

**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:

180262 A substitute ordinance relating to restricted building wall materials in various zoning districts.

| <u>Section Affected</u> | <u>Action</u> | <u>File Number</u> | <u>Effective Date</u> | <u>Remove Pages</u> | <u>Add Pages</u> |
|---|---------------|--------------------|-----------------------|---------------------|------------------|
| Remove <u>old</u> MEMO (Suppl. #306) | | | | v-vi | v-vi |
| 295-201-302 | cr | 180262 | 11/2/2018 | 671-672 | 671-672 |
| 295-405-1-c (table) | corr. | | | 751-752 | 751-752 |
| 295-505-1-d | cr | 180262 | 11/2/2018 | 781-782 | 781-782 |
| 295-505-2 (table) | corr. | | | 785-786 | 785-786 |
| 295-505-2-L-4 | rc | 180262 | 11/2/2018 | 789-800 | 789-800 |
| 295-605-1-d | cr | 180262 | 11/2/2018 | 821-822 | 821-822 |
| 295-605-2-i-6 | rc | 180262 | 11/2/2018 | 825-828 | 825-828 |
| 295-705-1.5 | cr | 180262 | 11/2/2018 | 849-856 | 849-856 |
| 295-705-9 | rc | 180262 | 11/2/2018 | " | " |
| 295-805-4-e-1 | am | 180262 | 11/2/2018 | 883-884 | 883-884 |
| 295-903-3-e | rc | 180262 | 11/2/2018 | 907-908 | 907-908 |
| Index: | | | | 1007-1008 | 1007-1008 |

For subscription or distribution questions contact the Legislative Reference Bureau, Code Section, (414) 286-3905.

For questions concerning the content of the Milwaukee Code or Ordinances contact the Legislative Reference Bureau, Research Section, (414) 286-2297.

Abbreviations:

am=amended
cr=created

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rp=repealed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 October 16, 2018.

10/16/2018
Suppl. #307

- 285.** HOSTEL. See HOTEL, COMMERCIAL.
- 287.** HOTEL means an establishment providing, for a fee, sleeping accommodations and customary lodging services, including maid service, the furnishing and upkeep of furniture and bed linens, and telephone and desk service. Related ancillary uses may include, but shall not be limited to, conference and meeting rooms, restaurants, bars and recreational facilities.
- 289.** HOTEL, COMMERCIAL means a hotel in which at least 5 rooms or units or at least 70% of the accommodations, whichever is greater, are regularly used or available for occupancy for periods of less than 30 days or are available for more than 30 days but are not the primary residences of the occupants. This classification includes, but is not limited to, a motor lodge, motel or extended-stay hotel.
- 291.** HOTEL, RESIDENTIAL means a hotel in which at least 70% of the accommodations are regularly used or available for occupancy of continuous periods of 30 days or more by persons who use the hotel as their primary residence.
- 293.** HOUSEHOLD GOODS means products used in the home which are necessary for or supplemental to normal household activities, including small appliances but excluding furniture and major appliances.
- 295.** HOUSEHOLD MAINTENANCE AND REPAIR SERVICE means an establishment providing the repair or servicing of household goods, furniture, appliances or lawn and garden equipment.
- 301.** IMPERVIOUS SURFACE means a surface which has been compacted or covered with a layer of material so that it is highly resistant to infiltration by water. It includes semi-impervious surfaces such as compacted clay, as well as conventional street and alley surfaces, roofs, sidewalks, parking lots and similar improvements.
- 302.** INDUSTRIAL BUILDING means, for purposes of applying design standards, any building containing any use listed under the heading of "storage, recycling and wholesale trade uses," "transportation uses," "industrial uses" or "utility and public services uses" in the district uses tables.
- 302.5.** 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.
- 303.** INTENSIFY means to alter the character of a use to the extent that the use generates new or different impacts on the health, safety or welfare of the surrounding neighborhood, including but not limited to the level or amount of traffic, noise, light, smoke, odor, vibration, outside storage or other similar conditions associated with the use.
- 305.** KENNEL. See ANIMAL BOARDING FACILITY.
- 307.** LABORATORY. See MEDICAL RESEARCH LABORATORY or RESEARCH AND DEVELOPMENT.
- 309.** LANDSCAPE MATERIALS means living trees, shrubs and ground cover, fences and other similar natural and decorative features.
- 311.** LANDSCAPE PLAN means a plan associated with a subdivision, land development or parking facility plan indicating the placement of landscape materials, including specifications, species, quantities and method of installation.
- 312.** LAND USE means any nonstructural use made of unimproved or improved real estate.
- 312.5.** LARGE AGRICULTURAL STRUCTURE means an accessory structure that does not fit the definition of a hoop house and that is greater than 150 square feet in area. This term includes a rain catchment system.
- 313.** LAUNDROMAT means an establishment providing washing, drying or dry cleaning machines on the premises for rental use by the general public for laundering or dry cleaning purposes.
- 315.** LAUNDRY. See DRY CLEANING ESTABLISHMENT.
- 317.** LIBRARY means a public, nonprofit facility in which literary, musical, artistic or reference materials such as, but not limited to, books, manuscripts, computers, recordings or films are kept for use by or loaning to patrons of the facility, but are not normally offered for sale.

295-201-319 Zoning

319. LIGHT MOTOR VEHICLE means any motor vehicle used primarily for recreational or personal purposes, including but not limited to an automobile, van, sports-utility vehicle, truck with a cargo capacity of 1.5 tons or less, motorcycle, boat not exceeding 20 feet in length or recreational vehicle not exceeding 3 tons in weight, 20 feet in length or having more than 6 wheels.

321. 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.

325. 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.

327. 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.

329. 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.

331. 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.

