SUBCHAPTER 5 RESIDENTIAL DISTRICTS

295-501. Purposes. The regulations of this subchapter are intended to promote, preserve and protect residential neighborhoods. These regulations allow for some non-residential uses, but not to such an extent as to detract from the overall image and character of the residential neighborhood. The development standards work together to promote desirable residential areas by addressing aesthetically pleasing environments, safety, privacy and recreational opportunities. These standards preserve the character of neighborhoods by providing 6 different zones with different densities and development standards. The site development standards allow for flexibility of development while maintaining compatibility within the city's various neighborhoods. In addition, the regulations provide certainty to property owners, developers and neighbors about the limits of what is allowed in a residentially-zoned area. These regulations are also intended to reinforce desired development patterns in existing neighborhoods while accommodating the need for future growth. The purposes of the individual residential districts are as follows:

1. SINGLE-FAMILY RESIDENTIAL DISTRICTS. a. RS1-RS5 Districts. The purpose of the RS1-RS5 districts is to promote, preserve and protect neighborhoods intended for single-family dwellings and having a character slightly more suburban than the RS6 district. These districts require larger lots, larger setbacks and a smaller lot coverage than the RS6 district. The neighborhoods found in these districts feature a regular platting pattern and a more uniform pattern of development than those of the RS6 district. These neighborhoods were platted and developed, in large part, in the mid- to late-1900s, with some areas recently developed.

b. RS6 District. The purpose of the RS6 single-family district is to promote, preserve and protect neighborhoods intended primarily for single-family dwellings with traditional urban character. This district allows smaller lots, smaller setbacks and a higher lot coverage than the other single-family districts. The neighborhoods found in this district were platted and developed, in large part, in the late 1800's and early 1900's. This district also allows traditional corner commercial establishments commonly found in more urban neighborhoods.

2. TWO-FAMILY RESIDENTIAL DISTRICTS. a. RT1-RT2 Districts. The purpose of the RT1-RT2 districts is to promote, preserve and protect neighborhoods intended primarily for one- and 2-family dwellings. Properties in these districts typically have larger setbacks and smaller lot coverage than those found in the RT3 or RT4 districts. Commercial uses are not allowed in these districts. The neighborhoods found in RT1 and RT2 districts feature a regular platting standard and a more uniform pattern of development than those of the RT3 district. These neighborhoods were platted and developed, in large part, in the mid- to late-1900s, with some areas recently developed.

b. RT3 District. The purpose of the RT3 district is to promote, preserve and protect neighborhoods intended primarily for two-family dwellings with a traditional urban character. This district, much like the RT4 district, allows smaller lots, smaller setbacks and a higher lot coverage than the RT1 and RT2 districts. However, it does not allow the establishment of new, multi-family buildings. The neighborhoods in this district were platted and developed, in large part, in the early 1900s and tend to be more uniform than those of the RT4 district.

c. RT4 District. The purpose of the RT4 district is to promote, preserve and protect neighborhoods intended primarily for 2-family dwellings while also permitting a mixture of single-family dwellings and small multi-family dwellings of 3 or 4 units. This district, much like the RT3 district, allows smaller lots, smaller setbacks and a higher lot coverage than the RT1 and RT2 districts. The neighborhoods found in this district were platted and developed, in large part, in the late 1800s and early 1900s. This district also allows traditional corner commercial establishments commonly found in urban neighborhoods.

3. MULTI-FAMILY RESIDENTIAL DISTRICTS. a. RM1-RM2 Districts. The purpose of the RM1-RM2 districts is to promote, preserve and protect neighborhoods intended primarily for low- to medium-density multi-family uses with a more suburban character. These districts require larger lots, larger setbacks and a smaller lot coverage than the RM3 district. The neighborhoods found in these districts feature a regular platting pattern and a more uniform pattern of development than those of the RM3 district. These neighborhoods were platted and developed, in large part, in the mid- to late-1900s, with some areas recently developed.

