

Commercial Zoning Update Working Group



Meeting Agenda Wednesday, August 3, 2022 6:00 p.m. – Village Hall Court Room 3930 N. Murray Ave., Shorewood WI

Written comments on any of the following agenda items may be submitted to bgriepentrog@shorewoodwi.gov through 3:00 pm the day prior to the meeting. Comments received prior to the deadline will be shared with the Working Group. Comments after that deadline will need to be shared verbally within the meeting during available public comment periods.

1. Call to order
2. Roll call
3. Discussion of Module 1 (535-21 Commercial & Mixed-Use Districts, 535-25 Principal Uses, 535-26 Accessory Uses & Structures, 535-27 Temporary Uses and 535-28 Conditional Use Permits)
4. Future discussion items
5. Public comment
6. Adjournment

Dated at Shorewood, Wisconsin, this 29th day of July, 2022

Village of Shorewood
Toya Harrell
Village Clerk

Should you have any questions or comments regarding any item on this agenda, please contact Bart Griepentrog, Planning Director, Planning & Development Department, at (414) 847-2640. Upon reasonable notice, efforts will be made to accommodate the needs of all individuals.

It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information; no action will be taken by any governmental body at the above stated meeting other than the governmental body specifically referred to above in this notice.

SHOREWOOD

COMMERCIAL ZONING UPDATE



Working Group Initial Draft: Module 1
July 20, 2022

INITIAL DRAFT REVIEW KEY

green text is pulled directly from the current code and will be removed once the appropriate metric is agreed upon. **[green text in brackets]** is current code regulation for information/comparison only.

pink text highlights items to discuss during initial draft phase and will be removed for the public review draft unless additional input is needed on the specific item. Many of these questions are in the form of footnotes that will also be removed once answered. (Footnotes that are informational will be left in as directed and will be black text in public review draft.)

blue text indicates linked cross-references that are digitally linked and will remain blue in the final code.

XXX indicates references to future sections to be developed in module 2.

An "exception" noted throughout this document is a relief process that will be discussed in module 2.

ARTICLE IV. ZONING DISTRICTS

535-21. COMMERCIAL & MIXED-USE DISTRICTS

535-21A	Intent	5
535-21B	Districts	5
535-21C	Applicable Regulations	6
535-21D	Applicable to All Building Types	6
535-21E	Storefront Building Type	9
535-21F	Commercial Building Type	15
535-21G	General Building Type	21
535-21H	Row Building Type	27
535-21I	Measuring Building Type Regulations	33

535-22. BUILDING DESIGN

535-22A	Generally	22-2
535-22B	Roof Types	22-2
535-22C	Entrance Types	22-6
535-22D	Facade Materials	22-10
535-22E	Facade Elements	22-15
535-22F	Mechanical Equipment	22-23

535-23. SITE DESIGN

535-23A	Generally	22-2
535-23B	Landscape Installation	22-2
535-23C	Streetscape	22-6
535-23D	Frontage Buffer	22-10
535-23E	Side & Rear Buffer	22-15
535-23F	Parking Lot Landscape	22-23
535-23G	Screening of Utilities, Loading, & Refuse Areas	22-24

535-24. PLANNED DEVELOPMENT DISTRICT

Modifications

ARTICLE V. USES

535-25. PRINCIPAL USES

535-25A	Allowed Uses	25-2
535-25B	Use Classifications	25-2
535-25C	Residential Use Group	25-4
535-25H	Commercial Use Group	25-4
535-25I	Civic & Institutional Use Group	25-6
535-25J	Other Uses	25-8

535-26. ACCESSORY USES & STRUCTURES

535-26A	Generally	26-2
535-26B	Drive-Through Facility	26-2
535-26C	Electric Vehicle Supply	26-4
535-26H	Fuel Pumps & Canopies	26-4
535-26I	Home Occupation	26-6
535-26J	Outbuilding	26-8
535-26K	Outdoor Sales/Display	26-4
535-26L	Parking Structure	26-6
535-26M	Other Customary Accessory Uses	26-8

ARTICLE XI. PROCEDURES

535-68. DEVELOPMENT REVIEW

MODULE 2

535-21A INTENT

The regulations of the commercial and mixed-use districts are intended to support development along the business corridors of the village, based upon the goals and vision established in the Village’s comprehensive plan. Further, these districts are intended to achieve the following:

535-21A(1) SENSE OF PLACE

A sense of place defined by human-scaled development consisting of a variety of high quality buildings and civic spaces with well-designed landscape and streetscapes.

535-21A(2) WALKABLE DEVELOPMENT

Walkable development that is comfortable, safe, and interesting for the pedestrian through the use of human-scaled buildings, streetscape design, and a hierarchy of streets for pedestrians and vehicles.