332. LIGHT MOTOR VEHICLE WHOLESALE FACILITY means an office for wholesale trade in light motor vehicles.

333. LIMITED USE means a use which is generally compatible with permitted uses in a given zoning district, but has operating or physical characteristics that require certain conditions be placed on the use.

335. LIVE ENTERTAINMENT SPECIAL EVENT means a concert, carnival, circus, fair or similar event lasting less than 15 days.

337. LIVE-WORK UNIT means a dwelling unit used for both dwelling purposes and any non-residential use permitted in the zoning district in which the unit is located, provided that not more than 2 persons who do not reside in the unit are employed on the premises.

339. LOT means a platted lot of a recorded subdivision or certified survey map or a lot created as otherwise provided by law to be used as a single parcel.

341. LOT AREA means the land area of a lot, measured in square feet.

343. LOT, CORNER means a lot abutting 2 or more streets at their intersection, or 2 parts of the same street forming an interior angle of less than 135 degrees.

345. LOT COVERAGE means the area of a site, expressed as a percentage, covered by a principal building, but excluding decks less than 3 feet in height above grade and projecting eaves, balconies, stairs and similar features.

347. LOT, INTERIOR means a lot other than a corner lot.

349. LOT LINE means a line dividing one lot from an adjoining lot, public place, or public right-of-way, including any of the following:

a. Front Lot Line. The street frontage shall be the front lot line. On a corner lot, the front lot line shall be along the same street as the front lot line of the immediately adjacent interior lot. When a corner lot is immediately adjacent to 2 or more interior lots, the street frontage with the smallest dimension shall be the front lot line.

b. Interior Lot Line. A side lot line that is not also a street lot line.

c. Rear lot line. The lot line most closely opposite the front lot line. A triangular lot has 2 side lot lines but no rear lot line. For any other irregularly-shaped lot, the rear lot line is any lot line that is nearly opposite the front lot line. An irregularly-shaped lot may have more than one rear lot line.

d. Side lot line. Any lot line that is neither a front nor a rear lot line.

e. Street lot line. Any lot line that is also a street right-of-way line.

**Table 295-405-1-c
FENCE/WALL AND LANDSCAPING REQUIREMENTS FOR LANDSCAPING TYPES**

| | Type A Landscaping | Type B Landscaping | Type C Landscaping | Type D Landscaping | Type E Landscaping | Type F Landscaping | Type G Landscaping | Type H Landscaping | Type I Landscaping |
|-----------------------------|-------------------------------------|--------------------|--|-----------------------------------|--------------------|---|---|---|---|
| Allowable Fence/Wall | Masonry wall | up to 6 ft. high | up to 6 ft. high | up to 4 ft. high | up to 9 ft. high | up to 9 ft. high | up to 9 ft. high | up to 9 ft. high | up to 9 ft. high |
| | Decorative metal fence | up to 6 ft. high | up to 6 ft. high; lowest 3 ft. shall be solid wall | up to 6 ft. high | not permitted | not permitted | allowed, but a second row of shrubs shall be required | up to 9 ft. high | Up to 9 ft. high |
| | Wood fence, open | up to 4 ft. high | not permitted | if not in LB2, up to 3.5 ft. high | not permitted | not permitted | not permitted | not permitted | not permitted |
| | Wood fence, opaque | up to 4 ft. high | not permitted | if not in LB2, up to 3.5 ft. high | up to 9 ft. high | up to 9 ft. high | up to 9 ft. high | up to 9 ft. high | not permitted |
| | Chain link fence (coated wire only) | up to 6 ft. high | not permitted | not permitted | not permitted | optional if fence has slats or mesh screening; up to 6 ft. high | optional if fence has slats or mesh screening; up to 6 ft. high | optional if fence has slats or mesh screening; up to 6 ft. high | not permitted with or without slats or mesh screening |

Table 295-405-1-c

FENCE/WALL AND LANDSCAPING REQUIREMENTS FOR LANDSCAPING TYPES

| | Type A Landscaping | Type B Landscaping | Type C Landscaping | Type D Landscaping | Type E Landscaping | Type F Landscaping | Type G Landscaping | Type H Landscaping | Type I Landscaping |
|-------------------------------------|-------------------------------|--|--|---|--|--|--|--|--|
| Trees and Shrubs Required & Allowed | Minimum landscaped area width | 5 ft. | sufficient for wall, trees and optional shrubs | 5 ft. | 15 ft. | 5 ft. ; 15 ft. if a chain-link fence is present | sufficient to accommodate required plantings; 15 ft. if a chain-link fence is present | sufficient to accommodate fence/wall and optional trees/shrubs | 10 ft. |
| | Deciduous street-type trees | minimum 1 every 25 ft. | minimum 1 every 25 ft. | minimum 1 every 25 ft. | minimum 1 every 25 ft. | minimum 1 every 25 ft. | allowed but not required unless a loading dock is present | 1 every 25 feet or where required by s. 295-405-1-b-8 | minimum 1 every 25 feet. |
| | Ornamental tree option | minimum 1 every 20 ft. if landscaped area is at least 10 ft. wide | optional | minimum 1 every 20 ft. if landscaped area is at least 10 ft. wide | minimum 1 every 20 ft. if landscaped area is at least 10 ft. wide | minimum 1 every 20 ft. if landscaped area is at least 10 ft. wide | minimum 1 every 20 ft. if landscaped area is at least 10 ft. wide | minimum 1 every 20 ft. if landscaped area is at least 10 ft. wide | minimum 1 every 20 feet if landscaped area is at least 10 ft. wide |
| | Shrub spacing requirement | 2 staggered rows with plants a max. of 4 ft. on center in each row; if a 4-ft. opaque fence is provided, only one row shall be planted, max. 3ft on center | low-level shrubs, plantings and grasses are allowed and encouraged, but not required due to wall requirement | if light motor vehicle display: one row with plants a max. of 3 ft. on center; if heavy motor vehicle display, 2 staggered rows with plants a max. of 4 ft. on center in each row | one row with plants a max. of 3 ft. on center; if chain-link fence is provided, 2 staggered rows with plants a max. of 4 ft. on center in each row | one row with plants a max. of 3 ft. on center; if chain-link fence is provided, 2 staggered rows with plants a max. of 4 ft. on center in each row | 2 staggered rows with plants a max. of 4 ft. on center in each row; if a 4-ft. opaque fence is provided, only one row shall be planted, max. 3ft on center | option or, where required by s. 295-405-1-b-8, one row with plants a max. of 8 ft. on center | one row with a max. of 4 ft. on center; if a masonry wall is provided, shrubs are optional |