b. RM3 District. The purpose of the RM3 district is to promote, preserve, and protect neighborhoods intended primarily for medium-density residential uses with an urban character. This district, much like the RM4-RM7 districts, allows smaller lots, smaller setbacks and higher lot coverage than the RM1-RM2 districts. However, the neighborhoods in this district were platted and developed, in large part, in the early 1900s and tend to be more uniform and of a lower density than those of the RM4-RM7 districts. This district also allows traditional corner commercial establishments commonly found in urban neighborhoods.

c. RM4-RM7 Districts. The purpose of the RM4-RM7 districts is to promote, preserve and protect neighborhoods intended primarily for high-density multi-family residential uses. These districts allow a wide range of lot sizes, smaller setbacks, and a high percentage of lot coverage. They also allow neighborhood-serving commercial establishments commonly found in urban neighborhoods.

4. RESIDENTIAL AND OFFICE DISTRICTS. a. RO1 District. The purpose of the RO1 district is similar to that of the RM1 district. However, this district is intended to allow both office and residential uses and to permit the conversion of residential buildings into offices. The intent is to provide for office uses and residential uses that are generally of the same character as residential areas. Properties in this district typically have larger setbacks and lower lot coverage than properties in the RO2 district. The neighborhoods found in this district feature a more uniform pattern of development than neighborhoods in the RO2 district. Neighborhoods in this district were platted and developed in large part in the mid- to late-1900s, with some areas recently developed.

b. RO2 District. The purpose of the RO2 district is similar to that of the RM7 district. However, this district is intended to allow both office and residential uses and to permit the conversion of residential buildings into offices. The intent is to provide for office uses and residential uses that are generally of the same character as residential areas. Properties in this district typically have smaller setbacks and greater lot coverage than properties in the RO1 district. The neighborhoods found in this district were platted and developed in large part in the late 1800s and early 1900s.

295-503. Uses. 1. USE TABLE. Table 295-503-1 indicates the use classifications for various land uses in the residential districts. The uses in this table are defined in s. 295-201. The following are the use classifications indicated in Table 295-503-1:

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

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

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

d. "N" indicates a prohibited use.

Table 295-503-1
RESIDENTIAL DISTRICTS USE TABLE

Y = Permitted Use L = Limited Use
S = Special Use N = Prohibited Use

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

Table 295-503-1
RESIDENTIAL DISTRICTS USE TABLE

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

Table 295-503-1
RESIDENTIAL DISTRICTS USE TABLE

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

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

Table 295-503-1
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Y = Permitted Use L = Limited Use S = Special Use N = Prohibited Use		Zoning Districts							
Uses	RS1-RS5	RS6	RT1-RT2	RT3	RT4	RM1-RM2	RM3-RM7	R01	R02
AGRICULTURAL USES									
Plant nursery or greenhouse	Y	Y	Y	Y	Y	Y	Y	Y	Y
Raising of livestock	L	L	L	L	L	L	L	L	L
Community garden	Y	Y	Y	Y	Y	Y	Y	Y	Y
Commercial farming enterprise	S	S	S	S	S	S	S	S	S
UTILITY AND PUBLIC SERVICE USES									
Broadcasting or recording studio	N	N	N	N	N	N	N	N	N
Transmission tower	L	L	L	L	L	L	L	L	L
Water treatment plant	S	S	S	S	S	S	S	S	S
Sewage treatment plant	N	N	N	N	N	N	N	N	N
Power generation plant	N	N	N	N	N	N	N	N	N
Small wind energy system	L	L	L	L	L	L	L	L	L
Solar farm	Y	Y	Y	Y	Y	Y	Y	Y	Y
Substation/distribution equipment, indoor	S	S	S	S	S	S	S	S	S
Substation/distribution equipment, outdoor	L	L	L	L	L	L	L	L	L
TEMPORARY USES									
Seasonal market	L	L	L	L	L	L	L	L	L
Temporary real estate sales office	L	L	L	L	L	L	L	L	L
Concrete/batch plant, temporary	L	L	L	L	L	L	L	L	L
Live entertainment special event	L	L	L	L	L	L	L	L	L

2. LIMITED USE STANDARDS. a. Two-Family Dwelling. The premises was legally established and occupied as a 2-family dwelling as of October 1, 2002. If this standard is not met, a 2-family dwelling is a prohibited use.