535-21A(3) MIXED-USE

Buildings and development that activate streets and civic spaces during the day and into the evenings through a mix of uses and multi-story buildings that define the public space of the street.

535-21A(4) SUSTAINABLE

Development that promotes environmental sustainability goals, such as reductions in vehicle miles traveled (VMT) and greenhouse gas (GHG) emissions through pedestrian- and bicycle-friendly design.

535-21B DISTRICTS

535-21B(1) DISTRICTS ESTABLISHED

The Village’s commercial and mixed-use districts are listed in [Table 535-21-1](#). When this zoning ordinance refers to “commercial” districts, it is referring to these districts.

535-21B(2) DISTRICT DESCRIPTIONS

(a) **MX, Mixed-Use Storefront Districts.** The MX districts are intended for the mixed-use corridors, where walkable Storefront Buildings include shopping, eating and drinking, and services.

- [1] MX1 is for locations abutting neighborhoods.
- [2] MX2 is reserved for locations where taller buildings fit within the context of the area, as designated in the comprehensive plan.

(b) **CX, Commercial Storefront Mix District.** The CX district is intended for specific locations where single-use commercial may be oriented both to pedestrian and automobile access is allowed as designated in the comprehensive plan.

(c) **GX, General Residential-Office Districts.** The GX districts are intended for locations along corridors and neighborhood edges, where residential, office, and other low intensity commercial and production uses can mix comfortably in General Buildings and Row Buildings can be used for live-work or residential uses.

- [1] GX1 is for locations abutting neighborhoods.
- [2] GX2 is for locations where taller buildings fit within the context of the area, as designated in the comprehensive plan.
- [3] GX3 is reserved for the southeast intersection at Capitol Drive and Oakland Avenue, where the tallest development is designated to occur per the comprehensive plan.

(d) **RX, Residential Mix District.** The RX district is intended for multi-unit residential in a mix of building types located on the edges of neighborhoods.

Table 535-21-1. Districts

SYMBOL	DISTRICT NAME
MIXED-USE & COMMERCIAL DISTRICTS	
MX1	Mixed-Use Storefront 1
MX2	Mixed-Use Storefront 2
CX	Commercial Storefront Mix
GX1	General Residential-Office Mix 1
GX2	General Residential-Office Mix 2
GX3	General Residential-Office Mix 2
RX	Residential Mix

535-21 Commercial & Mixed-Use Districts
535-21C. Applicable Regulations

535-21C APPLICABLE REGULATIONS

The following regulations apply to all sites zoned as commercial and mixed-use districts. Any other applicable regulations established by the Village may also apply.

535-21C(1) BUILDING TYPES

Building types regulated in this section 535-21 are allowed in districts per [Table 535-21-2](#). All buildings and site development must comply with one of the building types in this section, unless otherwise expressly stated in these zoning regulations.

535-21C(2) USES

See [XXX](#) for allowed uses and any use-specific regulations within each district.

535-21C(3) BUILDING & SITE DESIGN

See [XXX](#) for building and site design regulations applicable to all building types allowed in this section 535-21.

535-21C(4) MEASURING BUILDING TYPES

See [535-21](#) for definitions and methods for measuring building type requirements.

535-21C(5) EXISTING BUILDINGS AND LOTS

See Article VII for buildings constructed and lots established prior to the adoption of these regulations that do not conform to these regulations.

535-21C(6) APPROVALS

See [XXX](#) for development approval procedures.

535-21C(7) EXCEPTIONS

See [XXX](#) for minor and major exceptions processes to the building type, building design, and site design regulations. Modifications to building type regulations include:

- (a) [to be developed in module 2]

535-21D APPLICABLE TO ALL BUILDING TYPES

The regulations of this subsection apply to all building types, unless otherwise stated.

535-21D(1) PERMANENT BUILDINGS

All buildings must be of permanent construction without a chassis, hitch, or wheels, or other features that would make the structure mobile, unless otherwise expressly stated in this ordinance, and except as follows:

- (a) **Temporary Construction Buildings.** Temporary construction buildings are allowed per 535-10C.
- (b) **Other Temporary Buildings.** Temporary buildings, other than temporary construction buildings, may be allowed on sites per [XXX](#).¹

535-21D(2) ACCESSORY STRUCTURE REGULATIONS

Except as defined in the building type regulations, accessory structures are subject to the regulations of [535-26](#).

535-21D(3) NUMBER OF PRINCIPAL BUILDINGS

One principal building is allowed per lot, unless otherwise stated in the building type regulations.

535-21D(4) TREATMENT OF YARDS

All yards must consist of landscape areas, patio space, or sidewalk space, unless otherwise expressly stated. See [XXX](#) for landscape and site design regulations.

