 50% open. An example of the latter is a fence that is opaque to a height of 4 feet and is topped with not more than 2 feet of wood lattice. Any side-yard fence may be erected to a height of 6 feet if it is located more than 10 feet from a side lot line.

f-4. Fences in Rear Yards. A fence located in a rear yard may be erected to a height of 6 feet. However, if the fence is located along a side street or rear street, it shall also comply with subd. f-5.

f-5. Fences Along Side Streets and Rear Streets. A fence located along a side street or rear street property line shall not exceed 4 feet in height, with the following exceptions:

f-5-a. A fence may be erected along the side street of a rear yard to a height of 6 feet. In no case does this provision allow a fence to be erected in the public right-of-way, unless the fence has been erected in accordance with the applicable provisions of ch. 245.

f-5-b. An ornamental fence may be erected to a height of 6 feet. Such fence may include masonry piers, provided the fence is at least 50% open overall. An ornamental metal fence may also be constructed atop a masonry wall, provided the combined height of the wall and fence does not exceed 6 feet and the portion of the wall/fence structure above 4 feet high is at least 50% open.

f-6. Fences Enclosing Swimming Pools. A fence which encloses a swimming pool shall also comply with all department of neighborhood services rules and regulations for swimming pools.

f-7. Higher Fences on Abutting Properties. Where a fence is located along a lot line that abuts another property, and a higher fence is permitted directly across the property line on that property, the fence may be erected to the height permitted on the abutting property. Where a retaining wall exists at or adjacent to a property line and the neighboring property has a higher grade, the fence height may be measured to a height allowed on that higher property.

f-8. Fences at Construction Sites. Notwithstanding any other provisions of this paragraph, fences not exceeding 9 feet in height may be erected around construction sites and shall be removed immediately upon completion of the project.

f-9. Fences at Sports Facilities. Notwithstanding any other provision of this paragraph, the commissioner of neighborhood services may permit a fence in excess of 6 feet in height in specific locations on a premises to prevent balls and other objects from damaging adjoining buildings or premises.

f-10. Fences as Part of Required Screening. Notwithstanding any other provisions of this paragraph, a fence may be erected to the height necessary to comply with the screening requirements of s. 295-405.

f-11. Orientation of Supporting Members. The vertical and horizontal supporting members of a fence shall face the interior of the lot on which the fence is located.

f-12. Fence Gates and Trellises. At a gate, walkway or other entrance area, a decorative gate or trellis may extend above the permitted fence height to a maximum of 10 feet in height. A decorative gate or trellis shall not exceed 6 feet in width.

f-13. Fences or Retaining Walls Extending into Public Right-of-Way. A fence or retaining wall may extend into the public right-of-way to the extent allowed by, and only in accordance with, the provisions of ss. 245-4.5 and 245-4.6 or a special privilege granted by the common council pursuant to s. 245-12.

f-14. Prohibited Fence Materials. Barbed-wire, concertina-wire and razor-wire fences are prohibited.

g. Vision Triangles. A fence or other opaque or semi-opaque object located near the intersection of a street with an alley, access drive or other street shall comply with the vision triangle regulations of s. 295-405-1-g.

h. Lighting. The regulations for lighting in residential zoning districts are set forth in s. 295-409.

Table 295-505-5 RESIDENTIAL DISTRICT SIGN STANDARDS *		
	Elementary and secondary schools, colleges and religious assembly	All other permitted uses, nonconforming commercial uses and board-approved uses. Does not include single-family, 2-family and 3-family dwellings, family day care homes and bed and breakfast establishments
<i>Freestanding Signs</i>	<i>permitted</i>	<i>permitted</i>
Maximum number	1 per street frontage	1 per site**
Type "A" max. display area (sq. ft.)	64***	24
Type "B" max. display area (sq. ft.)	32	18
Maximum height	6	6
<i>Wall Signs</i>	<i>permitted</i>	<i>permitted</i>
Maximum number	1 per principal building	1 per street frontage
Type "A" max. display area (sq. ft.)	No limit	50
Type "B" max. display area (sq. ft.)	18	25
<i>Projecting Signs</i>	<i>permitted</i>	<i>permitted</i>
Maximum number	1 per principal building	1 per principal building
Type "A" max. display area (sq. ft.)	24	50
Type "B" max. display area (sq. ft.)	12	25
<i>Awning Signs</i>	<i>type "A" permitted only</i>	<i>type "A" permitted only</i>
Maximum number	1 per principal building	1 per principal building
Type "A" max. display area (sq. ft.)	10	20
<i>Canopy and Hood Signs</i>	<i>permitted</i>	<i>permitted</i>
Maximum number	1 per principal building	1 per street frontage
Type "A" max display area (sq. ft.)	24	50
Type "B" max. display area (sq. ft.)	12	25
<i>Roof Signs</i>	<i>not permitted</i>	<i>not permitted</i>
<i>Off-premise Signs</i>	<i>not permitted</i>	<i>not permitted</i>
<p>*Signs in the RO1 and RO2 districts shall comply with the sign standards for the NS1 and NS2 districts, respectively. **See s. 295-505-5-b-2 for bonus provision for multi-family dwellings. ***See s. 295-505-5-c-2 for bonus provision for display area</p>		

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5. SIGNS. a. General. The design standards for signs in residential districts, except RO1 and RO2 districts, shall be based on the use of the property, as set forth in table 295-505-5. As described in s. 295-407, signs are divided into 2 categories, type "A" and type "B." General standards for each of these categories are found in s. 295-407. The provisions of this subsection explain, qualify or specify exceptions to the standards in table 295-505-5, which pertain specifically to type "A" and type "B" signs in residential zoning districts.

b. Signs for Dwellings. b-1. Single-family, 2-family and 3-family Dwellings. Except for permitted temporary signs, no other signage shall be allowed.

b-2. Multi-family Dwellings. Internally illuminated signs shall be prohibited.

b-3. Bonus Provision for Freestanding Signs. For a multi-family dwelling the maximum number of signs shall be one per street frontage if both of the following are met:

b-3-a. The premises has at least 180 feet of continuous street frontage.

b-3-b. The premises has a lot size of greater than 20,000 square feet.

c. Elementary and Secondary Schools, Colleges and Religious Assembly. c-1. Changeable Message Signs. Changeable message signs, both automatic and manual, shall be permitted

c-2. Bonus Provision for Freestanding Signs. The maximum display area for a freestanding sign at an elementary or secondary school, college or religious assembly may be increased by up to 50% if the following conditions are met:

c-2-a. Not more than one freestanding sign may be erected on the premises.

c-2-b. The premises shall have at least 180 feet of continuous street frontage.

c-2-c. The base of the sign shall be at least as wide as the display surface of the sign.

c-2-d. Any illumination directed at the sign shall be shielded so that the source of illumination is not visible from any property line.

c-2-e. The sign shall be set back at least 30 feet from any residential use.

d. Family Day Care Homes. Signs shall not be permitted.

e. Bed and Breakfast Establishments. A bed and breakfast establishment may have one internally-illuminated sign or one externally-illuminated type "B" sign, provided the sign does not exceed 6 square feet in area.

f. Signs in the RO1 and RO2 Districts. All signs in the RO1 district shall comply with the sign standards for the NS1 district. All signs in the RO2 district shall comply with the sign standards for the NS2 district.

g. Construction or Vacant Land. A sign pertaining to the construction of a building or the sale or lease of vacant land shall not exceed:

Zoning District	Max. Sign Area
RS1-RS6	36 sq. ft.
RT1-RT4	36 sq. ft.
RM1-RM3	36 sq. ft.
RM4-RM6	48 sq. ft.
RM7, R01-R02	72 sq. ft.

h. Sale or Lease of Improved Real Estate. A sign to advertise the sale or lease of a building or other improved real estate shall be permitted provided it does not exceed 6 square feet in area.

i. Vision Triangles. All signs in residential districts shall comply with the vision triangle regulations of s.295-405-3.

j. Additional Regulations. See s. 295-407 for additional regulations for on-premise signs.

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Table 295-603-1 COMMERCIAL DISTRICTS USE TABLE									
Y=Permitted Use S=Special Use	L=Limited Use N=Prohibited Use	Zoning Districts							
USES		NS1	NS2	LB1	LB2	LB3	RB1	RB2	CS
EDUCATIONAL USES									
Day care center		L	L	L	L	L	L	L	L
School, elementary or secondary		S	S	S	S	S	S	S	S
College		Y	Y	Y	Y	Y	Y	Y	Y
School, personal instruction		Y	Y	Y	Y	Y	Y	Y	Y
COMMUNITY-SERVING USES									
Library		Y	Y	Y	Y	Y	Y	Y	Y
Cultural institution		Y	Y	Y	Y	Y	Y	Y	Y
Community center		S	S	S	S	S	S	S	S
Religious assembly		S	S	S	S	S	Y	Y	Y
Cemetery or other place of interment		N	N	N	N	N	N	N	N
Public safety facility		Y	Y	Y	Y	Y	Y	Y	Y
Correctional facility		N	N	N	N	N	N	N	N
COMMERCIAL AND OFFICE USES									
General office		Y	Y	Y	Y	Y	Y	Y	Y
Government office		Y	Y	Y	Y	Y	Y	Y	Y
Bank or other financial institution		Y	Y	Y	Y	Y	Y	Y	Y
Currency exchange, payday loan or title loan agency		S	S	S	S	S	S	S	S
Installment loan agency		S	S	S	S	S	S	S	S
Cash-for-gold business		S	S	S	S	S	S	S	S
Pawn shop		S	S	S	S	S	S	S	S
Retail establishment, general		L	L	L	L	L	L	L	L
Garden supply or landscaping center		N	N	Y	Y	Y	Y	Y	Y
Home improvement center		N	N	S	S	S	Y	Y	Y
Secondhand store		L	L	L	L	L	L	L	L
Outdoor merchandise sales		S	S	S	S	S	S	S	S
Artist studio		Y	Y	Y	Y	Y	Y	Y	Y
Adult retail establishment		N	N	N	N	N	S	S	N
Tobacco or e-cigarette retailer		L	L	L	L	L	L	L	L
HEALTH CARE AND SOCIAL ASSISTANCE USES									
Medical office		Y	Y	Y	Y	Y	Y	Y	Y
Health clinic		S	S	S	S	S	S	S	S
Hospital		N	N	S	S	S	S	S	S
Medical service facility		N	N	S	S	S	S	S	S
Social service facility		S	S	S	S	S	S	S	S
Emergency residential shelter		S	S	S	S	S	S	S	S
Nursing home		S	S	Y	Y	Y	Y	Y	Y
Adult day care		L	L	L	L	L	L	L	L
GENERAL SERVICE USES									
Personal service		Y	Y	Y	Y	Y	Y	Y	Y
Business service		Y	Y	Y	Y	Y	Y	Y	Y
Catering service		Y	Y	Y	Y	Y	Y	Y	Y
Funeral home		Y	Y	Y	Y	Y	Y	Y	Y
Laundromat		Y	Y	Y	Y	Y	Y	Y	Y