b. Multi-Family Dwelling. b-1. In an RT1 to RT3 district, the premises was legally established and occupied as a multi-family dwelling as of October 1, 2002. If this standard is not met, a multi-family dwelling is a prohibited use.

b-2. In the RT4 district, not more than 4 dwelling units shall be permitted in a single building. If this standard is not met, a multi-family dwelling is a prohibited use.

c. Attached Single-Family Dwelling. c-1. In an RT1 to RT3 district, not more than 2 dwelling units may be attached to each other. If this standard is not met, an attached single-family dwelling is a prohibited use.

c-2. In the RT4 district, not more than 4 single-family dwellings may be attached to one another.

d. Live-work Unit. d-1. The activity and work area shall be accessory to the residential use of the dwelling unit.

d-2. The occupant of the unit shall be the primary person involved in the business or activity. Not more than 2 other full-time employees may use the live-work space.

d-3. Only goods produced in the live-work unit may be sold there.

d-4. No detached garage, shed or exterior space shall be used for the live-work activity.

d-5. Signage shall be limited to one non-illuminated wall sign of not more than 2 square feet in area.

e. Family Day Care Home. e-1. The operator of the family day care home shall reside in the dwelling unit in which the day care home is located. If this standard is not met, the facility is classified as a day care center and subject to the limited use standards for day care centers.

e-2. For a facility licensed by the state of Wisconsin, there shall be no other family day care home in the building as of April 6, 2001.

e-3. For a facility certified by Milwaukee county, there shall be no other family day care home in the building as of May 30, 2003.

e-4. The family day care home shall not operate between the hours of 12 a.m. and 6 a.m.

e-5. Signage shall be in conformance with s. 295-505-5-d.

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

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

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

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

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

h-2. If the use is located in an RS1 to RS6 or RT1 to RT3 district, not more than 8 clients shall reside on the premises. In all other residential districts, not more than 15 clients shall reside on the premises.

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

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

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

i. Day Care. i-1. The day care center shall be located on a premises containing an elementary or secondary school, religious assembly, community center, cultural institution or library, shall meet the minimum outdoor play space requirement of s. DCF 251.06(11), Wis. Adm. Code, and shall meet the off-street parking requirement for the existing principal use. If any of these standards are not met, a day care center is a special use.

i-2. Day care centers, including family day care homes classified as day care centers because they do not meet the standard of par. e-1, shall not be permitted in residential structures in the RS1 to RS6, RT1 to RT3 and RM1 and RM2 districts. In all other residential zoning districts, a day care center in a residential structure shall be classified as a special use.

i-3. The day care center shall not be located within 500 feet of an adult retail establishment.

i-4. For any day care center other than an adult day care center, if the day care center is located in a building containing an elementary or secondary school, religious assembly, community center, cultural

institution or library as a principal use, the facility shall not be located within 300 feet of a premises for which the common council has granted any of the alcohol beverage licenses identified in s. 90-4-1, 2 and 5 and such license is currently valid. This standard shall not apply to a day care center in operation on February 3, 2007.

j. Personal Instruction School, General Office, Government Office, Bank or Other Financial Institution, General Retail Establishment, Artist Studio, Medical Office, Personal Service, Business Service, Catering Service, Funeral Home, Laundromat, Dry Cleaning Establishment, or Restaurant without Drive-through Facility.

j-1. In the RS6, RT3, RT4 and RM3 to RM7 districts, the structure to be occupied was constructed prior to October 1, 2002, was originally designed and intended to be occupied in whole or in part by a non-residential use, and has been occupied by such non-residential use within the past 12 months. If the structure meets the first 2 of these standards, but not the third, the use shall be classified as a special use. If the structure does not meet either the first or second of these standards, the use shall be classified as a prohibited use. Any enlargement of the structure or area devoted to the non-residential use shall require special use approval by the board.

j-2. In RO1 and RO2 districts, the use shall either:

j-2-a. Meet the conditions of subd. 1; or

j-2-b. Be located in a building containing at least one other principal use listed as a permitted use in the zoning district in which it is located.

j-3. The use shall not operate between the hours of 10 p.m. and 6 a.m. This provision shall not apply to a convenience store, restaurant without drive-through facility or personal service which is open between the hours of 12 a.m. and 5 a.m. and regulated by s. 84-7.

k. Cultural Institution. k-1. The use shall be located on an arterial or collector street.

k-2. The area of the site shall be at least 10,000 square feet.