z-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.

z-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. ACCESSORY USES. a. General. An accessory use to a principal use shall be allowed if it complies with all applicable development standards, all other regulations of this chapter and all provisions of this code relating to odors, smoke, dust or noise, or the open storage of materials or equipment.

b. Motor Vehicle Repair, Service or Maintenance on Lots Used for Residential Purposes. No motor vehicle repair, service or maintenance shall be permitted on any lot used wholly or in part for residential purposes without a certificate of occupancy for such motor vehicle uses, unless the following conditions are met:

b-1. The motor vehicle repaired, serviced or maintained is owned by a person who resides on the lot.

b-2. Not more than one motor vehicle shall be repaired, serviced or maintained at any one time.

b-3. The removal of any vehicle components, including but not limited to engines, transmissions, radiators, wheel assemblies, doors and hoods, shall be performed only within an enclosed garage and out of view of the general public. All vehicle parts, components and repair tools shall be stored within an enclosed garage and kept out of view of the general public. Junk yards shall not be permitted. b-4. Motor vehicle body work and painting shall be permitted only if a certificate of occupancy for a light motor vehicle body shop has been issued by the department.

c. Home Occupations-Residential Zoning. Home occupations, except live-work units as defined in s. 295-201, shall comply with the following standards:

c-1. The home occupation shall be clearly incidental and subordinate to the residential use of the dwelling unit.

c-2. No one other than members of the family residing in the dwelling unit shall be employed in the conduct of the home occupation.

c-3. 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.

c-4. There shall be no external alteration of the dwelling unit and the existence of the home occupation shall not be apparent beyond the boundaries of the site.

c-5. Not more than 25% of the total usable floor area of the principal building including the basement may be devoted to the home occupation.

c-6. The home occupation shall create no additional traffic and require no additional parking above that normally associated with a dwelling unit.

c-7. No signs relating to the home occupation shall be permitted.

c-8. The home occupation shall not involve explosives, fireworks or repair of motor vehicles including body work.

d. Rummage Sales. Not more than 2 rummage sales shall occur on a residential premises in one calendar year. No rummage sale shall exceed 3 days in length. Items offered for sale shall be limited to household items from one dwelling unit.

e. Roomers. Not more than 2 roomers shall be permitted in any dwelling unit.

295-505. Design Standards. 1. INTRODUCTION. The purposes of the design standards of this section are to:

a. Maintain Compatibility with Neighborhood Context. An objective of these design standards is to ensure that buildings in residential districts fit within the context in which they are built. Lot sizes, lot coverages, height and other design parameters vary by district to ensure that the requirements of this section closely match the existing built environment.

b. Allow Flexibility in Development. Flexibility in meeting design standards is achieved by providing ranges, exceptions and alternatives which are consistent with the spirit and intent of this chapter. These ranges, exceptions and alternatives allow various site-specific and project-specific issues to be addressed while still taking into account the intention of the zoning district.

295-505-2 Zoning

c. 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. Residential development and alterations should not only be compatible with the character of the neighborhood, but also create pedestrian-friendly environments, allow varying degrees of land use diversity within each zoning district, and promote environments which support transportation diversity consistent with neighborhood context.

d. Promote Usage of Sustainable Building Materials that Add Long-Term Value to Neighborhoods. Façades should be constructed of durable materials that resist denting, splitting, cracking, fading, peeling and other damage. Façade components should be finished-quality materials appropriate for street-facing character, with finished and refined edges, rather than utility-grade materials that are rough and disorderly. Façades should consist of context-appropriate materials that fit the character of urban locations throughout the city.

2. PRINCIPAL BUILDING STANDARDS. a. Introduction. Principal building standards are established to ensure that new construction of principal buildings in residential districts, as well as additions and alterations to existing buildings, is appropriate for the surrounding context in terms of size, placement, height and design characteristics. The design standards for principal buildings are set forth in table 295-505-2. These standards apply to non-residential buildings as well as residential buildings. The provisions of this subsection explain, qualify or specify exceptions to the standards in the table.

b. Front Setback Standards. b-1. Intent. Front setback standards are intended to ensure that the front façade or elements of new construction or additions maintain relationships to the front lot line that are similar to the corresponding relationships for buildings of similar use in the immediate vicinity. At least 30% of the front façade of a principal building, measured in terms of lineal feet of building frontage, shall meet the standards of this paragraph. The remaining 70% or less of the front façade may be set back farther from the street than the required setback, but not closer to it.