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Table 295-603-1 COMMERCIAL DISTRICTS USE TABLE								
Y=Permitted Use S=Special Use	L=Limited Use N=Prohibited Use	Zoning Districts						
USES	NS1	NS2	LB1	LB2	LB3	RB1	RB2	CS
Dry cleaning establishment	Y	Y	Y	Y	Y	Y	Y	Y
Furniture and appliance rental and leasing	S	S	Y	Y	Y	Y	Y	Y
Household maintenance and repair service	Y	Y	Y	Y	Y	Y	Y	Y
Tool/equipment rental facility	Y	Y	Y	Y	Y	Y	Y	Y
<i>Animal Services</i>								
Animal hospital/clinic	L	L	L	L	L	L	L	L
Animal boarding facility	L	L	L	L	L	L	L	L
Animal grooming or training facility	L	L	L	L	L	L	L	L
MOTOR VEHICLE USES								
<i>Light Motor Vehicle</i>								
Sales facility	N	N	S	S	S	Y	Y	S
Rental facility	L	L	L	L	L	Y	Y	Y
Repair facility	N	N	S	S	S	S	S	S
Body shop	N	N	S	S	S	S	S	S
Outdoor storage	N	N	S	S	S	S	S	S
Wholesale facility	L	L	L	L	L	L	L	L
<i>Heavy Motor Vehicle</i>								
Sales facility	N	N	S	S	S	S	S	S
Rental facility	N	N	S	S	S	S	S	S
Repair facility	N	N	N	N	N	S	S	N
Body shop	N	N	N	N	N	S	S	N
Outdoor storage	N	N	N	N	N	S	S	N
<i>General Motor Vehicle</i>								
Filling station	N	N	S	S	S	S	S	S
Car wash	N	N	L	L	L	L	L	L
Non-restaurant drive-through facility	L	L	L	L	L	L	L	L
Electric vehicle charging facility	L	L	S	L	L	Y	L	L
<i>Parking</i>								
Parking lot, principal use	L	L	L	L	L	Y	L	L
Parking lot, accessory use	Y	L	Y	L	L	Y	Y	Y
Parking structure, principal use	S	S	L	L	L	L	L	L
Parking structure, accessory use	Y	L	Y	L	L	Y	Y	Y
Heavy motor vehicle parking lot, principal use	N	N	S	S	S	S	S	S
Heavy motor vehicle parking lot, accessory use	S	S	S	S	S	S	S	S
ACCOMMODATION AND FOOD SERVICE USES								
Bed and breakfast	Y	Y	Y	Y	Y	Y	Y	Y
Hotel, commercial	Y	Y	Y	Y	Y	Y	Y	Y
Hotel, residential	Y	Y	Y	Y	Y	Y	Y	Y
Tavern	L	L	Y	Y	Y	Y	Y	Y
Brewpub	S	S	Y	Y	Y	Y	Y	Y
Assembly hall	L	L	L	L	L	L	L	L
Restaurant without drive-through facility	Y	Y	Y	Y	Y	Y	Y	Y
Restaurant with drive-through facility	S	S	S	S	S	S	S	S
ENTERTAINMENT AND RECREATION USE								
Park or playground	Y	Y	Y	Y	Y	Y	Y	Y

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 lot street frontage specified in table 295-605-2.

h. Conversion of Non-Residential Buildings to Residential Use. A non-residential building may be converted to residential use. The density regulations of table 295-605-2 shall be applicable to any such conversion. Where the conversion would otherwise be prohibited by these density regulations, each existing non-residential unit may be converted to one residential unit. Notwithstanding any other provision of this chapter, any building converted from non-residential use to residential use shall meet the glazing standard specified in table 295-605-2.

i. Design Features. i-1. Intent. The standards of this paragraph are intended to encourage pedestrian-oriented commercial development.

i-2. Entrance Door Orientation. i-2-a. Standard. Every new building shall have a primary entrance door on the front façade.

i-2-b. Multi-Family Use. Every new multi-family building with common hallways to access units shall have a primary entrance door on a front façade or a side street façade, even if other doors serving individual townhouse-style units, or other uses, are present. The main entrance used by residents and visitors, as well as the door where mail is delivered and deliveries are made, is considered the primary entrance of a multi-family residential use. This requirement shall not apply to a building where all units have direct access to the exterior, such as a townhouse building, and a pedestrian path that connects to a public sidewalk in accordance with s. 295-505-4-d-1.

i-2-c. Exception. A primary entrance door shall not be required on the front façade if there is a primary entrance door on a side façade and that door is within 20 feet of the front façade.

i-3. Glazing and Activation. i-3-a. General. All new principal buildings and additions shall have transparent glass windows on both the primary and secondary street frontages according to the percentages listed in table 295-605-2. In addition, no existing building may be altered in such a way that the amount of glazing is reduced below the amount required herein. Whenever a substantial improvement occurs, the building shall meet the street-level glazing requirements of table 295-605-2 at the time the substantial improvement is completed. Non-glass materials such as transparent plastic may not be used to meet transparency requirements. Car washes and light and heavy motor vehicle repair facilities and body shops shall not be required to meet glazing standards unless required by the board.

i-3-b. Area of Required Glazing. For all commercial districts except the LB3 district, the minimum percentage of lineal frontage of the first floor indicated in table 295-605-2 shall have windows at least 4 feet in height with sills not more than 3 feet 6 inches above the interior floor level. For the LB3 district, the requirements shall be at least 6 feet in height and not more than 2 feet 8 inches above the interior floor level.

i-3-c. Transparent Glass. Glass in windows or doors used to meet the glazing requirement shall not obscure clear vision and shall transmit at least 65% of visible daylight (visible transmittance $\geq .65$), regardless of whether the glass is tinted integrally or with applied film. Spectrally selective low-e coatings can meet this requirement. Translucent film may not be applied to the area of required glazing, except that it may be applied below a dining counter mounted along a window, not more than 42 inches above the floor.

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i-3-d. Interior Spaces and Street Activating Uses. Interior spaces behind glazing that is required to meet the minimum linear street frontage glazing as found in the applicable district table shall be occupied by street-activating use areas to a minimum depth of 12 feet, unless a greater depth is required to meet a limited use standard. This requirement shall not apply to areas occupied by permitted dwelling units. Interior walls parallel to the glazing that is greater than the minimum amount required shall be not less than 6 feet from the plane of the glazing.

i-3-e. Window Coverings. Operable interior window coverings may be used for control of sunlight. They may not be used as a means to block required glazing and activation to allow the function of the interior space in a manner contrary to the requirements of subpar. d and the provisions of s. 295-201-636. Such coverings include, but are not limited to, blinds and draperies. No window covering may be permanently affixed or adhered to the window such that the window becomes permanently opaque.

i-3-f. Display Racks, Fixtures and Partial Walls. Open-backed display racks, merchandise displays and other non-opaque fixtures, in combination with permitted signs, may obscure not more than 50% of the glazing area. Opaque interior objects shall not block the required glazed area. Examples of items not permitted include, but are not limited to, cabinets, refrigerated merchandise coolers, mechanical equipment and seating booth backs greater than 4 feet high. Walls parallel to the glazing and less than 4 feet high, such as for workspace cubicles, or full-height walls parallel to the glazing that are less than 3 feet wide and not closer than 3 feet apart, for an end cap of shelves or similar furnishing, shall be permitted if not less than 3 feet from the plane of the glazing, even if in the area of required glazing.

i-3-g. Structural Elements. Structural elements of a glazing system that are less than 6 inches in width shall be counted as part of the clear glazing.

i-3-h. Sill Height Exception. In NS1, LB1, RS1 and CS districts, the maximum sill height may be raised to not more than 4 feet 6 inches above the finished floor level.

i-3-i. Rear Street Exception. When a rear street frontage is determined to be a secondary street frontage and the building façade facing that street frontage is more than 25 feet from the rear street property line, there shall be no requirement for glazing.

i-3-j. Multi-Tenant Buildings. In a structure with more than one first-floor tenant space, the percentage of required linear frontage shall be calculated individually for each tenant space, or the building owner shall provide a plan that demonstrates that the glazing requirement is met by aggregating all of the first-floor tenant spaces along the street frontage.

i-4. Alternatives to Glazing. The following alternative window or wall treatments may be used to meet the glazing requirements of subd. i-3:

i-4-a. Other First-floor Windows Outside the Area of Required Glazing. Clerestory windows or low windows that are at least 3 feet in height may be used to meet the requirements of subpar. i-3-b, and shall only be counted at half the rate of regular windows.

i-4-b. Display Cases. Display cases that are located in the area of required glazing and are at least 4 feet in height may be used to meet the requirements of subpar. i-3-b, but shall only be counted at half the rate of regular windows.

i-4-c. Wall Design. On secondary street frontages, walls that are designed to avoid long, flat facades may be used to meet the requirements of subpar. i-3-b, subject to approval by the commissioner of neighborhood services. In order to be counted towards the glazing requirement, the entire wall shall be designed in this manner and individual sections of flat, blank wall surface shall not exceed 25 feet in length.

i-4-d. Windows not Meeting Transparency Standards. Windows that do not meet the transparency standards of subpar. i-3-c shall be counted at 25% of the rate of regular windows. Spandrel glass shall not be counted when determining compliance with transparency requirements, even at the reduced 25% rate.

i-4-e. Other Elements. Subject to approval by the commissioner of neighborhood services, other elements that are integrated into the façade of a building may be used to meet the requirements of subpar. i-3-b and shall be counted at the same rate as regular windows. Such integrated elements include, but shall not be limited to, bus shelters and automatic teller machines.

i-5. Overhead Garage Doors Facing Streets. For any new building or addition constructed in the NS2, LB2, LB3, or RB2 district, an overhead garage door which faces the street shall be set back at least 4 feet from the front façade of the main building mass.

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 3 feet 4 inches. 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.

3. ACCESSORY STRUCTURE STANDARDS. a. General Requirements for Accessory Buildings.

a-1. The minimum front setback shall not be less than that of the principal building.

a-2. The minimum side street setback shall not be less than that of the principal building.

a-3. No side setback shall be required.

a-4. If access to a garage is provided from an alley, a minimum setback of 4 feet shall be required.

Otherwise, no setback shall be required.

a-5. Maximum building height shall not exceed the district height limit found in table 295-605-2.

a-6. The number of accessory buildings shall not be limited.

b. Structures Accessory to Single-family and Two-family Dwellings. Any structure accessory to a single-family or 2-family dwelling shall meet the requirements set forth in table 295-505-3.

c. Deck Skirting. Skirting to screen the area underneath the deck shall be provided for any deck that is more than 2 feet above grade. Skirting shall not be required if any of the following are true:

c-1. The deck is more than 30 feet from any property line.

c-2. The deck is located within 3 feet of a property line and an opaque fence at least 4 feet high is present or is constructed along that property line such that the view of the deck from the neighboring property or public way is obscured.

c-3. The area adjacent to the deck is landscaped with plantings that obscure the view of the underside of the deck from the neighboring property or public way.

d. Mechanical Equipment. Mechanical equipment such as, but not limited to, air-conditioning condensers and utility boxes shall be permitted in portions of side yards and rear yards outside required setback areas.

e. Solar Arrays. A ground-mounted solar array that is more than 20 feet in height shall comply with the setback regulations for a principal building. A ground-mounted solar array that is 20 feet or less in height shall comply with the front setback requirement and be set back a minimum of 1.5 feet from all side, side street and rear lot lines.

f. Walls Near Street Frontage. Any wall of an accessory structure or wall used for screening of mechanical equipment, trash and recycling collection equipment, containers used for solid waste disposal or dumpster storage area that is parallel to and within 10 feet of a street frontage shall be subject to the restricted building wall materials requirements of sub. 2-i-6.

4. SITE STANDARDS a. Applicability. Unless otherwise noted, the provisions of this subsection apply to all residential and non-residential uses.

b. Parking Spaces. b-1. General. Off-street parking spaces for uses in commercial zoning districts shall be provided in accordance with the requirements of s. 295-403-2 and shall meet the design standards of s. 295-403-3.

b-2. Reduction Prohibited. The number of parking spaces provided for a use in a commercial zoning district shall not be reduced below the number required by s. 295-403-2.