L. Adult Day Care. The adult day care shall be located on a premises containing an elementary or secondary school, religious assembly, community center, cultural institution or library, and shall meet the off-street parking requirement for the existing principal use.

m. Non-restaurant Drive-through Facility. The facility shall be attached to a bank or other financial institution.

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

o. Parking Structure, Accessory Use. At least 50% of the interior street frontage zone of the street-level area, to a depth of 15 feet, shall be occupied by one or more other uses listed as permitted, with street-activating uses, in the zoning district or otherwise approved by the board.

p. Bed and Breakfast. Not more than 2 guest rooms shall be permitted. In the "Milwaukee Bed and Breakfast District" (the area bounded by West Juneau Avenue, West Michigan Street, North 27th Street and North 35th Street), a maximum of 8 guest rooms shall be permitted.

q Tavern. q-1. In the RS6, RT3, RT4 and RM3 to RM7 districts, the structure to be occupied was constructed prior to October 1, 2002, was originally designed and intended to be occupied in whole or in part by a non-residential use, and has been occupied by such non-residential use within the past 12 months. If the structure meets the first 2 of these standards, but not the third, a tavern shall be classified as a special use. If the structure does not meet either the first or second of these standards, a tavern shall be classified as a prohibited use. Any enlargement of the structure or area devoted to the non-residential use shall require special use approval by the board.

q-2. In RO1 and RO2 districts, the use shall either:

q-2-a. Meet the conditions of subd. 1; or

q-2-b. Be located in a building containing at least one other principal use listed as a permitted use in the zoning district in which it is located.

r. Assembly Hall. r-1. The use shall be located on the premises of, and accessory to, a restaurant or tavern.

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

r-3. The restaurant or tavern to which the use is accessory holds all licenses necessary to facilitate events in the assembly hall, including but not limited to food dealer, alcohol beverage or public entertainment premises licenses.

s. Theater. The capacity of the theater building shall not exceed 49 persons.

t. Raising of Livestock. The use is limited to the raising of chickens or bees, as permitted under ch. 78.

u. Transmission Tower. u-1. The tower shall comply with the applicable provisions of s. 295-413.

u-2. If the tower is located in an RS1 to RS6 district or an RT1 to RT4 district, the tower shall be

accessory to an elementary or secondary school, shall not exceed 2 times the district height limit and shall be set back from all property lines a distance at least equal to the height of the tower. Any other tower which does not exceed 2 times the district height limit may be allowed as a special use.

u-3. If the tower is located in an RM1 to RM3 district, the tower shall be accessory to an elementary or secondary school, shall not exceed 2 times the district height limit or 150 feet, whichever is less, and shall be set back from all property lines a distance at least equal to the height of the tower. Any other tower which does not exceed 2 times the district height limit or 150 feet, whichever is less, may be allowed as a special use.

u4. If the tower is located in an RM4 to RM7 district or an RO1 or RO2 district, the tower shall not exceed the district height limit or the tower shall be accessory to an elementary or secondary school, not exceed 2 times the district height limit or 150 feet, whichever is less, and be set back from all property lines a distance at least equal to the height of the tower. Any other tower which does not exceed 2 times the district height limit or 150 feet, whichever is less, may be allowed as a special use.

v. Small Wind Energy System. The total height of the tower shall not be more than 10 feet higher than the maximum building height for the zoning district in which the tower is located.

w. Substation/Distribution Equipment, Outdoor. w-1. All structures associated with the use shall be screened in accordance with s. 295-405-6-c.

w-2. No structure associated with the use shall be located within 25 feet of a street lot line.

x. Seasonal Market. x-1. The activity shall be located on property owned or leased by the operator of the seasonal market. Alternatively, the market operator may furnish the department with written evidence that the property owner has given the operator permission to use the premises for a seasonal market.

x-2. If flowers, plants or Wisconsin-grown farm products constitute at least 75% of the merchandise offered for sale, the activity shall be limited to not more than 180 days in one calendar year. If Christmas trees constitute at least 75% of the merchandise offered for sale, the activity shall be limited to not more than 90 days in one calendar year. Otherwise, the duration of the seasonal market shall be limited to not more than 14 days in one calendar year.