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

b-3. Determination of “Front.” b-3-a. Interior Lot. The street frontage shall be the “front.”

b-3-b. Corner Lot. The “front” of a corner lot shall be along the same street as the immediately adjacent interior lot. When a corner lot is immediately adjacent to 2 or more interior lots, the street lot line with the smallest dimension shall be the “front.” An interior lot separated by an alley or other public way not exceeding 20 feet in width from the corner lot being developed shall be considered to be immediately adjacent to that corner lot.

b-3-c. Through Lot. When a lot has only 2 street frontages and those frontages are on opposite sides of the lot, the “front” of the lot shall be along the same street as the fronts of the immediately adjacent interior lots. When the fronts of the immediately adjacent lots are on different streets, the permit applicant shall specify which street frontage is the “front.”

b-3-d. Lot with More than 2 Frontages. When a lot is bounded by more than 2 streets, the permit applicant shall specify which street frontage is the “front.”

b-4. Required Setback For New Construction. When table 295-505-2 requires use of an average to determine front setback, the average shall be determined using the most applicable of the following methods:

Table 295-505-2 PRINCIPAL BUILDING DESIGN STANDARDS

| | Multi-family Districts | | | | | | | Residence & Office | |
|---|---|---|---|---|---|---|--|---|---|
| | RM1 | RM2 | RM3 | RM4 | RM5 | RM6 | RM7 | R01 | R02 |
| 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 |
| 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>One-story structure</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 | 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 | |
| | 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. | 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 | same as RM1-RM2 | none | |
| Side Setback | Side street setback, maximum (ft.) | none | none | 15 | 15 | 15 | 15 | none | none | |
| | North or west side setback, minimum (ft.) | 3 | 3 | 1.5 | 1.5 | 1.5 | 1.5 | 3 | none | |
| | South or east side setback, minimum (ft.) | 6 | 6 | 3.5 | 3.5 | 3.5 | 3.5 | 6 | none | |
| | Combined side setback, minimum (ft.) | 12 | 12 | 5 | 5 | 5 | 5 | 12 | none | |
| Rear Setback | Maximum depth of building without side setback adjustment | 50 | 50 | 75 | 100 | 100 | 100 | 50 | none | |
| | Max. no. of stories without side or rear setback adjustment | 2 | 2 | 3 | 4 | 6 | 8 | 2 | 8 | |
| Rear Setback | Rear setback, minimum (ft.) <i>interior lot</i> | 25 | 25 | 20 | 15 | 15 | 10 | 20 | none | |
| | Rear setback, minimum (ft.) <i>corner lot</i> | 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 | |
| Multiple principal residential buildings permitted? | | | | | | | | | | |
| | none | no | no | yes | yes | yes | yes | yes | yes | yes |

**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. | | | |

295-505-2-i Zoning

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 an entrance door that faces a street.

L-2-b. 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.

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:

| 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-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 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.

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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 | Open trellis or arbor |
|--|---|-----------------------------|---|---|--|--|-----------------------------|
| Included in lot coverage calculation? | Yes | Yes | No | No | Yes | Yes | No |
| 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. |
| 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. | Same as principal building. | No restriction. |
| Minimum rear street setback | 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. |
| 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. |

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 | Open trellis or arbor |
|-------------------------|--|--|---|--------------------------------------|---|--|-----------------------|
| Min. 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. |
| Max. height of sidewall | 10 feet | 8 feet | No restriction. | No restriction. | No restriction. | 10 feet | 8 feet |
| Max. 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 |

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.

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.

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 2 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.

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.

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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-3. Dumpsters. A dumpster storage area for a non-residential building constructed after October 1, 2002, or a residential building containing more than 4 dwelling units and constructed after October 1, 2002, shall be screened with type "G" landscaping, as described in s. 295-405, or shall be incorporated into the structure it serves.

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.

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- 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 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 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.
- 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. 295-405-3.
- h. Lighting. The regulations for lighting in residential zoning districts are set forth in s. 295-409.
- 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.
- 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 240 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.

| <p align="center">Table 295-505-5 RESIDENTIAL DISTRICT SIGN STANDARDS *</p> | | |
|--|---|--|
| | Elementary and secondary schools, colleges and religious assembly | All other permitted uses except 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 site | 1 per site |
| Type "A" max. display area (sq. ft.) | 32 | 24 |
| Type "B" max. display area (sq. ft.) | 18 | 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 | 36 |
| Type "B" max. display area (sq. ft.) | 18 | 18 |
| <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 | 24 |
| Type "B" max. display area (sq. ft.) | 12 | 12 |
| <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 | 10 |
| <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 | 24 |
| Type "B" max. display area (sq. ft.) | 12 | 12 |
| <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 align="center">* Signs in the RO1 and RO2 districts shall comply with the sign standards for the NS1 and NS2 districts, respectively.</p> | | |

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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.

[Pages 801 to 810 are blank]

b. Allow Flexibility in Development. Flexibility in meeting design standards is achieved by providing ranges, exceptions and alternatives which are consistent with the spirit and intent of this chapter. These ranges, exceptions and alternatives allow various site-specific and project-specific issues to be addressed while still taking into account the intention of the zoning district.

c. 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 on file in the office of the commission and in the legislative reference bureau. Commercial development and alterations should not only be compatible with the character of the neighborhood, but also create pedestrian-friendly environments, allow varying degrees of land use diversity within each zoning district, and promote environments which support transportation diversity consistent with neighborhood context.

d. Promote Usage of Sustainable Building Materials that Add Long-Term Value to Neighborhoods. Façades should be constructed of durable materials that resist denting, splitting, cracking, fading, peeling and other damage. Façade components should be finished-quality materials appropriate for street-facing character, with finished and refined edges, rather than utility-grade materials that are rough and disorderly. Façades should consist of context-appropriate materials that fit the character of urban locations throughout the city.