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b-3. Location of Parking Spaces. The location of parking spaces shall be in accordance with table 295-603-1 and any corresponding limited use standards.

b-4. Maximum Number of Vehicles. Not more than 4 motor vehicles may be parked outdoors on a lot containing a single-family or 2-family dwelling.

b-5. Unregistered Vehicles. No motor vehicle lacking valid license plates shall be parked for a period exceeding 30 days outside any structure or lot used in whole or in part for residential purposes.

c. Access Drives. c-1. Configuration. An access drive shall generally traverse the front setback at a right angle. The commissioner of public works shall approve the location and design of the curb cut and driveway apron for the access drive.

c-2. Width. An access drive shall not exceed 30 feet in width.

d. Pedestrian Access. d-1. General. Where a lot is adjacent to a public sidewalk, each principal building on the lot shall be served by a clearly identifiable walkway leading from the public sidewalk to the entrance to the building. The presence of an access drive does not fulfill this requirement.

d-2. Paving. All required pedestrian access ways shall be paved with non-asphalt materials.

d-3. Width. All required pedestrian access ways shall be at least 5 feet in width.

e. Landscaping. e-1. Intent. Landscaping shall be designed as an integral part of any development in a commercial zoning district. As in residential and industrial zoning districts, parking lots, dumpsters and similar site features shall be screened such that they are not visible from public streets and neighboring residential properties.

e-2. Parking Lots. All uses, with the exception of single-family and 2-family dwellings, shall provide parking lot landscaping in accordance with s. 295-405.

e-3. Containers Used for Solid Waste Disposal. Every use, except a residential building containing 4 or fewer dwelling units, shall provide an area for all dumpsters or other containers used for solid waste disposal, including containers for recycled materials. Containers used for solid waste disposal shall meet the following location and screening requirements:

e-3-a. On-site Location. All containers, including dumpsters, shall be provided on-site for all uses contained within a building. This location may be in an indoor location on the premises or in an outdoor location that complies with the screening requirements of s. 295-405-6.

e-3-b. Alternatives to On-Site Location. An off-site container or dumpster area location may be provided if the applicant submits documents acceptable to the department of neighborhood services showing that the applicant has entered into an agreement with an adjacent property owner for access to containers or dumpster areas that meet the screening requirements of s. 295-405-6. Alternatively, an off-site container or dumpster area location may be provided if the applicant has applied for a special privilege to place solid waste and recycled material storage containers in the public right-of-way pursuant to s. 245-12 and the commissioner of public works has found that the criteria for recommending approval of a special privilege have been met.

e-3-c. Plan Submittal. Prior to the issuance of construction or alteration permits for a new use or a substantial improvement of an existing building, dumpsters or other containers used for solid waste disposal, including containers for recycled materials, and the screening for these containers, if required, shall be shown on submitted plans.

f. Truck Berths. f-1. Size. Every truck berth shall be at least 60 feet in depth by 12 feet in width, except that the width of each truck berth may be reduced to 10 feet where there is more than one berth side-by-side with no intervening obstruction. Each enclosed berth shall be at least 14 feet high.

f-2. Location. To eliminate interference with the public use of sidewalks, streets or alleys, every truck berth shall be located on the same lot as the principal structure it serves.

f-3. Screening. Where berths for more than 2 truck bays are in a yard facing and visible from a public street or a non-industrial district, the truck berths shall be screened in accordance with s. 295-405-6-b. This requirement may be waived in whole or in part, or compliance with it may be delayed, if visibility of the truck berths is limited by changes of grade, natural features, elevated roadways, existing buildings or similar obstructions.

g. Fences. g-1. General. Fences shall be permitted anywhere on a lot in a commercial zoning district, including placement along property lines. For the purposes of this paragraph, the term "fence" shall include a wall or other similar structure.

g-2. Fences along Streets. Fences along streets shall not exceed a height of 4 feet, with the following exceptions:

g-2-a. A fence may be erected to a height of 6 feet if it is ornamental or if it is set back at least 5 feet from the sidewalk, or 5 feet from the property line if there is no sidewalk. In no case does this provision allow a fence to be erected in the public right-of-way, unless a special privilege allowing such fence has been granted by the common council pursuant to ch. 245. An ornamental fence may include masonry piers, provided the fence is at least 50% open overall. An ornamental metal fence may also be constructed atop a masonry wall, provided the combined height of the wall and fence does not exceed 6 feet and the portion of the wall/fence structure above 4 feet high is at least 50% open.

g-2-b. An ornamental metal fence may be erected to a height of 8 feet if it is set back at least 5 feet from the sidewalk, or 5 feet from the property line if there is no sidewalk. Such fence may include masonry piers, provided the fence is at least 50% open overall. An ornamental metal fence may also be constructed atop a masonry wall, provided the combined height of the wall and fence does not exceed 8 feet and the portion of the wall/fence structure above 6 feet high is at least 50% open.

g-3. Fences along Side and Rear Lot Lines. A fence located along a side lot line or a rear lot line shall not exceed a height of 8 feet.

g-4. Orientation of Supporting Members. The vertical and horizontal supporting members of a fence shall face the interior of the lot on which the fence is located.

g-5. Fence Gates and Trellises. At a gate, walkway or other entrance area, a decorative gate or trellis may extend above the permitted fence height to a maximum of 10 feet in height. A decorative gate or trellis shall not exceed 6 feet in width.

g-6. Public-Right-of-Way. A fence or retaining wall may extend into the public right-of-way to the extent allowed by, and only in accordance with, a special privilege granted by the common council pursuant to s. 245-12.

g-7. Fences at Construction Sites. Notwithstanding any other provisions of this paragraph, fences not exceeding 9 feet in height may be erected around construction sites and shall be removed immediately upon completion of the project.

g-8. Fences at Sports Facilities. Notwithstanding any other provision of this paragraph, the commissioner of neighborhood services may permit a fence in excess of 6 feet in height in specific locations on a premises to prevent balls and other objects from damaging adjoining buildings or premises.

g-9. Fences as Part of Required Screening. Notwithstanding any other provisions of this paragraph, a fence may be erected to the height necessary to comply with the screening requirement of s. 295-405-3.

g-10. Prohibited Fence Materials. Barbed-wire, concertina-wire and razor-wire fences are prohibited. In the LB3 district, chain-link fences are also prohibited.

h. Vision Triangles. A fence or other opaque or semi-opaque object located near the intersection of a street with an alley, access drive or another street shall be in compliance with the vision triangle regulations of s. 295-405-1-g.

i. Lighting. The regulations for lighting in commercial zoning districts are set forth in s. 295-409.

5. SIGNS. a. General. The design standards for signs in commercial districts are set forth in table 295-605-5. As described in s. 295-407, signs are divided into 2 categories, type "A" and type "B". General standards for each of these categories are found in s. 295-407. The provisions of this subsection explain, qualify or specify exceptions to the standard in table 295-605-5, which pertain specifically to type "A" and type "B" signs in commercial zoning districts.

b. Sign Limitation Based on Lineal Footage. Where table 295-605-5 links the maximum number or area of signs to lineal footage, the lineal footage referred to is the length of the building facade. In each 25-foot segment, the square footage of all signs shall not exceed the maximum area for each type specified in the table and the size of a sign in a facade segment less than 25 feet may be determined by prorating. The square footage allocation for 2 adjoining facade segments may be combined to allow one sign larger than the maximum amount specified. Only one wall, one awning, one projecting and one canopy/hood sign may be located in each facade segment. For a storefront that is less than 25 feet, the same requirements apply; however, the square footage limitation for a wall sign shall be prorated to the lesser amount.

c. Adjustment for Wall Signs on Buildings with Excessive Setbacks. When the wall on which a wall sign is to be mounted is set back more than 150 feet from the street property line, the maximum permitted sign area may be doubled in the LB1, LB2, RB1, RB2 and CS districts. This adjustment shall follow and be in addition to the calculation of permitted area in par. b.

d. Bonus Provision for Type "B" Freestanding Signs. If a monument-type base meeting the base standard for a type "A" freestanding sign is provided and the sign does not exceed 8 feet in height, the maximum display area shall be 10 square feet more than the maximum display area specified in table 295-605-5.

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e. Standards for Multiple Freestanding Signs. Where more than one freestanding sign is permitted on a site, no 2 freestanding signs may have display areas that are oriented to the same street unless the signs are at least 150 feet apart or separated by a building which obstructs the view of each sign from the other sign.

f. Combination Type A and B Signs. Signs that contain elements of both type A and type B signs shall be permitted as long as the size of each element does not exceed its prorated share of total display area, in accordance with s. 295-205-5-d.

g. Signs Limited by Site. For purposes of applying sign regulations only, a site may include a parcel described by a lease, provided the lease is at least 20 years in length.

h. Temporary Signs. The following temporary signs shall be permitted in all commercial zoning districts:

h-1. A sign pertaining to the construction of a building or the sale or lease of vacant land shall not exceed:

Zoning District	Max. Sign Area
NS1 and NS2	36 sq. ft.
LB1, LB2 and CS	48 sq. ft.
RB1, RB2 and LB3	72 sq. ft.

h-2. A sign not exceeding 36 square feet erected and maintained on a lot to advertise the leasing, rental or sale of a building or other improved real estate.

i. Additional Regulations. See s. 295-407 for additional regulations for on-premise and off-premise signs.

Table 295-605-5 COMMERCIAL DISTRICT SIGN STANDARDS								
	Zoning District							
	NS1	NS2	LB1	LB2	LB3	RB1	RB2	CS
<i>Freestanding Signs</i>	<i>permitted</i>	<i>permitted</i>	<i>permitted</i>	<i>permitted</i>	<i>type "A" permitted only</i>	<i>permitted</i>	<i>permitted</i>	<i>permitted</i>
Maximum number	1 per site	1 per site	1 per street frontage*	1 per site*	1 per site*	1 per street frontage*	1 per street frontage*	1 per site*
Type "A" max. display area (sq. ft.)	64	40	150	100	64	150	150	100
Type "B" max. display area (sq. ft.)	32	20	50	32	NA	75	50	32
Maximum height	10	6	14	14	8	20	20	14
<i>Wall 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	40	75***	50***	100	75***	75***	50***
Type "B" max. display area (sq. ft.)	25	25	32***	25***	25	32***	32***	25***
<i>Projecting 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>Awning Signs</i>	<i>type "A" permitted only</i>	<i>type "A" permitted only</i>	<i>type "A" permitted only</i>	<i>type "A" permitted only</i>	<i>type "A" permitted only</i>	<i>type "A" permitted only</i>	<i>type "A" permitted only</i>	<i>type "A" permitted only</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.)	20	10	20	20	20	20	10	20
<i>Canopy & 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

Table 295-605-5 COMMERCIAL DISTRICT SIGN STANDARDS								
	Zoning District							
	NS1	NS2	LB1	LB2	LB3	RB1	RB2	CS
<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					
<p>* Except 2 shall be permitted if the site fronts on 2 streets or has continuous street frontage of at least 180 feet. ** Subject to special use permit requirement set forth in s. 295-407-7-d. *** Adjustment for excessive setback, see s. 295-605-5-c.</p>								

[Pages 833-840 are blank.]

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Table 295-703-1 DOWNTOWN DISTRICTS USE TABLE								
Y=Permitted Use	L=Limited Use			Zoning Districts				
S=Special Use	N=Prohibited Use							
Uses	C9A	C9B	C9C	C9D	C9E	C9F	C9G	C9H
EDUCATIONAL USES								
Day care center	S	S	S	S	S	S	S	S
School, elementary or secondary	Y	Y	Y	Y	S	Y	Y	S
College	S	S	S	Y	S	S	Y	Y
School, personal instruction	S	Y	Y	L	L	L	Y	L
COMMUNITY-SERVING USES								
Library	Y	Y	Y	Y	S	Y	Y	N
Cultural institution	L	L	Y	Y	Y	Y	Y	N
Community center	S	S	S	S	S	S	S	S
Religious assembly	Y	Y	Y	Y	L	Y	L	N
Cemetery or other place of interment	N	N	N	N	N	N	N	N
Public safety facility	Y	Y	Y	Y	Y	Y	Y	Y
Correctional facility	N	N	N	S	N	N	N	N
COMMERCIAL AND OFFICE USES								
General office	L	Y	Y	Y	Y	Y	Y	Y
Government office	L	Y	Y	Y	Y	Y	Y	Y
Bank or other financial institution	L	Y	Y	Y	Y	Y	Y	N
Currency exchange, payday loan or title loan agency	N	S	S	S	S	S	S	S
Installment loan agency	N	S	S	S	S	S	S	S
Cash-for-gold business	N	S	S	S	S	S	S	S
Pawn shop	N	S	S	S	S	S	S	S
Retail establishment, general	L	Y	Y	Y	Y	Y	Y	S
Garden supply or landscaping center	N	N	N	N	N	N	S	S
Home improvement center	N	N	N	N	N	N	N	S
Secondhand store	S	L	L	S	L	L	Y	S
Outdoor merchandise sales	S	S	S	N	S	S	Y	S
Artist studio	L	Y	Y	N	L	L	Y	S
Adult retail establishment	N	N	N	N	N	N	S	S
Tobacco or E-cigarette retailer	L	L	L	L	L	L	L	L
HEALTH CARE AND SOCIAL ASSISTANCE USES								
Medical office	L	Y	Y	Y	Y	Y	Y	Y
Health clinic	S	S	S	S	L	Y	Y	N
Hospital	S	S	S	S	N	S	S	N
Medical research laboratory	N	S	S	S	S	Y	Y	Y
Medical service facility	N	N	N	N	S	S	S	S
Social service facility	S	S	S	S	S	S	S	S
Emergency residential shelter	N	S	S	S	N	N	S	N
Nursing home	S	S	S	N	N	N	N	N
Adult day care	S	S	S	S	S	S	S	S
GENERAL SERVICE USES								
Personal service	L	Y	Y	Y	Y	Y	Y	N