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 signage regulations of this subchapter.

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. 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.

f. Electric Vehicle Supply Equipment. The equipment shall meet the standards set forth in s. 295-403-3-f.

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.

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’ 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

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

*The requirements of table 295-505-2-i apply in lieu of the minimum lot coverage and minimum height requirements of this table.

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

Table 295-505-2
PRINCIPAL BUILDING DESIGN STANDARDS

		Single -family Districts						Two-family Districts			
		RS1	RS2	RS3	RS4	RS5	RS6	RT1	RT2	RT3	RT4
Primary Frontage	Front setback, minimum (ft.) (see s. 295-505-2-b)	average or 25 ft., whichever is less	average or 25 ft., whichever is less	average	average	average	average	average	average	average	average
	Front setback, maximum (ft.) (see s. 295-505-2-b)	none	none	none	none	average	average	none	none	average but never more than 20 ft.	
	Side street setback, minimum (ft.)	20% of lot width but never more than 20 ft.		10% of lot width but never more than 15 ft.		10% of lot width but never more than 6 ft.		20% of lot width but never more than 20 ft.		10% of lot width but never more than 6 ft.	3
	Side street setback, maximum (ft.)	none	none	none	none	none	none	none	none	none	15
Side Setback	North or west side setback, minimum (ft.)	3	3	3	3	3	1.5	3	3	1.5	1.5
	South or east side setback, minimum (ft.)	6	6	6	6	6	3.5	6	6	3.5	3.5
	Combined side setback, minimum (ft.)	12	12	12	12	12	5	12	12	5	5
	Maximum depth of building without side setback adjustment	50	50	50	50	50	75	50	50	75	100
	Max. no. of stories without side or rear setback adjustment	2	2	2	3	3	3	2	2	3	4
Rear Setback	Rear setback, minimum (ft.) *interior lot*	25	25	25	20	15	15	25	25	15	15
	Rear setback, minimum (ft.) *corner lot*	25	25	25	15	10	10	20	20	10	10
	Rear street setback, minimum (ft.) (see s. 295-505-2-e)	average	average	average	average	average	average	average	average	average	average
	Rear street setback, maximum (ft.)	none	none	none	none	none	none	none	none	none	none
Multiple principal residential buildings permitted?		no	no	no	no	no	same as RT4	no	no	no	yes, if in existence on Nov. 22, 2003; otherwise, special use

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

	Table 295-505-2 PRINCIPAL BUILDING DESIGN STANDARDS									
		Multi-family Districts							Residence & Office	
		RM1	RM2	RM3	RM4	RM5	RM6	RM7	R01	R02
HEIGHT	Height, minimum (ft.)	none	none	*	*	*	*	20	none	*
	Height, maximum (ft.)	45	45	45	60	60	85	85; no limit if floor area ratio is less than 4:1	45	85
Primary Frontage	Front setback, minimum (ft.) (see s. 295-505-2-b)	average	average	average	average	average	average	average	average	average
	Front setback maximum (ft.) (see s. 295-505-2-b)	none	none	average but not more than 20 ft.		average but never more than 15 ft.			none	15 ft.
	Side street setback, minimum (ft.)	10% of lot width but not more than 15 ft.		3	3	3	3	3	same as RM1-RM2	none
	Side street setback, maximum (ft.)	none	none	15	15	15	15	15	none	none
Side Setback	North or west side setback, minimum (ft.)	3	3	1.5	1.5	1.5	1.5	1.5	3	none
	South or east side setback, minimum (ft.)	6	6	3.5	3.5	3.5	3.5	3.5	6	none
	Combined side setback, minimum (ft.)	12	12	5	5	5	5	5	12	none
	Maximum depth of building without side setback adjustment	50	50	75	100	100	100	100	50	none
	Max. no. of stories without side or rear setback adjustment	2	2	3	4	6	8	8	2	8
Rear Setback	Rear setback, minimum (ft.) *interior lot*	25	25	20	15	15	15	10	20	none
	Rear setback, minimum (ft.) *corner lot*	10	10	10	10	10	10	10	10	none
	Rear street setback, minimum (ft.) (see s. 295-505-2-e)	average	average	average	average	average	average	average	average	average
	Rear street setback, maximum (ft.)	none	none	none	none	none	none	none	none	none
Multiple principal residential buildings permitted?		no	no	no	yes	yes	yes	yes	yes	yes

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

h-2-a. Chimneys and flues.