2. PRINCIPAL BUILDING STANDARDS. a. Introduction. Principal building standards are established to ensure that new construction in commercial districts, as well as additions and alterations to existing buildings, is appropriate for the surrounding context in terms of size, placement, height and design characteristics. The design standards for non-residential and multi-family buildings are set forth in table 295-605-2. When a building contains both residential and non-residential uses, the design standards for non-residential buildings shall apply. Single-family and 2-family dwellings shall meet the design standards of subch. 5, as cross-referenced in table 295-605-2. The provisions of this subsection explain, qualify or specify exceptions to the standards in the table.

b. Street Orientation. b-1. Introduction. Both building placement standards and pedestrian engagement standards, such as but not limited to entrance placement standards and window requirements, relate to a building’s relationship to the street and insure that a new building or addition maintains existing contextual relationships. These standards are based on a street ranking system derived from the “Functional Classification of Streets and Highways Map” maintained by the commissioner of public works, which is also presented as the single-line street map found on the city’s geographic information system. Under this system, streets are ranked as principal arterial, minor arterial, collector and local streets, in that order. For purposes of this chapter, freeways and the Lake Parkway are not included in this street classification system.

b-2. Primary Street. The highest-ranked street abutting a lot shall be considered the primary street, and its street lot line considered the front of the lot. When a lot is bounded by 2 streets of equal rank, the permit applicant shall specify which street is the primary street.

b-3. Secondary Street. On a lot with 2 or more abutting streets, the second-highest-ranked street, or the other highest-ranking street after the street identified as the primary street pursuant to subd. 2, shall be considered the secondary street, and its street lot line considered the side street. A through lot shall not be required to meet side street setback requirements.

b-4. Other Streets. Each lot with 2 or more street frontages shall have one primary street and one secondary street. The setback requirements of table 295-605-2 shall not apply to any street lot line that does not abut a primary or secondary street.

c. Front Setback Standards. c-1. Intent. Front setback standards are intended to ensure that the front façade or elements of new construction or additions maintain relationships to the primary street that are similar to the corresponding relationships for buildings of similar use in the immediate vicinity. At least 70% of the front façade of a principal building, measured in terms of lineal feet of building frontage, shall be located within the range of the minimum and maximum front setbacks established by table 295-605-2.

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

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.

i-3-d. Interior Spaces. Interior walls parallel to required glazing 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. 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 and Fixtures. In no case shall display racks and fixtures, in combination with permitted signs, obscure more than 50% of the glazing area.

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-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 2.5 feet. 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.

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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 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.

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.

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.

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. Dumpsters. A dumpster storage area for a non-residential building constructed after October 1, 2002, or a residential building containing more than 4 dwelling units and constructed after October 1, 2002, shall be screened with type "G" landscaping, as described in s. 295-405, or shall be incorporated into the structure it serves.

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 with type "G" landscaping, as described in s. 295-405. 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.

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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. 295-405-3.

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 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, projecting or canopy/hood sign may be located in each facade segment.

c. 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.

d. 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.

e. 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.

f. 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.

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

g-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. |

g-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.

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

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.

x-3. The activity shall not produce glare, spill light or noise in violation of the provisions of ch. 80.
 x-4. Signage shall be limited to not more than 2 signs and a total display area of 16 square feet for all signs combined.

x-5. Sales shall not occur between the hours of 9 p.m. and 7 a.m.

x-6. The site shall be restored to its previous condition following termination of the market operation.

y. Temporary Real Estate Sales Office. y-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.

y-2. Signage shall comply with the requirements of s. 295-407 and the sign regulations of subch. 5

y-3. Customer-accessible restrooms shall be provided.

y-4. An occupancy permit shall not be required for a temporary real estate sales office meeting the requirements of this paragraph.

z. Temporary Concrete/Batch Plant. z-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.

z-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.

z-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.

z-4. The plant shall not operate between the hours of 9 p.m. and 7 a.m.

z-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.

z-6. The plant shall be screened with a 9-foot opaque fence, including but not limited to a chain-link fence with inserted slats.

aa. Live Entertainment Special Event. aa-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.

aa-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.

aa-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.

295-705. Design Standards. 1. TABLE OF STANDARDS. The design standards for buildings in downtown districts are set forth in table 295-705-1.

1.5. PURPOSES. The purposes of the design standards of this section are to:

a. Maintain Compatibility with Neighborhood Context. An objective of these design standards is to ensure that buildings in downtown districts fit within the context in which they are built. Building setback, floor area, height and other design parameters vary by district to ensure that the requirements of this section closely match the existing built environment.

b. Allow Flexibility in Development. Flexibility in meeting design standards is achieved by providing ranges, exceptions and alternatives which are consistent with the spirit and intent of this chapter. These ranges, exceptions and alternatives allow various site-specific and project-specific issues to be addressed while still taking into account the intention of the zoning district.

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Table 295-705-1
DOWNTOWN DISTRICTS DESIGN STANDARDS