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Table 295-703-1 DOWNTOWN DISTRICTS USE TABLE									
Y=Permitted Use S=Special Use	L=Limited Use N=Prohibited Use	Zoning Districts							
Uses		C9A	C9B	C9C	C9D	C9E	C9F	C9G	C9H
Business service		S	Y	Y	Y	Y	Y	Y	Y
Catering service		L	L	L	L	L	L	L	Y
Funeral home		N	S	S	N	N	N	Y	N
Laundromat		S	Y	Y	N	S	Y	Y	N
Dry cleaning establishment		L	Y	Y	Y	Y	Y	Y	N
Furniture and appliance rental and leasing		N	S	S	N	S	S	S	S
Household maintenance and repair service		N	Y	Y	N	Y	N	Y	Y
Tool/equipment rental facility		N	S	S	N	S	N	S	S
Animal Services									
Animal hospital/clinic		N	L	L	L	L	L	L	L
Animal boarding facility		N	N	N	N	N	N	N	N
Animal grooming or training facility		N	L	L	L	L	L	L	L
MOTOR VEHICLE USES									
Light Motor Vehicle									
Sales facility		N	N	N	N	N	N	S	Y
Rental facility		N	L	L	L	L	L	L	L
Repair facility		N	S	S	N	S	S	S	S
Body shop		N	N	N	N	N	N	N	S
Outdoor storage		N	N	N	N	N	N	N	S
Wholesale facility		N	L	L	N	L	L	L	L
Heavy Motor Vehicle									
Sales facility		N	N	N	N	N	N	N	S
Rental facility		N	N	N	N	N	N	S	S
Repair facility		N	N	N	N	N	N	N	S
Body shop		N	N	N	N	N	N	N	S
Outdoor storage		N	N	N	N	N	N	N	S
General Motor Vehicle									
Filling station		N	S	S	S	S	S	S	S
Car wash		N	S	S	S	S	S	S	S
Non-restaurant Drive-through facility		N	S	S	S	S	S	S	S
Electric vehicle charging facility		S	S	S	S	S	S	S	S
Parking									
Parking lot, principal use		S	S	S	S	S	S	S	S
Parking lot, accessory use		S	S	S	S	S	S	S	S
Parking structure, principal use		S	S	L	S	L	L	S	S
Parking structure, accessory use		L	L	L	L	L	L	L	L
Heavy motor vehicle parking lot, principal		N	N	S	S	S	S	S	Y
Heavy motor vehicle parking lot, accessory		S	S	S	S	S	S	S	Y
ACCOMMODATION AND FOOD SERVICE USES									
Bed and breakfast		S	Y	Y	N	L	L	Y	N
Hotel, commercial		L	L	L	L	L	L	L	L

a-3. A newly-established residential use within an existing building where the first floor is more than 30 inches above grade is exempt from the standards of this paragraph.

b. Family Day Care Home. b-1. The operator of the family day care home shall reside in the dwelling unit in which the day care home is located, except in a 2-family dwelling, in which case the operator may reside in one dwelling unit and operate the family day care home in the other unit.

b-2. There shall be no other family day care home in the same building as of April 6, 2001.

b-3. The family day care shall not operate between the hours of 10 p.m. and 6 a.m.

b-4. Any family day care home that does not meet one or more of these standards shall be classified as a day care center.

c. Adult Family Home or Small Group Shelter Care Facility. c-1. Adult Family Home. All residents of the adult family home, other than the operator or care provider and the operator or care provider's immediate family, shall be disabled persons, as indicated by the required state license application. If this standard is not met, the use shall not be located within 2,500 feet of a community living arrangement, small foster home, group home or group foster home, or another adult family home.

c-2. Small Group Shelter Care Facility. c-2-a. All residents of the small group shelter care facility, other than the operator or care provider and the operator or care provider's immediate family, shall be disabled persons, as indicated by the required state license application. If this standard is not met, the use shall not be located within 2,500 feet of a community living arrangement, adult family home, small foster home, group home or group foster home, large group shelter care facility or another small group shelter care facility.

c-2-b. The department of neighborhood services has received notification from the state of Wisconsin of application for licensure of the facility as a small group shelter care facility.

d. Small Foster Home. All residents of the small foster home, other than the operator or care provider and the operator or care provider's immediate family, shall be disabled persons, as indicated by the required state license application. If this standard is not met, the use shall not be located within 2,500 feet of a community living arrangement, group home or group foster home, or another small foster home.

e. Group Home, Group Foster Home or Community Living Arrangement. e-1. All residents of the facility, other than the operator or care provider and the operator or care provider's immediate family, shall be disabled persons, as indicated by the required state license application. If this standard is not met, the use shall not be located within 2,500 feet of a small foster home or another group home, group foster home or community living arrangement.

e-2. Not more than 15 clients shall reside on the premises.

e-3. The use has not been determined by the common council to be a nuisance under s. 62.23(7)(i), Wis. Stats.

e-4. The department of neighborhood services has received notification from the state of Wisconsin of application for licensure of the facility as a group home, group foster home or community living arrangement.

e-5. Prior to initial licensure of the group home, group foster home or community living arrangement by the state of Wisconsin, the applicant for licensure has made a good faith effort to establish a community advisory committee consisting of representatives from the proposed group home, group foster home or community living arrangement, the neighborhood in which the proposed facility will be located and a local unit of government, in accordance with s. 48.68(4) or s. 50.03(4)(g), Wis. Stats., as applicable, with the local government representative being the local common council member or the council member's designee.

f. Personal Instruction School. The use shall not be located in the street level area.

g. Cultural Institution, Bank or Other Financial Institution, General Retail Establishment, Personal Service, Dry Cleaning Establishment, Restaurant without Drive-through Facility, or Health Club. The use shall be located in a building containing at least one other principal use which is listed as a permitted use in this zoning district.

h. Religious Assembly, Health Clinic, Bed and Breakfast or Assembly Hall.

h-1. The use shall not be located in the interior street frontage zone of the street level area. The interior street frontage zone, which requires street-activating uses, shall be 15 feet in depth in this district.

h-2. In the case of an assembly hall:

h-2-a. The use shall be located on the premises of, and accessory to, a restaurant or tavern.

h-2-b. The use shall operate within the business hours of the restaurant or tavern to which it is accessory.

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h-2-c. The restaurant or tavern to which the use is accessory holds all licenses necessary to facilitate events in the assembly hall, including but not limited to food dealer, alcohol beverage or public entertainment premises licenses.

i. General Office, Government Office or Medical Office. The use shall be located in a building containing at least one other principal use which is listed as a permitted use in this district.

i-2. In the C9E district, the use shall not be located in the street level area.

j. Secondhand Store. All drop-offs of consignment or donated items shall occur inside the building.

k. Artist Studio. k-1. In the C9A district, the use shall be located in a building containing at least one other principal use which is listed as a permitted use in this zoning district.

k-2. In the C9E and C9F districts, the use shall not be located in the street level area.

L. Tobacco or E-cigarette Retailer. L-1. The tobacco or e-cigarette retailer shall not be located within 1,000 feet of an elementary or secondary school, library, day care center, park or playground. If this standard is not met, the tobacco or e-cigarette retailer is a prohibited use.

L-2. The tobacco or e-cigarette retailer shall not be located within 500 feet of a premises holding a cigarette and tobacco license.

m. Catering Service. The use is located in the kitchen of an assembly hall, hotel, restaurant without a drive-through, or a cafeteria that is accessory to an office use.

n. Animal Hospital/Clinic or Animal Grooming or Training Facility. No outdoor run or outdoor kennel shall be provided on the premises.

o. Light Motor Vehicle Rental Facility or Accessory-use Parking Lot. Not more than 10 vehicles shall be parked outside.

p. Limited Wholesale Facility. Not more than 3 vehicles shall be stored outside.

q. Parking Lot, Principal Use or Accessory Use. If located in the C9D district, the parking lot is located in subdistrict B.

r. Parking Structure, Principal Use. At least 50% of the interior street frontage zone, to a depth of 15 feet, shall be devoted to permitted street-activating uses or to uses approved by the board.

s. Parking Structure, Accessory Use. s-1. The parking spaces shall be integrated into a larger structure that houses one or more principal uses of the premises that are permitted uses or have been approved by the board.

s-2. If the structure is in the C9B, C9C, C9D, C9E, C9F or C9G district, at least 50% of the interior street frontage zone, to a depth of 15 feet, shall be devoted to permitted street-activating uses or uses approved by the board.

t. Hotel, commercial. A private hotel room shall not be permitted in the interior street frontage zone of the street level area along a principal arterial or minor arterial street, but shall be permitted along a collector or local street. The interior street frontage zone, which requires street-activating uses, shall be 15 feet in depth in this district. In a case of redevelopment or change of use of an existing building where the first floor is more than 2.5 ft. above grade, private hotel rooms shall be permitted regardless of street type.

u. Storage Facility, Indoor or Self-Service. u-1. The structure to be occupied was constructed prior to March 20, 2015.

u-2. If the use is an indoor storage facility, it shall not be located on the first floor.

u-3. If the use is a self-storage facility, it shall only be located in the basement.

u-4. If the standards of subds. 1 to 3 are not met, the use shall be prohibited.

v. Ground transportation Service. The facility is owned or operated by a government unit.

w. Alcohol Beverage Facility, Micro. w-1. Annual production of fermented malt beverages shall not exceed 5,000 barrels.

w-2. Annual production of vinous spirits shall not exceed 50,000 gallons.

w-3. No production of distilled spirits shall be permitted.

x. Light Manufacturing. x-1. The gross floor area devoted to the use shall not exceed 3,600 square feet.

x-2. The use shall not operate between the hours of 9 p.m. and 7 a.m.

x-3. The use shall not generate noise or odors in violation of ch. 80.

x-4. All manufacturing activities shall occur within an enclosed building.

x-5. At the street level, the street frontage of the building shall be used for retail sales.

y. Large Alcohol Beverage Facility. Annual production of fermented malt beverages shall not exceed 70,000 barrels. If annual production of fermented malt beverages exceeds 70,000 barrels or the facility produces vinous or distilled spirits, the facility shall be a special use.

- z. Food Processing. z-1. The gross floor area devoted to the use shall not exceed 3,600 square feet.
- z-2. The use shall not operate between the hours of 9 p.m. and 7 a.m.
- z-3. The use shall not generate noise or odors in violation of ch. 80.
- z-4. All food processing activities shall occur within an enclosed building.
- aa. Transmission Tower. aa-1. The tower shall comply with the applicable provisions of s. 295-413.
- aa-2. If the tower is located in a C9A, C9B, C9C, C9D, C9F or C9G district, the tower shall not exceed 150 feet in height or the tower shall be accessory to an elementary or secondary school and be set back from all property lines a distance at least equal to the height of the tower. Any other tower may be allowed as a special use.
- aa-3. If the tower is located in a C9E or C9H district, the tower shall not exceed 150 feet in height. Any other tower may be allowed as a special use.
- bb. Substation/Distribution Equipment, Outdoor. All structures associated with the use shall be screened in accordance with s. 295-405-6-c.
- cc. Seasonal Market. cc-1. The activity shall be located on property owned or leased by the operator of the seasonal market. Alternatively, the market operator may furnish the department with written evidence that the property owner has given the operator permission to use the premises for a seasonal market.
- cc-2. If flowers, plants or Wisconsin-grown farm products constitute at least 75% of the merchandise offered for sale, the activity shall be limited to not more than 180 days in one calendar year. If Christmas trees constitute at least 75% of the merchandise offered for sale, the activity shall be limited to not more than 90 days in one calendar year. Otherwise, the duration of the seasonal market shall be limited to not more than 14 days in one calendar year.
- cc-3. The activity shall not produce glare, spill light or noise in violation of the provisions of ch. 80.
- cc-4. Signage shall be limited to not more than 2 signs and a total display area of 16 square feet for all signs combined.
- cc-5. Sales shall not occur between the hours of 9 p.m. and 7 a.m.
- cc-6. The site shall be restored to its previous condition following termination of the market operation.
- dd. Temporary Real Estate Sales Office. dd-1. The sales office and any associated model homes or units shall be open only until the homes or units specifically being marketed are sold out.
- dd-2. Signage shall comply with the requirements of s. 295-407 and the sign regulations of subch. 5.
- dd-3. Customer-accessible restrooms shall be provided.
- dd-4. An occupancy permit shall not be required for a temporary real estate sales office meeting the requirements of this paragraph.
- ee. Temporary Concrete/Batch Plant. ee-1. The plant shall be located on the property it serves or adjacent to the roadway if it is serving a roadway project. Construction projects at other locations shall not be served by the facility.
- ee-2. The plant shall be located on property owned or leased by the operator of the plant. Alternatively, the plant operator may furnish the department of neighborhood services with written evidence that the property owner has given the operator permission to use the premises for a concrete/batch plant. If the operation utilizes the public right-of-way, the operator shall obtain appropriate permissions and permits from the commissioner of public works.
- ee-3. No dust from the operation shall blow onto adjacent properties or public right-of-way. The operator shall also provide for the daily removal of material tracked onto the public roadway by equipment coming to or going from the facility.
- ee-4. The plant shall not operate between the hours of 9 p.m. and 7 a.m.
- ee-5. The plant may operate for a period not to exceed 9 months. When the construction project the plant is serving is complete, the site shall be cleaned and returned to its original condition or improved condition, as appropriate.
- ee-6. The plant shall be screened with a 9-foot opaque fence, including but not limited to a chain-link fence with inserted slats.