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

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

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

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

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

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

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

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

Table 295-505-2-f
PRINCIPAL BUILDING INTRUSIONS INTO SETBACK AREAS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

L-2. Entrance Door Orientation.

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

L-2-b. Multi-Family Use. Every new multi-family use within a building shall have a primary entrance door on a front façade or a side street façade, even if other doors serving individual townhouse-style units, or other uses, are present. The main entrance used by residents and visitors, as well as the door where mail is delivered and deliveries are made, is considered the primary entrance of a multi-family residential use.

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

Table 295-505-2-i
MINIMUM RESIDENTIAL BUILDING FRONT FACADE WIDTH AND BUILDING HEIGHT

Lot width (ft.)	Min. building front facade width (ft.)	Min. no. of stories *	Min. building height (ft.)
25	No requirement	1	20
30	No requirement	1	20
31	No requirement	1	20
32	No requirement	1	20
33	No requirement	1	20
34	No requirement	1	20
35	20	1	20
36	22	1	20
37	22	1	20
38	24	1	20
39	24	1	20
40	24	1	20
41	24	1	20
42	24	1	20
43	24	1	20
44	24	1	20
45	24	1	20
46	26	2	25
47	28	2	25
48	30	2	25
49	30	2	25
50	32	2	25
51	32	2	25
52	34	2	25
53	34	2	25
54	34	2	25
55	36	2	25
56	36	2	25
57	38	2	25
58	38	2	25
59	40	2	25
60	40	2	25
More than 60	Width X 0.65	2	25

* If the structure is adjacent to a lot containing a one-story house, a one-story structure shall be permitted regardless of the width of the lot on which it is located.

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

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

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

L-4. Restricted Building Wall Materials. Unless otherwise noted herein, the following regulations apply to any non-industrial principal building or addition:

L-4-a. Metal Building Walls. The use of structural corrugated metal wall, or a metal panel-and-batten wall system such as a metal-sided, prefabricated building or a pre-engineered metal building, shall be prohibited when located on any front façade or street façade located within 100 feet of a street lot line. An architectural metal panel façade system with integral trim and integral trim connections to adjacent materials is permitted provided that the architectural metal panel system is not used closer than 1.5 feet from the ground.

L-4-b. Concrete Masonry Units. Utility-grade concrete masonry units, such as standard concrete block and split-face block, are permitted along a building's street-facing frontage provided that their use is limited to the base of the façade to a height not exceeding 2.5 feet. These materials are permitted on a building's rear, alley and interior lot line facades. This subparagraph shall not apply to a single- or 2-family dwelling.

L-4-c. Simulated Stucco Products. Simulated stucco products are prohibited on the ground-level area of a building, and may only be used on the upper one-third of a street façade. These materials are permitted on floors above the ground level on a building's rear, alley and interior lot line facades. For purposes of this subparagraph, the ground-level area of a one-story building is the lowest 12 feet of the building. This subparagraph shall not apply to a single- or 2-family dwelling.

L-4-d. Prohibited Stone Cladding. Masonry stone cladding using irregularly-shaped stones, often known as rubble masonry and which is typically laid in an un-coursed manner, is prohibited. This prohibited stone cladding may be composed of river rock of smooth oval-shaped stones or of rough, thinly-layered courses commonly known as ledgestone. 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) x 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)) x 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

Table 295-505-3
ACCESSORY STRUCTURE DESIGN STANDARDS

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

Table 295-505-3
ACCESSORY STRUCTURE DESIGN STANDARDS

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

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

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

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

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

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

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

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

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

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

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

f-6. Parapet Walls. A parapet wall on a flat-roofed garage may extend up to 30 inches 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 that 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.