| | C9A subdistrict A | C9A subdistrict B | C9B subdistrict A | C9B subdistrict B | C9C | C9D subdistrict A |
|--|---|---|--|--|-------------------|--|
| Front setback (see s. 295-705-2-a) | avg., but not more than 10 ft. | avg., but not more than 10ft. | no requirement | no requirement | no requirement | 10 ft. |
| Side setback | each side setback shall be at least 3 ft., with a minimum of 8 ft. total for 2 sides; however, side setbacks shall not be required when a side lot line is shared by separate townhouse units | each side setback shall be at least 3 ft., with a minimum of 8 ft. total for 2 sides; however, side setbacks shall not be required when a side lot line is shared by separate townhouse units | no requirement | no requirement | no requirement | each side setback shall be at least 3 ft., with a minimum of 8 ft. total for 2 sides |
| Side street setback (see s. 295-705-2-a) | avg., but not more than 10 ft. | avg., but not more than 10 ft. | no requirement | no requirement | no requirement | no requirement |
| Rear setback | 10 ft. | 10 ft. | no requirement | no requirement | no requirement | no requirement |
| Rear street setback (see s. 295-705-2-a) | avg. but not more than 10 ft. | avg., but not more than 10 ft. | no requirement | no requirement | no requirement | no requirement |
| Lot width, minimum | 24 ft. | 24ft. | none | none | none | 100 ft. |
| Lot area, minimum | none | none | none | none | none | 20,000 sq. ft. |
| Permitted floor area (when surface open space will comprise 40% or less of the development site); see s. 295-705-4 | 2(W)+ 7.5(X)+ 4 (Y) | 2(W)+ 7.5(X)+ 4 (Y) | 6(W) +5(X)+ 2.5(Y) | 7(W)+10(X)+ 5(Y) | 3(W)+7.5(X)+ 4(Y) | 2(W)+20(X)+ 10(Y) + 0.05(Z) |
| Permitted floor area (when surface open space will comprise more than 40% but less than 80% of the development site); see s. 295-705-4 | 5(W) | 5(W) | 7(W) | 8(W)+5(X)+ 2.5(Y)+ 0.3(Z) | 6(W) | 4(W)+10(X)+ 5(Y)+ 0.05(Z) |
| Permitted floor area (when surface open space will comprise 80% or more of the development site); see s. 295-705-4 | 25(W)-25(X) | 25(W)-25(X) | 11.5(W)- 11.5(X) | 12(W)+12(X)+ 0.3(Z) | 30(W)-30(X) | 8(W)+ 0.05(Z) |
| Building height, minimum | 20 ft. | 20 ft. | 20 ft. if wholly residential; otherwise 30 ft. | 20 ft. if wholly residential; otherwise 30 ft. | 20 ft. | 30 ft. |
| Building height, maximum | none | 40 ft. | none | none | none | none |

Table 295-705-1

DOWNTOWN DISTRICTS DESIGN STANDARDS

| | C9D subdist. B | C9E | C9F subdist. A | C9F subdist. B | C9F subdist. C | C9G | C9H |
|--|---------------------------------------|--------------------------------------|--|-------------------------------------|-------------------------------------|----------------------|----------------------|
| Front setback | no requirement | no requirement | no requirement | no requirement | no requirement | no requirement | no requirement |
| Side setback | no requirement | no requirement | no requirement | no requirement | no requirement | no requirement | no requirement |
| Side street setback | no requirement | no requirement | no requirement | no requirement | no requirement | no requirement | no requirement |
| Rear setback | no requirement | no requirement | no requirement | no requirement | no requirement | no requirement | no requirement |
| Rear street setback | no requirement | no requirement | no requirement | no requirement | no requirement | no requirement | no requirement |
| Lot width, minimum | 100 ft. | none | none | none | none | none | none |
| Lot area, minimum | 20,000 sq. ft. | none | none | none | none | none | none |
| Permitted floor area (when surface open space will comprise 40% or less of the development site); see s. 295-705-4 | 2(W)+ 20(X)+ 10(Y)+ 0.05 (Z) | 7(W)+ 13(X)+ 6.5(Y)+ 0.2(Z) | 5.5(W)+ 15(X)+ 7.5(Y)+ 0.1(Z) | 8(W)+ 20(X)+ 10(Y)+ 0.2(Z) | 8(W)+ 20(x)+ 10(Y)+ 0.2(Z) | 5(W)+5(X) +2.5(Y) | 5(W)+5(X) +2.5(Y) |
| Permitted floor area (when surface open space will comprise more than 40% but less than 80% of the development site); see s. 295-705-4 | 4(W)+ 10(X)+ 5(Y)+ 0.05(Z) | 8.1(W)+ 2(X)+1(Y) +0.2(Z) | 7.5(W)+ 5(X)+ 2.5(Y)+ 0.1(Z) | 9(W)+ 10(X)+ 5(Y)+ 0.2(Z) | 9(W)+ 10(X)+ 5(Y)+ 0.2(Z) | 7(W) | 7(W) |
| Permitted floor area (when surface open space will comprise 80% or more of the development site); see s. 295-705-4 | 8(W)+ 0.05(Z) | 8.5(W)+ 0.2(Z) | 9.5(W)+ 0.1(Z) | 12(W)+ 0.2(Z) | 12(W)+ 0.2(Z) | 14(W)- 14(X) | 14(W)- 14(X) |
| Building height, minimum | 30 ft. | 40 ft. | 30 ft. | 40 ft. | 30 ft. | 20 ft. | 20 ft. |
| Building height, maximum | none | none | none | none | 50 ft. | none | none |

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c. 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 on file in the office of the commission and in the legislative reference bureau. Downtown development and alterations should not only be compatible with the character of the neighborhood, but also create pedestrian-friendly environments, allow varying degrees of land use diversity within each zoning district, and promote environments which support transportation diversity consistent with neighborhood context.

d. Promote Usage of Sustainable Building Materials that Add Long-Term Value to Neighborhoods. Façades should be constructed of durable materials that resist denting, splitting, cracking, fading, peeling and other damage. Façade components should be finished-quality materials appropriate for street-facing character, with finished and refined edges, rather than utility-grade materials that are rough and disorderly. Façades should consist of context-appropriate materials that fit the character of urban locations throughout the city.