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ff. Live Entertainment Special Event. ff-1. If the event is to occur on the public right-of-way or other public property, the person, firm or organization coordinating the event shall obtain a special event permit in accordance with s. 105-55.5.

ff-3. The person, firm or organization coordinating the event shall obtain a public entertainment premises license or a temporary public entertainment premises permit as required by ch. 108.

ff-4. The event shall be located on property owned or leased by the person, firm or organization that is coordinating it. Alternatively, such person, firm or organization may furnish the department with written evidence that the property owner has given the operator permission to use the premises for a live entertainment special event.

3. ADDITIONAL SPECIAL USE STANDARDS. No special use permit for a currency exchange, payday loan agency, title loan agency, installment loan agency, cash-for-gold business or pawn shop shall be granted by the board unless the board finds, in addition to the findings required by s. 295-311-2-d, that:

a. No other currency exchange, payday loan agency, title loan agency, installment loan agency, cash-for-gold business or pawn shop is located within 1,500 feet of the proposed use.

b. The proposed use will not be located within 150 feet of a single-family or 2-family residential zoning district.

4. HOME OCCUPATIONS. A home occupation, except a live-work unit as defined in s. 295-201, shall comply with the following standards when located in a downtown zoning district:

a. The home occupation shall be clearly incidental and subordinate to the residential use of the dwelling unit.

b. No one other than members of the family residing in the dwelling unit shall be employed in the conduct of the home occupation except one person may be employed on the site in connection with the home occupation who is not a resident of the dwelling unit.

c. No accessory building or open space may be used for the conduct of a home occupation or for the storage of related equipment or supplies. However, up to 50% of private residential garage space may be used for storage of related equipment or supplies provided any parking requirements established by this chapter are met.

5. BUILDING HEIGHT. a. Exceptions to Height Limitations. All structures shall comply with the height limitations established in each zoning district, if any, except the following:

- a-1. Chimneys and flues.
- a-2. Water towers or tanks other than those located on the roof of a building.
- a-3. Bulkheads, elevator enclosures, penthouses, skylights or water tanks occupying in the aggregate less than 25% of the area of the roof on which they are located.
- a-4. Parapet walls or cornices extending above the height limit not more than 5 feet.
- a-5. Monuments, television reception antennae, radio reception antennae, flag poles, spires, church roofs, domes, cupolas or belfries for ornamental purposes and not used for human occupancy.
- a-6. Religious assemblies, convents, schools, dormitories, colleges, libraries and museums. Such a building or portion thereof may exceed the height limit of the district if the building, or portion of the building in excess of the limit, is setback from side lot lines a distance equal to one-half the height of the building or portion thereof.

a-7. Transmission towers which are in compliance with the height-related standards of s. 295-703-2-u.

a-8. Solar farms and solar arrays.

b. Exception to Minimum Height Requirement. Motor vehicle-related uses shall not be subject to a minimum building height requirement.

5.5. GLAZING. The glazing requirements applicable to the LB3 district, as specified in s. 295-605-2-i-3, shall apply to all properties in downtown zoning districts, except properties in the C9A and C9H districts and ground floor residential uses permitted on collector and local streets, which shall meet the glazing requirements of the LB2 district.

6. FENCES. a. General. Fences shall be permitted anywhere on a lot in a downtown zoning district, including placement along property lines. For the purposes of this subsection, the term "fence" shall include a wall or other similar structure.

b. Fences along Streets. Fences along streets shall not exceed a height of 4 feet, with the following exceptions:

b-1. A fence may be erected to a height of 6 feet if it is set back at least 5 feet from the sidewalk, or 5 feet from the property line if there is no sidewalk. In no case does this provision allow a fence to be erected in the public right-of-way, unless a special privilege allowing such fence has been granted by the common council pursuant to ch. 245.

b-2. An ornamental metal fence may be erected to a height of 8 feet. Such fence may include masonry piers, provided the fence is at least 50% open overall. An ornamental metal fence may also be constructed atop a masonry wall, provided the combined height of the wall and fence does not exceed 8 feet and the portion of the wall/fence structure above 6 feet high is at least 50% open.

c. Fences along Side and Rear Lot Lines. A fence located along a side lot line or a rear lot line shall not exceed a height of 8 feet in the C9A district. No limit applies in other subdistricts.

d. Barbed Wire. Barbed wire shall not be permitted except in the C9H district, where it may be used for fence purposes provided that it is located not less than 6 feet above the grade directly below the wire. Razor wire and concertina wire are prohibited in all circumstances.

e. Orientation of Supporting Members. The vertical and horizontal supporting members of a fence shall face the interior of the lot on which the fence is located.

f. Fence Gates and Trellises. At a gate, walkway or other entrance area, a decorative gate or trellis may extend above the permitted fence height to a maximum of 10 feet in height. A decorative gate or trellis shall not exceed 6 feet in width.

g. Public-Right-of-Way. A fence or retaining wall may extend into the public right-of-way to the extent allowed by, and only in accordance with, the provisions of ss. 245-4.5 and 245-4.6 or a special privilege granted by the common council pursuant to s. 245-12.

h. Fences at Construction Sites. Notwithstanding any other provisions of this paragraph, fences not exceeding 9 feet in height may be erected around construction sites and shall be removed immediately upon completion of the project.

i. Fences at Sports Facilities. Notwithstanding any other provision of this paragraph, the commissioner of neighborhood services may permit a fence in excess of 6 feet in height in specific locations on a premises to prevent balls and other objects from damaging adjoining buildings or premises.

j. Fences as Part of Required Screening. Notwithstanding any other provisions of this paragraph, a fence may be erected to the height necessary to comply with the screening requirement of s. 295-405-3.

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6.5. CONTAINERS USED FOR SOLID WASTE DISPOSAL. Every use, except a residential building containing 4 or fewer dwelling units, shall provide an area for all dumpsters or other containers used for solid waste disposal, including containers for recycled materials. Containers used for solid waste disposal shall meet the following location and screening requirements:

a. **On-site Location.** All containers, including dumpsters, shall be provided on-site for all uses contained within a building. This location may be in an indoor location on the premises or in an outdoor location that complies with the screening requirements of s. 295-405-6.

b. **Alternatives to On-Site Location.** An off-site container or dumpster area location may be provided if the applicant submits documents acceptable to the department of neighborhood services showing that the applicant has entered into an agreement with an adjacent property owner for access to containers or dumpster areas that meet the screening requirements of s. 295-405-6. Alternatively, an off-site container or dumpster area location may be provided if the applicant has applied for a special privilege to place solid waste and recycled material storage containers in the public right-of-way pursuant to s. 245-12 and the commissioner of public works has found that the criteria for recommending approval of a special privilege have been met.

c. **Plan Submittal.** Prior to the issuance of construction or alteration permits for a new use or a substantial improvement of an existing building, dumpsters or other containers used for solid waste disposal, including containers for recycled materials, and the screening for these containers, if required, shall be shown on submitted plans.

7. SIGNS. a. **Sign Classification Table.** Table 295-705-7 specifies the classification of various types of signs when located in the downtown districts. The sign types in this table are defined in s. 295-201. The following are the classifications indicated in table 295-705-7:

a-1. "L" indicates a limited-permission sign. This sign shall be permitted only when the commissioner of neighborhood services finds that the sign will meet the standards of par. b. If the sign cannot meet these standards, it shall be permitted only upon board approval of a special use permit pursuant to s. 295-311-2, unless otherwise prohibited by par. b.

a-2. "N" indicates that a sign of this type is prohibited.

Table 295-705-7 DOWNTOWN DISTRICT SIGN CLASSIFICATIONS								
	C9A	C9B	C9C	C9D	C9E	C9F	C9G	C9H
On -premise								
Awning	L	L	L	L	L	L	L	L
Canopy	L	L	L	L	L	L	L	L
Hood	L	L	L	L	L	L	L	L
Wall	L	L	L	L	L	L	L	L
Freestanding	L	L	L	L	L	L	L	L
Roof	L	L	L	L	L	L	L	L
Projecting	N	L	L	L	L	L	L	L
Marquee	N	L	L	L	L	L	L	L
Off-premise								
All	N	L	N	N	N	L	N	N

b. **Limited-Permission Sign Standards.** b-1. **Awning Signs.** b-1-a. The sign shall be not more than 12 inches in height.

b-1-b. If the awning to which such sign is attached is made of translucent material, the awning shall not be internally illuminated.

b-2. **Canopy and Hood Signs.** If the sign has a display area larger than 25 square feet, the sign shall be a type A sign.

b-3. **Wall Signs.** b-3-a. If the sign has a display area larger than 50 square feet, the sign shall be a type A sign.

b-3-b. The sign shall be attached only to a flat, opaque wall surface.

b-4. **Freestanding Signs.** b-4-a. The sign's display area shall not be larger than 35 square feet.

b-4-b. The sign shall be a type A sign.

b-5. **Roof Signs.** If the sign has a display area larger than 50 square feet, the sign shall be a type A sign.

b-6. Projecting Signs. If the sign has a display area larger than 25 square feet, the sign shall be a type A sign.

b-7. Marquee Signs. If the sign has a display area larger than 50 square feet, the sign may be illuminated only by internal lights.

b-8. Off-Premise Signs. b-8-a. The sign shall not be located within 300 feet of a residential district or 100 feet of a residential use.

b-8-b. The sign's display area shall not be larger than 300 square feet. If this condition is not met, the sign is prohibited.

b-8-c. No off-premise sign shall be placed upon any premises used as a parking lot.

b-8-d. Off-premise automatic changeable message signs shall be subject to the special use permit requirement set forth in 295-407-7-d.

c. Temporary Signs. The following temporary signs shall be permitted in all downtown zoning districts:

c-1. A sign pertaining to the construction of a building or the sale or lease of vacant land not exceeding 72 square feet.

c-2. A sign not exceeding 36 square feet erected and maintained on a lot to advertise the leasing, rental or sale of a building or other improved real estate.

d. Additional Regulations. See s. 295-407 for additional regulations for on-premise and off-premise signs.

8. LANDSCAPING REQUIREMENTS. a. Following Demolition of a Structure. In addition to requirements set forth in s. 218-6-8, whenever a structure in any downtown zoning district is demolished, the site shall be covered with sodded grass and shall have at least one tree planted for every 25 lineal feet of street frontage. A continuous landscaped area at least 5 feet wide with 2 staggered rows of shrubs spaced 4 feet on center in each row and an ornamental metal fence shall be provided along all street frontages. If plans for new development on the site are submitted to the department, these landscaping requirements shall not apply.

b. Uses for Which Landscaping is Required. All land uses in downtown zoning districts shall be in compliance with all applicable landscaping requirements of s. 295-405.