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

h-4-c. The area adjacent to the deck is landscaped with plantings that obscure the view of the underside of the deck from the neighboring property or public way.

i. Open Trellises and Arbors. An open trellis or arbor may be located in the front yard, side yard or rear yard in accordance with table 295-505-3.

j. Children's Playhouse. A playhouse shall not be subject to any of the regulations of this subsection, except that no playhouse shall be located in the front yard or the required side setback.

k. Swimming Pools. An in-ground or above-ground swimming pool shall not be subject to any of the regulations of this subsection, except that no swimming pool shall be located in the front yard or the required side setback.

L. Mechanical Equipment. L-1. Permitted Equipment. Mechanical equipment such as, but not limited to, air-conditioning condensers, satellite dishes and utility boxes shall be permitted only in portions of side yards and rear yards outside required setback areas. Air conditioning condensers may also be placed in the required setback areas of principal buildings to the extent allowed by table 295-505-2-f.

L-2. Wood-burning Furnaces. Because of their potential to create adverse off-site effects, outdoor wood-burning furnaces are prohibited in all residential districts.

m. Portable Moving and Storage Containers. No portable moving and storage container shall be placed on a lot in a residential zoning district for more than 30 days.

n. Chicken Coops. Chicken coops, under s. 78-6.5, shall not be subject to any of the regulations of this subsection if the covered portion of the coop is 50 square feet or less in size and 10 feet or less in height

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

p. Accessory Structures for Agricultural Uses. p-1. Permitted Structures. The following accessory structures supporting the raising of livestock, a community garden or a commercial farming enterprise shall be permitted:

p-1-a. Sheds.

p-1-b. Large agricultural structures.

p-1-c. Hoop houses.

p-2. Maximum Number. Not more than one shed and one large agricultural structure may be located on a single lot. The number of hoop houses on a single lot is unlimited.

p-3. Lot Coverage. The total lot coverage of all sheds, large agricultural structures and hoop houses on a single lot shall not exceed 70% of lot area. The total lot coverage of sheds and large agricultural structures on a single lot shall not exceed 15% of lot area.

p-4. Setbacks. p-4-a. The minimum front setback, side street setback or rear street setback for a shed, large agricultural structure or hoop house shall be the average plus 5 feet.

p-4-b. The minimum side setback or rear setback for a shed, large agricultural structure or hoop house shall be 5 feet.

p-5. Maximum Height. p-5-a. The maximum height of the sidewall of an agricultural accessory structure shall be 8 feet for a shed, 10 feet for a large agricultural structure and 14 feet for a hoop house.

p-5-b. The maximum overall height of an agricultural accessory structure shall be 10 feet for a shed, 14 feet for a hoop house, 14 feet for a large agricultural structure on a vacant lot, and 24 feet or the height of the principal building for a large agricultural structure on a lot containing a principal building.

q. Other Accessory Structures. Miscellaneous accessory structures shall meet the requirements applicable to the most similar accessory building or site feature for which requirements have been established.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

e. Landscaping.

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

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

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

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

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

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

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

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

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

f-5-a. A fence may be erected 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. 295-405-1-g.

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

Table 295-505-5
RESIDENTIAL DISTRICT SIGN STANDARDS *

	Elementary and secondary schools, colleges and religious assembly	All other permitted uses except single-family, 2-family and 3-family dwellings, family day care homes and bed and breakfast establishments
Freestanding Signs	*permitted*	*permitted*
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
Wall Signs	*permitted*	*permitted*
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
Projecting Signs	*permitted*	*permitted*
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
Awning Signs	*type "A" permitted only*	*type "A" permitted only*
Maximum number	1 per principal building	1 per principal building
Type "A" max. display area (sq. ft.)	10	10
Canopy and Hood Signs	*permitted*	*permitted*
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
Roof Signs	*not permitted*	*not permitted*
Off-premise Signs	*not permitted*	*not permitted*

* Signs in the RO1 and RO2 districts shall comply with the sign standards for the NS1 and NS2 districts, respectively.

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.

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]