2. SETBACK REQUIREMENTS. a. Setback Average and Range. Whenever table 295-705-1 specifies that a setback shall be determined by averaging, the average setback shall be determined using the formula described in s. 295-505-2-b-4. When this formula is used to determine an average side street or rear street setback, the term “front setback” in s. 295-505-2-b-4 shall be interpreted as the side street setback or rear street setback, respectively.

b. Building Placement. b-1. New Buildings. At least 70% of the front, side street or rear street façade of any newly constructed principal building shall meet the setback requirements of table 295-705-1. The remaining 30% or less of each façade may be placed anywhere between the property line and the specified maximum setback of 10 feet.

b-2. Additions and Alterations. Where portions of an existing building are closer to the front, side street or rear street lot line than are the corresponding facades of the nearest adjacent buildings, a new addition or alteration may be placed as close to the lot line as the portion of the building closest to the lot line. Where an existing building is set back farther from the lot line than are the nearest adjacent buildings, an addition or alteration may extend as close to the lot line as the required setback specified in table 295-705-1.

b-3. Removal of Portion of Building. No building may be altered by removing a portion of the building such that the front, side street or rear street façade of the building will no longer meet the setback requirements of table 295-705-1, or will be even less in conformance with those requirements than it already is.

c. 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.

3. INTRUSIONS INTO PUBLIC RIGHT-OF-WAY. See ch. 245 for regulations pertaining to intrusions of structures into the public right-of-way.

4. CALCULATION OF PERMITTED FLOOR AREA. a. Variables. As indicated in the permitted floor area standards in table 295-705-1, one or more of the following 4 variables may be used to determine how much building floor area will be allowed for any development project:

- a-1. The size of the development site (W).
- a-2. The amount of surface open space (X).
- a-3. The amount of qualifying roof top open space (Y).
- a-4. The size of an interior atrium or mall (Z).

b. Formulas. Exact formulas vary from district to district. In general, the larger the development site and the more surface open space, roof top open space or atrium space provided, the more floor area permitted. Paragraphs c to f describe how to calculate each of the 4 variables.

c. Size of the Development Site (W). c-1. In most cases, the size of the development site equals the gross area of the primary building site. However, when a lot separated from the primary building site will be developed or utilized in conjunction with development of the primary building site, the gross area of such lot may be counted as part of the development site if:

- c-1-a. The separate lot is under the same ownership as the primary building site.
- c-1-b. The separate lot is or will be physically connected to the primary building site in a manner allowing human passage.
- c-1-c. The property owner files an overall development plan with the commissioner of neighborhood services indicating the total floor area to be constructed on the development site; and
- c-1-d. The property owner files a deed restriction indicating that the total floor area shown on the development plan will not be increased without the express approval of the common council.

- c-2. Any portion of the primary building site and any portion of a qualifying separate lot which is dedicated to the public for open space use may be counted as part of the development site.
- d. Amount of Surface Open Space (X). The city encourages the creation of surface open space and permits construction of additional building floor area when it is provided. The amount of surface open space equals the size of the development site (W) less:
 - d-1. The area of the development site covered by structures at grade.
 - d-2. The area underneath cantilevered portions of such structures where the cantilevered portions are less than 24 feet above grade; and
 - d-3. The area of the development site designed for surface vehicular use.
- e. Amount of Qualifying Roof Top Open Space (Y). Sometimes plazas or other open space amenities can be created on the roof of structures. The city encourages development of roof top open space and permits construction of additional building floor area when roof top open space meets the following criteria:
 - e-1. It will be improved in such a way that it can be classified as a walkway, plaza, courtyard or other open space amenity.
 - e-2. Its average length and width will each exceed 10 feet.
 - e-3. It will be open to the sky.
 - e-4. It will be designed and intended primarily for use by the public or by the employees, residents or patrons of the development site's principal building. Improved roof top areas designed primarily for maintenance activities do not qualify.
- f. Size of an Interior Atrium or Mall (Z). f-1. The city encourages the creation of qualifying interior atrium or mall space which is designed in such a way that it either will or eventually could be connected to the downtown skywalk system. In certain zoning districts development of additional building floor area is permitted when such space is provided. Qualifying atrium or mall space shall:
 - f-1-a. Be 2 or more stories in height.
 - f-1-b. Have a volume of at least 10,000 cubic feet.
 - f-2. The size of qualifying interior atrium or mall space shall be the volume of said space measured in cubic feet.
- 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, 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.

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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.

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.

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. Type "B" landscaping, as specified in s. 295-405-1, 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:

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 2.5 feet. 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 ledgestone. 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 856 to 870 are blank]

| Table 295-805-4-d INDUSTRIAL DISTRICT RESIDENTIAL TRANSITION STANDARDS | | | | | | | |
|--|---|-------------------------------------|----------------------------------|-------------------------------------|--------------------|----|----------------------------------|
| | Zoning District | | | | | | |
| | I01 | I02 | IL1 | IL2 | IC | IM | IH |
| <i>Residential Buffer</i> | | | | | | | |
| Min. setback (Buffer width) | 25 ft. | 10 ft. | 50ft. | 10 ft. | No buffer required | | 15 ft. |
| Evergreen trees (min.) per x lineal ft. of alley, street frontage or shared property line | 1 per 5 ft. | | | | n.a. | | 1 per 5 ft. |
| Evergreen tree spacing | 2 staggered rows with trees a maximum of 10 ft. on center in each row | | | | n.a. | | same as I01-IL2 |
| Min. tree height at planting | 6 ft. | | | | n.a. | | 6 ft. |
| Max. tree height at maturity | no limit | | | | n.a. | | no limit |
| <i>Alternative Residential Buffer Standards</i> (Note: Where an alternative residential buffer is permitted, the use or industrial process shall not produce dust, odor, vibration, noise or light exceeding the standards specified in ch. 80 or elsewhere in this code at the nearest residential property line.) | | | | | | | |
| Min. buffer width | 12.5 Ft. | alternative standards not permitted | 25 ft. | alternative standards not permitted | No buffer required | | 10 ft. |
| New building construction or addition | no alternative buffer standards permitted | | see s. 295-405, type "A" landsc. | | n.a. | | |
| Light motor vehicle parking | see s. 295-405, type "A" landsc. | | see s. 295-405, type "A" landsc. | | n.a. | | see s. 295-405, type "A" landsc. |
| Dumpsters and trash collection equip.; Loading docks | see s. 295-405, type "G" landsc. | | see s. 295-405, type "G" landsc. | | n.a. | | see s. 295-405, Type "G" landsc. |
| Outdoor storage, outdoor salvage, outdoor operational space | see s. 295-405, type "E" landsc. | | see s. 295-405, type "E" landsc. | | n.a. | | see s. 295-405, Type "E" landsc. |