9. RESTRICTED BUILDING WALL MATERIALS. The following regulations apply to any non-industrial principal building or addition, as well as any accessory structure wall that is parallel to and within 10 feet of a street frontage, or a wall used for screening of mechanical equipment, trash and recycling equipment, containers used for solid waste disposal or dumpster storage area that is parallel to and within 10 feet of a street frontage:

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 feet 8 inches. 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 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.

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.

[Pages 858 to 870 are blank.]

Table 295-803-1 INDUSTRIAL DISTRICTS USE TABLE					
Y=Permitted Use S=Special Use	L=Limited N=Prohibited	Zoning Districts			
Uses	I01/ I02	IL1/ IL2	IC	IM	IH
Bank or other financial institution	S	S	N	Y	N
Currency exchange, payday loan or title loan agency	N	N	N	S	N
Installment loan agency	N	N	N	S	N
Cash-for-gold business	N	N	N	S	N
Pawn shop	N	N	N	S	N
Retail establishment, general	N	N	L	Y	N
Garden supply or landscaping center	N	Y	Y	Y	N
Home improvement center	N	Y	L	Y	N
Secondhand store	N	N	L	L	N
Outdoor merchandise sales	N	N	N	L	N
Artist studio	Y	Y	Y	Y	Y
Adult retail establishment	N	N	N	S	N
Tobacco or e-cigarette retailer	N	N	N	L	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 service facility	N	S	N	N	N
Social service facility	N	S	N	S	N
Emergency residential shelter	N	N	N	N	N
Nursing home	N	N	N	N	N
Adult day care	S	S	N	S	S
GENERAL SERVICE USES					
Personal service	N	N	N	Y	N
Business service	Y	S	Y	Y	N
Catering service	Y	Y	Y	Y	Y
Funeral home	N	N	N	Y	N
Laundromat	N	N	N	Y	N
Dry cleaning establishment	N	N	N	Y	N
Furniture and appliance rental and leasing	N	N	N	Y	N
Household maintenance and repair service	N	Y	Y	Y	N
Tool/equipment rental facility	N	Y	N	Y	N
<i>Animal Services</i>					
Animal hospital/clinic	Y	Y	N	L	Y
Animal boarding facility	Y	Y	N	L	Y
Animal grooming or training facility	Y	Y	N	L	Y
MOTOR VEHICLE USES					
<i>Light Motor Vehicle</i>					
Sales facility	L	S	N	S	S
Rental facility	L	S	N	S	S
Repair facility	L	S	N	S	L
Body shop	L	S	N	S	L
Outdoor storage	L	Y	N	S	Y
Wholesale facility	Y	Y	N	Y	Y
<i>Heavy Motor Vehicle</i>					
Sales facility	L	Y	N	S	Y

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Table 295-803-1 INDUSTRIAL DISTRICTS USE TABLE					
Y=Permitted Use S=Special Use	L=Limited N=Prohibited	Zoning Districts			
Uses	I01/ I02	IL1/ IL2	IC	IM	IH
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
General Motor Vehicle					
Filling station	S	S	N	S	S
Car wash	S	S	N	S	S
Non-restaurant drive-through facility	S	S	N	S	S
Electric vehicle charging facility	Y	Y	S	L	Y
Parking					
Parking lot, principal use	Y	Y	S	L	Y
Parking lot, accessory use	Y	Y	L	L	Y
Parking structure, principal use	Y	Y	S	L	Y
Parking structures, accessory use	Y	Y	L	L	Y
Heavy motor vehicle parking lot, principal use	S	L	N	L	Y
Heavy motor vehicle parking lot, accessory use	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	N	N	S	L	N
Restaurant without drive-through facility	L	L	L	Y	L
Restaurant with drive-through facility	S	S	N	S	N
ENTERTAINMENT AND RECREATION USES					
Park or playground	S	S	S	S	S
Festival grounds	N	N	N	N	N
Recreation facility, indoor	S	S	S	S	N
Recreation facility, outdoor	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 and exposition	S	N	N	S	N
Marina	Y	Y	L	Y	Y
Outdoor racing facility	N	N	N	N	S
STORAGE, RECYCLING AND WHOLESALE TRADE USES					
Recycling collection facility	S	Y	N	S	Y
Mixed-waste processing facility	N	L	N	S	L
Material reclamation facility	N	N	N	N	L
Salvage operation, indoor	L	L	N	L	L
Salvage operation, outdoor	N	S	N	S	S
Wholesale and distribution facility, indoor	Y	Y	Y	L	Y
Wholesale and distribution facility, outdoor	S	Y	S	S	Y

Table 295-903-2-a PARKS DISTRICT USE TABLE		
Y=Permitted Use	L=Limited Use	Zoning District
S=Special Use	N=Prohibited Use	
Uses		PK
Government office		Y
Bank or other financial institution		N
Currency exchange, payday loan agency or title loan agency		N
Installment loan agency		N
Cash-for-gold business		N
Pawn shop		N
Retail establishment, general		L
Garden supply or landscaping center		N
Home improvement		N
Secondhand store		N
Outdoor merchandise sales		N
Artist studio		N
Adult retail establishment		N
Tobacco or E-cigarette Retailer		N
HEALTH CARE AND SOCIAL ASSISTANCE		
Medical office		N
Health clinic		N
Hospital		N
Medical service facility		N
Social service facility		N
Emergency residential shelter		N
Nursing home		N
Adult day care		L
GENERAL SERVICE USES		
Personal service		N
Business service		N
Catering service		N
Funeral home		N
Laundromat		N
Dry cleaning establishment		N
Furniture and appliance rental and leasing		N
Household maintenance and repair service		N
Tool/equipment rental facility		N
<i>Animal Services</i>		
Animal hospital/clinic		N
Animal boarding facility		N
Animal grooming or training facility		N
MOTOR VEHICLE USES		
<i>Light Motor Vehicle</i>		
Sales facility		N
Rental facility		N

295-903-2-a Zoning

Table 295-903-2-a PARKS DISTRICT USE TABLE		Zoning District
Y=Permitted Use	L=Limited Use	
S=Special Use	N=Prohibited Use	
Uses		PK
Repair facility		N
Body shop		N
Outdoor storage		N
Wholesale facility		N
<i>Heavy Motor Vehicle</i>		
Sales facility		N
Rental facility		N
Repair facility		N
Body shop		N
Outdoor storage		N
<i>General Motor Vehicle</i>		
Filling station		N
Car wash		N
Non-restaurant drive-through facility		N
Electric vehicle charging facility		S
<i>Parking</i>		
Parking lot, principal use		S
Parking lot, accessory use		Y
Parking structure, principal use		S
Parking structure, accessory use		S
Heavy motor vehicle parking lot, principal use		N
Heavy motor vehicle parking lot, accessory use		N
ACCOMMODATION AND FOOD SERVICE USES		
Bed and breakfast		N
Hotel, commercial		N
Hotel, residential		N
Tavern		N
Brewpub		N
Assembly Hall		L
Restaurant without drive-through facility		L
Restaurant with drive-through facility		N
ENTERTAINMENT AND RECREATION USES		
Park or playground		Y
Festival grounds		N
Recreation facility, indoor		Y
Recreation facility, outdoor		Y
Health club		N
Sports facility		S
Gaming facility		N
Theater		L
Convention and exposition center		S
Marina		L
Outdoor racing facility		N

Table 295-903-2-a PARKS DISTRICT USE TABLE		Zoning District
Y=Permitted Use	L=Limited Use	
S=Special Use	N=Prohibited Use	
Uses		PK
STORAGE, RECYCLING AND WHOLESALE TRADE USES		
Recycling collection facility		N
Mixed-waste processing facility		N
Material reclamation facility		N
Salvage operation, indoor		N
Salvage operation, outdoor		N
Wholesale and distribution facility, indoor		N
Wholesale and distribution facility, outdoor		N
<i>Storage Facilities</i>		
Indoor		N
Self-service		N
Outdoor		N
Hazardous materials		N
TRANSPORTATION USES		
Ambulance service		N
Ground transportation service		N
Passenger terminal		L
Helicopter landing facility		N
Airport		N
Ship terminal or docking facility		N
Truck freight terminal		N
Railroad switching, classification yard or freight terminal		N
INDUSTRIAL USES		
Alcohol beverage facility, micro		N
Alcohol beverage facility, large		N
Food processing		N
Manufacturing, light		N
Manufacturing, heavy		N
Manufacturing, intense		N
Research and development		N
Processing or recycling of mined materials		N
Industrial wastewater treatment facility		N
Contractor's shop		N
Contractor's yard		N
AGRICULTURAL USES		
Plant nursery or greenhouse		L
Raising of livestock		L
Community garden		Y
Commercial farming enterprise		S
UTILITY AND PUBLIC SERVICE USES		
Broadcasting or recording studio		N
Transmission tower		L
Water treatment plant		Y

295-903-2-b Zoning

Table 295-903-2-a PARKS DISTRICT USE TABLE		Zoning District
Y=Permitted Use	L=Limited Use	
S=Special Use	N=Prohibited Use	
Uses		PK
Sewerage treatment plant		N
Power generation plant		N
Small wind energy system		Y
Solar farm		Y
Substation/distribution equipment, indoor		S
Substation/distribution equipment outdoor		L
TEMPORARY USES		
Seasonal market		L
Temporary real estate sales office		N
Concrete/batch plant, temporary		L
Live entertainment special event		L

- b. Limited Use Standards. b-1. Day Care Center. b-1-a. The use is located on a premises containing an elementary or secondary school, college, library or cultural institution as a principal use.
 - b-1-b. The use shall not operate between the hours of 12 a.m. and 6 a.m.
 - b-1-c. The day care center shall not be located within 500 feet of an adult retail establishment.
- b-2. Cultural Institution, Community Center, Religious Assembly, Assembly Hall, Theater, Passenger Terminal, Plant Nursery or Greenhouse. The facility shall be located in a structure owned by a governmental entity.
- b-3. General Retail Establishment. b-3-a. The gross floor area of the establishment shall not exceed 1,000 square feet.
 - b-3-b. The establishment shall be located in a structure owned by a governmental entity.
 - b-3-c. The establishment shall be ancillary to park and recreational uses.
 - b-3-d. The use shall not operate between the hours of 12 a.m. and 5 a.m. if it is located within 150 feet of a residential district. This provision shall not apply to convenience stores open between the hours of 12 a.m. and 5 a.m. and regulated by s. 84-7.
- b-4. Adult Day Care. The adult day care shall be located on a premises containing an elementary or secondary school, religious assembly, community center, cultural institution or library, and shall meet the off-street parking requirement for the existing principal use.
- b-5. Restaurant without Drive-through Facility. b-5-a. The gross floor area of the establishment shall not exceed 1,000 square feet.
 - b-5-b. The establishment shall be located in a structure owned by a governmental entity.
 - b-5-c. The establishment shall be ancillary to park and recreational uses.
- b-6. Marina. Indoor sales or storage shall not be permitted.
- b-7. Raising of Livestock. The use is limited to aquaculture or the raising of chickens or bees, as permitted under ch. 78.
- b-8. Transmission Tower. b-8-a. The tower shall comply with the applicable provisions of s. 295-413.
 - b-8-b. The tower shall not exceed 60 feet in height.
- b-9. Substation/Distribution Equipment, Outdoor. b-9-a. All structures associated with the use shall be screened with type "G" landscaping, as described in s. 295-405.
 - b-9-b. No structures associated with the use shall be located within 25 feet of a property line.
- b-10. Seasonal Market. b-10-a. The activity shall be located on property owned or leased by the operator of the seasonal market. Alternatively, the market operator may furnish the department with written evidence that the property owner has given the operator permission to use the premises for a seasonal market. A specific certificate of occupancy shall not be required for a seasonal market meeting the requirements of this paragraph.

