



PREPARED FOR THE PLAN COMMISSION

Proposal: Zoning Text Amendment

Legistar File ID #: [72659](#) (Urban Design Commission Comment on Conditional Uses), [73471](#) (Variance Notice and Fee Changes), [73472](#) (Dwelling units in Mixed-use Buildings in Certain Districts), and [73474](#) (Mission Boxes)

Prepared By: Planning and Zoning Staff

[72659](#) – This amendment adds some efficiency to the conditional use process when Urban Design Commission (UDC) input could be helpful to the Plan Commission. The ordinance currently allows for the Plan Commission to refer a conditional use request to the UDC for an advisory recommendation on design. This change would allow the District Alder and Plan Commission Secretary to anticipate the need for a UDC advisory recommendation to the Plan Commission, and advise a conditional use applicant to present at UDC *before* the Plan Commission public hearing. This code change may provide some time savings for applicants.

Staff supports this amendment.

[73471](#) – This amendment codifies the current practice of mailing notices to owners and occupants within 200 feet of zoning variance applications. It also adds a requirement to post a sign on the property that is the subject of a variance application.

Additionally, the variance application fee is increased from \$300 to \$500. The fee covers some of the administrative costs of the request, including staff time, copying, publishing, and posting notices and materials. The increased fee is comparable to variance application fees in other Wisconsin municipalities.

The zoning certificate fee is clarified and increased. A zoning certificate is required for:

- change of use which does not require a building plan review
- change in use within a land use category
- addition of an incidental use
- lawful non-conforming use

The items included in a standard zoning letter are clarified, and the fee is simplified and increased. A simplified and increased fee for zoning letters with information beyond the standard zoning letter is added.

A reduced site plan review fee is added for projects that are reviewed by Zoning staff only. The site plan review fee for projects requiring multiple agencies' review remains the same.

Staff supports this amendment.

[73472](#) –This amendment makes dwelling units in mixed-use buildings allowable within the SR-V1, SR-V2, TR-V1, TR-V2, TR-U1, TR-U2, TR-P, DR1, and DR2 zoning districts. This change will allow non-residential uses that are already allowed within these districts (daycare centers, places of worship, schools, etc.) to be combined within the same building as dwelling units, where that number of dwelling units is already allowed. At this time, no changes to the permitted or conditional use status for non-residential uses is proposed, meaning that if a non-residential use is a permitted use in the zoning district today, it would remain a permitted use as part of a mixed-use building. If it requires conditional use review today, it would still require conditional use review if it were part of a mixed-use building. Uses not allowed in the underlying zoning districts would not be allowed within mixed-use buildings.

Supplemental regulations and building forms are also updated to support this change.

Staff supports this amendment.

[73474](#) –This amendment adds “mission boxes” as a new permitted use in all residential, mixed-use and commercial, downtown and urban, and employment zoning districts. Mission Boxes are structures that are used to provide free items to the public, including, but not limited to, books, food, clothing, and home goods.

Mission boxes will be permitted setback encroachments in the front, side and rear yard setbacks.

Supplemental regulations for mission boxes include limitations on size and structural limitations such as restrictions against impeding the right-of-way.

Staff supports this amendment.