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d-2. Alternative Buffer Standards. The width of a residential buffer may be reduced by up to 50% if the buffer meets a higher standard for screening and design, as specified by the alternative buffer standards included in table 295-805-4-d, and if the required buffer is not less than 10 feet wide. While the width of a buffer may be reduced, the number of required evergreen trees shall not be reduced and additional screening materials, such as fences and shrubs, shall be added as specified in table 295-805-4-d.

e. Height Adjustment. e-1. Height Limitation When Adjacent to Residential, Institutional, Parks, or Non-Industrial Planned Development District. The maximum height of an industrial building at the required residential buffer line or, if there is no buffer requirement, at the property line, located adjacent to or across a street or alley from a residential, institutional, parks or non-industrial planned development district shall be the average height of residential buildings on the adjacent blockface. The height of the industrial building may be increased by one foot for every 2 feet the building is set back from the residential buffer line or the property line, as appropriate.

e-2. Exceptions to Height Limitations. All structures shall comply with the height limitations established in subd. 1, except the following:

e-2-a. Chimneys and flues.

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

e-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.

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

e-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.

e-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 setback from side lot lines a distance equal to one-half the height of the building or portion thereof.

e-2-g. Transmission towers which do not exceed 85 feet in height or have received special use approval from the board.

e-2-h. 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.

f. Dumpsters And Waste Storage. A dumpster or common waste storage facility visible from a public street or a non-industrially-zoned district shall be screened with type "G" landscaping, as described in s. 295-405.

g. Loading Docks. Where loading for more than 2 truck bays is in a yard facing and visible from a public street or a non-industrial district, the loading docks shall be screened with type "G" landscaping, as described in s. 295-405. These standards may be waived in whole or in part, or compliance with them may be delayed, if visibility of the loading docks is limited by changes of grade, natural features, elevated roadways, existing buildings or similar obstructions.

h. Outdoor Storage. h-1. Screening. The objective of the screening standard is to hide exterior storage areas from the view of properties located outside the industrial district or from public streets. Where an outdoor storage area or outdoor salvage operation is visible from a public street or a non-industrial district, the outdoor storage area shall be screened with type "E" or "F" landscaping, as described in s. 295-405.

h-2. Stockpiles. All stockpile heights shall be limited to either the height of the fence enclosure provided or the average height of the landscape plant material, if greater. This limitation may be exceeded by 50% if the stockpile is located on the rear 25% of the site and not within 120 feet of a public street or any zoning district other than an industrial district. In a situation where a building completely screens the stockpile from the street, the 120-foot limitation shall not apply for as long as the building remains in place.

i. Fences. i-1. General. In industrial districts, all types of fences are permitted and may be located anywhere on a lot, including along a property line.

b-9-b. If flowers, plants or Wisconsin-grown farm 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.

b-9-c. The activity shall not produce glare, spill light or noise in violation of the provisions of ch. 80.

b-9-d. Signage shall be limited to not more than 2 signs and a total display area of 16 square feet for all signs combined.

b-9-e. Sales shall not occur between the hours of 9 p.m. and 7 a.m.

b-9-f. The site shall be restored to its previous condition following termination of the market operation.

b-10. Temporary Concrete/Batch Plant. b-10-a. 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.

b-10-b. 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. No other occupancy permit shall be required by the department of neighborhood services.

b-10-c. 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.

b-10-d. The plant shall not operate between the hours of 9 p.m. and 7 a.m.

b-10-e. 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.

b-10-f. The plant shall be screened with a 9-foot opaque fence, including but not limited to a chain-link fence with inserted slats.

b-11. Live Entertainment Special Event. b-11-a. 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.

b-11-c. 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.

b-11-d. 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.

3. DESIGN STANDARDS. a. Purpose. The objective of the design standards of this subsection is to reduce or eliminate potential adverse effects and nuisances sometimes associated with the various uses found in this district, particularly as these uses impact surrounding residents and businesses. The standards set forth in this section include setbacks, screening/buffering and noise limitations.

b. Principal Building Standards. All principal buildings shall have setbacks of at least 25 feet from all property lines, except along the front lot line, where the required setback shall be the average setback as determined in accordance with the provisions of s. 295-505-2-b-4.

c. Accessory Building Standards. All accessory buildings shall have setbacks of at least 25 feet from all property lines. However, 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.

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 with type "G" landscaping, as described in s. 295-405.

295-903-3-e Zoning

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 with type "G" landscaping, as described in s. 295-405. 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 zoning districts, as specified in s. 295-505-4-f.

d-5. Signs. d-5-a. Standards. Table 295-903-3-d-5 contains the regulations for on-premise and off-premise signs in the parks district. General regulations applicable to all signs can be found in s. 295-407.

d-5-b. 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.

d-5-c. 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-d. Temporary Signs. A sign pertaining to the construction of a building or the sale or lease of vacant land shall be permitted in the parks district provided it does not exceed 36 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 parks district provided it does not exceed 6 square feet.

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

e. 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.

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