Table 295-903-3-d-5 PARKS DISTRICT SIGN STANDARDS	
	PK
<i>Freestanding Signs (permitted)</i>	
Maximum number	1 per street frontage
Type "A" max display area (sq. ft.)	32
Type "B" max. display area (sq. ft.)	15; 22.5 if set on or in a base constructed of masonry materials
Maximum height	6
<i>Wall Signs permitted</i>	
Maximum number	1 per principal building
Type "A" max. display area (sq. ft.)	60
Type "B" max. display area (sq. ft.)	32
<i>Projecting Signs (permitted)</i>	
Maximum number	1 per principal building
Type "A" max display area (sq. ft.)	50
Type "B" max. display area (sq. ft.)	25
<i>Awning Signs (permitted)</i>	
Maximum number	1 per principal building
Type "A" max display area (sq. ft.)	10
<i>Canopy and Hood Signs (permitted)</i>	
Maximum number	1 per principal building
Type "A" max display area (sq. ft.)	50
Type "B" max. display area (sq. ft.)	25
<i>Roof Signs (not permitted)</i>	
<i>Off-premise Signs (not permitted)</i>	

295-905. Institutional District (TL). 1. PURPOSE. The institutional district is established to accommodate largely institutional and institutional/residential uses, along with supporting uses, that occupy multiple buildings, often in a campus-like setting. The institutional district shall be shown on the zoning map with a "TL" designator.

2. USES. a. Use Table. Table 295-905-2-a indicates the use classifications for various land uses in the institutional district. The uses in this table are defined in s. 295-205. The following are the use classifications indicated in Table 295-905-2-a:

a-1. "Y" indicates a permitted use. This use is permitted as a matter of right subject to all performance standards.

a-2. "L" indicates a limited use. This use is permitted only when the use meets the standards of par. b. If the use cannot meet these standards, it shall be permitted only upon board approval of a special use permit pursuant to s. 295-311-2, unless otherwise prohibited by par. b.

a-3. "S" indicates a special use. This use is permitted only if the board approves a special use permit pursuant to s. 295-311-2.

a-4. "N" indicates a prohibited use.

295-905-2-a Zoning

Table 295-905-2-a INSTITUTIONAL DISTRICT USE TABLE		Zoning District
Y=Permitted Use	L=Limited Use	
S=Special Use	N=Prohibited Use	
Uses		TL
RESIDENTIAL USES		
Single-family dwelling		N
Two-family dwelling		N
Multi-family dwelling		N
Permanent supportive housing		N
Transitional housing		S
Attached single-family dwelling		N
Live-work unit		N
Mobile home		N
Watchman/service quarters		Y
Family day care home		N
GROUP RESIDENTIAL USES		
Rooming house		S
Convent, rectory or monastery		Y
Dormitory		Y
Fraternity or sorority		S
Adult family home		N
<i>Foster Homes</i>		
Foster family home		N
Small foster home		N
Group home or group foster home		L
<i>Shelter Care Facilities</i>		
Family shelter care facility		N
Small shelter care facility		L
Large shelter care facility		S
Community living arrangement		L
EDUCATIONAL USES		
Day care center		L
School, elementary or secondary		Y
College		Y
School, personal instruction		Y
COMMUNITY-SERVING USES		
Library		Y
Cultural institution		Y

Table 295-905-2-a INSTITUTIONAL DISTRICT USE TABLE		
Y=Permitted Use S=Special Use	L=Limited Use N=Prohibited Use	Zoning District
Uses		TL
Community center		S
Religious assembly		Y
Cemetery or other place of interment		Y
Public safety facility		Y
Correctional facility		S
COMMERCIAL AND OFFICE USES		
General office		Y
Government office		Y
Bank or other financial institution		L
Currency exchange, payday loan agency or title loan agency		S
Installment loan agency		S
Cash-for-gold business		S
Pawn shop		S
Retail establishment, general		L
Garden supply or landscaping center		N
Home improvement center		N
Secondhand store		N
Outdoor merchandise sales		N
Artist studio		Y
Adult retail establishment		N
Tobacco or E-cigarette Retailer		N
HEALTH CARE AND SOCIAL ASSISTANCE		
Medical office		Y
Health clinic		S
Hospital		S
Medical service facility		S
Social service facility		S
Emergency residential shelter		S
Nursing home		Y
Adult day care		Y
GENERAL SERVICE USES		
Personal service		L
Business service		L
Catering service		Y
Funeral home		Y
Laundromat		S
Dry cleaning establishment		S
Furniture and appliance rental and leasing		N
Household maintenance and repair service		N
Tool/equipment rental facility		N
Animal Services		
Animal hospital/clinic		N

295-905-2-a Zoning

Table 295-905-2-a INSTITUTIONAL DISTRICT USE TABLE		
Y=Permitted Use	L=Limited Use	Zoning District
S=Special Use	N=Prohibited Use	
Uses		TL
Animal boarding facility		N
Animal grooming or training facility		N
MOTOR VEHICLE USES		
<i>Light Motor Vehicle</i>		
Sales facility		N
Rental facility		N
Repair facility		N
Body shop		N
Outdoor storage		N
Wholesale facility		N
<i>Heavy Motor Vehicle</i>		
Sales facility		N
Rental facility		N
Repair facility		N
Body shop		N
Outdoor storage		N
<i>General Motor Vehicle</i>		
Filling station		N
Car wash		N
Non-restaurant drive-through facility		L
Electric vehicle charging facility		S
<i>Parking</i>		
Parking lot, principal use		S
Parking lot, accessory use		Y
Parking structure, principal use		S
Parking structure, accessory use		S
Heavy motor vehicle parking lot, principal use		N
Heavy motor vehicle parking lot, accessory use		N
ACCOMMODATION AND FOOD SERVICE USES		
Bed and breakfast		S
Hotel, commercial		N
Hotel, residential		N
Tavern		N
Brewpub		N
Assembly hall		L
Restaurant without drive-through facility		S
Restaurant with drive-through facility		N
ENTERTAINMENT AND RECREATION USES		
Park or playground		Y
Festival grounds		Y
Recreation facility, indoor		S

a-3. 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 maintained on file in the office of the commission and in the legislative reference bureau. Development and alteration of institutional facilities should not only be compatible with the character of the neighborhood, but also create pedestrian-friendly environments, allow a certain degree of land use diversity within the zoning district, and promote environments which support transportation diversity consistent with neighborhood context.

b. Principal Building Standards. b-1. General. Table 295-905-3-b contains the design requirements for principal buildings in the institutional district.

b-2. Height Limitation When Adjacent to Residential District. The maximum height of an institutional building at the minimum required setback located adjacent to or across a street or alley from a residential or a non-industrial planned development district shall be the average height of residential buildings on the adjacent blockface. The height of the institutional building may be increased by one foot for every 2 feet the building is set back from the required setback line.

Table 295-905-3-b PRINCIPAL BUILDING DESIGN STANDARDS	
Type of use:	Refer to design standards in residential or commercial subch. for this district
Institutional (educational uses, community- serving uses and hospitals)	RM6 (s.295-505-2)
Commercial or other non-institutional	LB2 (s.295-605-2)
Residential	RM6 (s.295-505-2)

c. Accessory Structure Standards. Accessory structures in the institutional district shall comply with the design standards of s. 295-605-3.

d. Site Standards. d-1. Parking. Off-street parking spaces shall be provided in accordance with the requirements of s. 295-403-2 and shall meet the design standards of s. 295-403-3.

d-2. Dumpsters and Waste Storage. A dumpster or common waste storage facility visible from a public street or any real property that is not zoned industrial-light or industrial-heavy shall be screened in accordance with s. 295-405-6-a.

d-3. Loading Docks. Where loading for more than 2 truck bays is in a yard facing and visible from a public street or any real property that is not zoned industrial-light or industrial-heavy, the loading area shall be screened in accordance with s. 295-405-6-b. These standards may be waived in whole or in part, or compliance with them may be delayed in whole or in part, if visibility of the loading docks is limited by changes of grade, natural features, elevated roadways, existing buildings or similar obstructions.

d-4. Fences. Fences shall comply with the fence regulations for residential districts, as specified in s. 295-505-4-f.

d-5. Signs. d-5-a. General. Table 295-905-3-d-5 contains the regulations for on-premise and off-premise signs in the institutional district. General regulations applicable to all signs can be found in s. 295-407.

d-5-b. Sign Limitation Based on Lineal Footage. Where table 295-905-3-d-5 links the maximum number or area of signs to lineal footage, the lineal footage referred to is the length of the building façade. In each 25-foot segment, the square footage of all signs shall not exceed the maximum area specified in the table and the size of a sign in a facade segment less than 25 feet may be determined by prorating. The square footage allocation for 2 adjoining façade segments may be combined to allow one sign larger than the maximum amount specified. Only one wall, projecting or canopy/hood sign may be located in each facade segment.

d-5-c. Standards for Multiple Freestanding Signs. Where more than one freestanding sign is permitted on a site, no 2 freestanding signs may have display areas that are oriented to the same street. In addition, the signs shall be located as far apart as is possibly practicable or be separated by a building.

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Table 295-905-3-d-5 INSTITUTIONAL DISTRICT SIGN STANDARDS	
	TL
<i>Freestanding Signs (permitted)</i>	
Maximum number	1 per street frontage per building
Type "A" max. display area (sq. ft.)	100
Type "B" max. display area (sq. ft.)	40; 60 if set on or in a base constructed of masonry materials
Maximum height (ft.)	14
<i>Wall Signs (permitted)</i>	
Maximum number	1 per 25 lineal ft.
Type "A" max. display area (sq. ft.)	75
Type "B" max. display area (sq. ft.)	32
<i>Projecting Signs (permitted)</i>	
Maximum number	1 per 25 lineal ft.
Type "A" max. display area (sq. ft.)	50
Type "B max. display area (sq. ft.)	25
<i>Awning Signs (permitted)</i>	
Maximum number	1 per 25 lineal ft.
Type "A" max. display area (sq. ft.)	50
<i>Canopy and Hood Signs (permitted)</i>	
Maximum number	1 per 25 lineal ft.
Type "A" max. display area (sq. ft.)	50
Type "B max. display area (sq. ft.)	25
<i>Roof Signs (type "A" permitted only)</i>	
Maximum number	1 per building
Type "A" max. display area (sq. ft.)	100
Type "B max. display area (sq. ft.)	NA
<i>Off-premise Signs (not permitted)</i>	

d-5-d. Combination Type A and B signs. Signs that contain elements of both type A and type B signs shall be permitted as long as the size of each element does not exceed its prorated share of total display area, in accordance with s. 295-205-5-d.

d-5-e. Temporary Signs. A sign pertaining to the construction of a building or the sale or lease of vacant land shall be permitted in the institutional district provided it does not exceed 48 square feet. A sign erected and maintained on a lot to advertise the leasing, rental or sale of a building or other improved real estate shall be permitted in the institutional district provided it does not exceed 36 square feet.

d-5-f. Additional Regulations. See s. 295-407 for additional regulations for on-premise signs.

e. Metal Building Walls. The use of corrugated metal, a metal panel-and-batten system or any other pre-engineered metal building technology on any front façade or street façade located within 100 feet of a street shall be prohibited for any new building construction, addition, or substantial improvement as of November 20, 2004. This provision shall not preclude the use of metal panels or siding in detailing soffits, fascia, dormers, coping, cupolas and similar architectural features, provided the metal materials cover not more than 15% of the total façade, nor shall it preclude the use of metal building walls on additions to existing buildings constructed of similar materials.

295-907. Planned Development District (PD/DPD). 1. PURPOSES. The planned development district is intended to:

- a. Allow flexibility in land development.
- b. Promote creativity, variety and environmental sensitivity.
- c. Encourage development compatible with its surroundings and consistent with the city's comprehensive plan.

2. PROCEDURES. a. General. A planned development district may be established through either a one-phase or a 2-phase process. If actual development of the project is to proceed in stages over an extended period of time, the applicant shall first submit a general plan covering the entire tract. Separate detailed plans shall then be submitted for each stage of development and shall follow the development concept established by the general plan. If development of the project is not to be done in stages, a general plan is optional and a single detailed plan may be submitted in lieu thereof.

b. Application Requirements; General Plan. The following items shall be submitted to the city plan commission as part of an application for approval of a general planned development:

b-1. A "General Plan Project Description and Owners Statement of Intent" containing a written description of the overall development concept and a statement as to how the plan provides for or complies with each of the district standards enumerated under sub. 3 where applicable. This statement shall also make reference to the plans or exhibits included in the plan and include a statistical sheet indicating the following in square feet, acres and percentage of the total tract where applicable:

- b-1-a. Gross land area.
- b-1-b. Maximum amount of land covered by principal buildings.
- b-1-c. Maximum amount of land devoted to parking, drives and parking structures.
- b-1-d. Minimum amount of land devoted to landscaped open space.
- b-1-e. Maximum proposed dwelling unit density, if residential, and/or total square footage devoted to non-residential uses.

b-1-f. Proposed number of buildings.

b-1-g. Maximum number of dwelling units per building.

b-1-h. Bedrooms per unit.

b-1-i. Motor vehicle and bicycle parking spaces provided, whether surface or in structures, and ratio per unit if residential, or per thousand square feet of building area if non-residential.

b-2. A vicinity map showing the boundaries of the tract included in the general plan, the territory within 1,000 feet of the tract, its proposed access and significant community facilities in the surrounding area.

b-3. A plat of survey showing the exterior boundaries, including a legal description of the area of the proposed general plan tract. Existing conditions, including wetlands, areas of severe topographic changes, buildings, trees and shrub groupings, with an indication of whether they are to be retained, removed or altered, shall also be shown.

b-4. A site plan showing the general location of proposed structures and a description of their intended use and approximate height, open spaces, setback dimensions and buffers adjacent to the boundaries of the tract and from existing or proposed public rights-of-way, pedestrian and vehicular circulation systems, vehicular and bicycle parking areas, loading facilities and the location, type and size of all proposed freestanding signs.

b-5. A general narrative description of sign standards, including number, type and size of signs.

b-6. General landscaping standards for all buffers and parking lots.

b-7. Photos of the site and surrounding context.

b-8. The affidavit required by s. 295-313.

b-9. An electronic version of the required plans and narrative, submitted at least 5 weeks prior to the scheduled city plan commission meeting.

c. Application Requirements; Detailed Plan. The following items shall be submitted to the city plan commission as part of an application for approval of a detailed plan development:

c-1. A "Detailed Plan Project Description and Owners Statement of Intent" containing a written description of the overall development and a statement as to how the plan provides for or complies with each of the district standards enumerated under sub. 3 where applicable. This statement shall also make reference to the plans or exhibits included in the plan and include a statistical sheet indicating the following in square feet, acres and percentage of the total tract where applicable:

c-1-a. Gross land area.

c-1-b. Land covered by principal buildings.

c-1-c. Land devoted to parking, drives and parking structures.

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- c-1-d. Land devoted to landscaped open space.
- c-1-e. Proposed dwelling unit density, if residential, and/or total square footage devoted to non-residential uses.
- c-1-f. Proposed number of accessory and principal buildings.
- c-1-g. Dwelling units per building.
- c-1-h. Bedrooms per unit (unit mix).
- c-1-i. Number of motor vehicle and bicycle parking spaces provided, whether surface or in structures, and ratio per unit if residential, or per thousand square feet of building area if non-residential.
- c-2. A vicinity map showing the boundaries of the tract included in the general plan, the territory within 1,000 feet of the tract, its proposed access, and significant community facilities in the surrounding area.
- c-3. A plat of survey showing the exterior boundaries, including a legal description of the area of the proposed detailed plan tract. Existing conditions, including buildings, trees of 5 inches in diameter at 4 feet in height, shrub groupings, wetlands and other site features are also to be shown with an indication of whether they are to be retained, removed or altered.
- c-4. A dimensioned site plan showing the location of proposed structures and a description of their intended use and height, all open spaces, setback dimensions, buffers, pedestrian and vehicular circulation systems, parking lots, structures and garages, with the number of spaces in each, bicycle parking locations with the number of spaces provided, loading facilities and existing or anticipated adjacent on-street loading zones, refuse collection facilities, freestanding signs, any proposed fencing and all exterior lighting facilities.
- c-5. A site grading plan indicating existing and proposed topography at 2-foot contour intervals and showing how positive runoff of surface waters will be achieved and the means by which ultimate disposal of the development's surface waters will be accomplished in conformance with ch. 120.
- c-6. A utility plan showing the proposed location of storm and sanitary sewers, water mains and laterals, parking and roadway storm inlets and elevations.
- c-7. A scaled landscape plan showing the location, number, size and type of all landscape and screening elements, including fencing and walls. Plant material shall be of a quality consistent with the standards of the American Association of Nurserymen (ANSI 260.1). All planted material shall be maintained on a continuous basis, including tree and plant replacement. Existing vegetation that is proposed to remain shall be identified.
- c-8. Dimensioned elevations of each side of the exterior of any new building or structure being proposed, including materials, colors and glazing specifications. If the project is a rehabilitation of or an addition to an existing building, both existing and proposed elevations shall be provided if any exterior modification is proposed.
- c-9. Dimensioned first floor plans of the proposed building or buildings, with anticipated uses or functions labeled.
- c-10. Plans showing the location, size and type of any existing and proposed signs. Detailed information about all proposed freestanding and wall signs, including the materials, height, dimensions and square footage of each sign face and overall sign, and sign type as classified by the zoning code.
- c-11. Photos of the site and surrounding context.
- c-12. A statement that the detailed planned development zoning designation shall be null and void within a specified period from the effective date of the ordinance amending the zoning map to create the detailed planned development, said time period not to exceed 5 years, and that the zoning of the property shall be changed to a specific zoning district at that time, said district to be identified in the statement, unless one of the following is true:
 - c-12-a. The project for which the planned development district was created has been completed and all building permits have been closed.
 - c-12-b. For at least one planned building on the site, the foundation has been completed and construction of the building is at grade or above.
- c-13. A statement that the time period specified pursuant to subd. 11 may be extended only by an ordinance amending the detailed planned development, pursuant to s. 295-307.
- c-14. The affidavit required by s. 295-313.
- c-15. An electronic version of the required plans and narrative, submitted at least 5 weeks prior to the scheduled city plan commission meeting.
- d. Creation. Creation of a planned development district shall be by amendment to the zoning map, pursuant to s. 295-307.

e. Plan Commission Review. The commission shall hold a public hearing and review the ordinance to create a planned development within 45 days of receipt of the application, its introduction to the common council and the submission of all required documents, plans and maps unless an extension is requested by the applicant. The commission shall base its recommendation upon:

- e-1. Consistency with the comprehensive plan.
- e-2. Consistency with the purposes of this chapter.
- e-3. Conformance with the standards set forth in sub. 3.
- e-4. Findings and recommendations of the commissioners of city development and public works.
- e-5. All verbal and written comments received by the commission.

f. Plan Commission Report. After making a decision to recommend approval or denial, the commission shall forward a report of its decision to the common council.

g. Council Action. If the common council passes the ordinance to create the planned development district, the standards and provisions of the plan shall constitute the zoning regulations for that planned development district. The official zoning map of the city shall be amended to show the district zoned general planned development or detailed planned development, as appropriate. The common council shall act on the application within 90 days of receiving the report from the commission unless the applicant agrees to a time extension. Failure of the common council to act within the 90-day period or the agreed-upon extended time shall constitute denial of the application.

h. Zoning Map Designators. Each general planned development district shall be shown on the zoning map with a "PD" designator and an appropriate number. Each detailed planned development district shall be shown on the zoning map with a "DPD" designator and an appropriate number.

i. Minor Modifications. The common council may by resolution approve modifications to approved detailed plans which are consistent with the spirit and intent of the general planned development or a previously approved detailed planned development provided the common council finds that the modification will not:

- i-1. Change the general character of the planned development.
- i-2. Cause a substantial relocation of principal or accessory structures.
- i-3. Cause a substantial relocation or reduction of parking, loading or recreation areas.
- i-4. Cause a substantial relocation of traffic facilities.
- i-5. Increase the land coverage of buildings and parking areas.
- i-6. Increase the gross floor area of buildings or the number of dwelling units.
- i-7. Reduce the amount of approved open space, landscaping or screening.

j. Limitation on Permit Issuance. Within any planned development district, no building permits may be issued and no site work may be commenced until a detailed plan has been approved by the common council and a copy of the ordinance has been certified by the city clerk. Existing buildings located in a general planned development may receive building permits if the permits are for building modifications which do not include the addition of more usable floor area or the establishment of uses not permitted by the plan. Exterior site improvements in an approved general plan may receive building permits if the improvements have been shown in detail on the approved general plan and the "Project Description and Owner's Statement of Intent" indicates that early building permits would be sought for such improvements.

3. STANDARDS. Every planned development shall meet the following standards:

a. Uses. All permitted uses and related operating standards or restrictions shall be specified in the detailed plan.

b. Design Standards. Conceptual design elements and standards shall be provided in the general plan. Specific design elements and standards shall be specified in the detailed plan.

c. Density. Residential densities shall be consistent with those prescribed in the comprehensive plan.

d. Space Between Structures. Spaces between structures shall not be less than required by the building code.

e. Setbacks. Setbacks shall be established to align with the comprehensive plan and principles of urban design.

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f. Screening. Residential uses shall be screened from existing or proposed business or industrial uses on or adjacent to the site. Screening shall consist of decorative walls, fences, berms, hedges, shrubs, trees or combinations thereof appropriate to the surrounding neighborhood.

g. Open Spaces. All open spaces designated on a planned development plan shall be landscaped and maintained so as not to create a nuisance or hazardous conditions. The location and development of recreation facilities shall be coordinated with the overall development of the project.

h. Circulation, Parking and Loading. Traffic circulation facilities shall be planned and installed consistent with the comprehensive plan. Adequate access for pedestrians and public and private vehicles shall be provided. Vehicular and bicycle parking and loading facilities shall be located near the uses they support and shall be adequately screened and landscaped in a manner which meets or exceeds the requirements of this chapter. Private streets shall be constructed to comparable public street standards. Bicycle parking shall be in compliance with the requirements of s. 295-403 unless specifically altered by the detailed plan submittal.

i. Landscaping. All required vegetation shall be of a quality consistent with the standards of the American association of nurserymen (ANSI 260.1). All required vegetation shall be maintained on an ongoing basis, including seasonal tree and plant replacement.

j. Lighting. See s. 295-409 for lighting regulations applicable to planned development districts.

k. Utilities. All utility lines shall be installed underground. Transformers and substations shall be installed within buildings or otherwise screened from view. This requirement may be waived by the common council upon finding that utilities on adjacent properties are located above-ground.

L. Signs. The following signs are permitted in planned development districts unless otherwise stated in the general or detailed plan:

L-1. One project identification sign located at or near each entrance to the tract or premises. Such a sign may be freestanding or attached to a structure, and shall not exceed 32 square feet.

L-2. Signs not exceeding 18 square feet each that identify nonresidential tenants or individual buildings.

L-3. Signs specified in a master sign program and approved as part of the planned development.

L-4. Either of the following types of temporary signs:

L-4-a. A sign pertaining to the construction of a building or the sale or lease of vacant land, provided it does not exceed 48 square feet.

L-4-b. A sign erected and maintained on a lot to advertise the leasing, rental or sale of a building or other improved real estate, provided it does not exceed 36 square feet.

L-5. Signs listed in s. 295-407-4.

m. Sign Illumination. Signs allowed under par. L may be illuminated. If illuminated, the source of illumination shall not be visible or intermittent.

n. Additional Sign Regulations. See s. 295-407 for additional regulations for on-premise and off-premise signs.

295-909. Redevelopment District (RED). 1. PURPOSE. The redevelopment district is established to provide a zoning context that may be applied to areas of the city where the common council has adopted a development plan, as defined by s. 66.1301(3)(g), Wis. Stats., or a redevelopment plan, as defined by s. 66.1331(3)(Lm), Wis. Stats., and the plan includes specific regulations for the use, development and design of properties and structures within its boundaries. The redevelopment district shall be shown on the zoning map with a "RED" designator.

2. USES. Permitted, limited, special, conditional and prohibited uses for property in a redevelopment district shall be as indicated in the redevelopment plan for that district.

3. DESIGN STANDARDS. The principal building design standards, accessory building design standards and site design standards for property in a redevelopment district shall be as indicated in the redevelopment plan for that district. If design standards are not specified or included in redevelopment plans, namely, in the plans of the park east redevelopment district and the beerline redevelopment district, the design standards shall be as follows:

a. Signage. See signage requirements for the C9B district in subch.7.

b. Landscaping. See parking lot landscaping requirements for the C9B district in subch 4.

4. OTHER REGULATIONS. All regulations of this chapter other than use regulations and design standards shall apply in a redevelopment district.

[Pages 923 to 930 are blank.]