- (a) **Parking Locations.** Paved vehicular areas (parking lots, loading areas, drives) are located per the building type regulations.
- (b) **Side Yard Parking Lots.** Some districts allow side yard parking lots. Side yard parking lots must not encroach

¹ Process will be defined in second module.

Table 535-21-2. Allowed Building Types by District

Building Types	Districts							Reference
	MX1	MX2	CX	GX1	GX2	GX3	RX	
Storefront Building	●	●	●	–	–	–	–	535-21E
Commercial Building	–	–	●	–	–	–	–	535-21F
General Building	–	–	–	●	●	●	●	535-21G
Row Building	–	–	–	–	●	●	●	535-21H

KEY: ● = Allowed

535-21 Commercial & Mixed-Use Districts

535-21D. Applicable to All Building Types

into any street yard or minimum side setback, except as otherwise expressly stated.

(c) Driveways Crossing Yards. Paved vehicular areas are limited to specific locations per the applicable district building type regulations. Driveways may cross through yards as follows:

- [1] Where permitted as access to the lot, driveways may cross perpendicularly through the primary or non-primary street yards, except as otherwise expressly stated.
- [2] In all districts, driveways may cross perpendicularly through the side and rear yards to connect to parking on adjacent lots.

535-21D(5) REFUSE & RECYCLING LOCATIONS

Unless otherwise defined by the building type, all refuse, recycling, and other waste areas must comply with the regulations of this subsection, [535-21D\(5\)](#). Recycling includes any donation collections containers for clothing or goods.

(a) Interior Location Access Doors. Refuse, recycling, and other waste areas must be located inside the building with access doors off the rear or interior side facade.

- [1] Access doors may be located off a non-primary street facade if no other option exists.
- [2] Access doors must be opaque, screening a minimum of 80% of the opening.
- [3] Karts, dumpsters, and containers must be located immediately inside the access doors and stored inside until the process of emptying. Karts, dumpsters, and containers may not be pulled out on the street in advance of the arrival of the hauling truck.
- [4] See 455-2 for collection service regulations.

(b) Rear Yard. Refuse, recycling, and other waste areas may be located in the rear yard of the lot with approval of an exception. See [XXX](#) for required screening of refuse, recycling, and other waste areas.

535-21D(6) LOADING LOCATIONS

Unless otherwise defined by the building type, all loading areas must be located as follows.

(a) Rear Yard. All loading activities must occur in the rear or interior yard.

(b) Access Doors and Docks. All loading docks and access doors must be located on a rear facade or interior yard facade.

(c) Screening. See [XXX](#) for required buffers and [XXX](#) for required screening.

535-21D(7) PRIMARY FRONTAGES

Primary frontages generally establish the fronts of lots and buildings, and determine where to locate the principal entrance to the building. Per the building type regulations, primary frontages require the highest level of facade treatment and restrict the location of parking, driveways, and garage entrances.

(a) Designation. Lots may have multiple primary frontages. Primary frontages are generally defined by primary street, waterway frontage, and civic space frontage as follows:

- [1] Primary Streets. Defined primary streets include Oakland Avenue, Capitol Drive, and Wilson Drive.
- [2] Neighborhood Primary Streets. Within neighborhoods, primary streets are those where the majority of buildings along the street have front facades and principal building entrances facing the street.
- [3] Waterfronts. Lots with frontage along the Milwaukee River must treat facades facing the waterway as primary frontages in addition to any primary street frontage.
- [4] Civic or Open Space Frontage. Lots containing or abutting civic spaces or public open spaces must treat frontages abutting that space as primary frontages, unless otherwise approved by the Plan Commission.
- [5] Non-Primary Frontage. A non-primary frontage is a street frontage that is not considered a primary frontage.

(b) One Primary Street Frontage Required. All lots must treat at least one street frontage as primary. If no primary street abuts the lot, the street with the most existing frontage(s) must be treated as primary, unless otherwise approved by the Plan Commission.

(c) Through-Lots with Two Primary Frontages².

- [1] Where a parcel zoned MX, GX, CX, or RX extends from one primary street through the block to another primary street, each street must be treated as a primary frontage, unless otherwise approved as an exception.

² Not many of these exist; included just in case a situation arises.

535-21 Commercial & Mixed-Use Districts

535-21D. Applicable to All Building Types

- [2] Any through-lot facing any R district across a street must incorporate the following:
- [a] Within the first 50 feet of lot depth across from any R district primary frontage, all regulations of a General or Row Building type.
 - [b] Uses permitted in those building types are allowed except no retail or consumer service category uses.
- [3] An exception may be approved for a different configuration.

(d) Intersecting Primary Streets. Where two primary streets intersect on the subject lot, the street with the most existing primary frontage treatments may be treated as the sole primary frontage of the lot.

- [1] In the case of the intersection at Capitol Drive and Oakland Avenue, both frontages must be treated as primary frontage unless an exception is approved.
- [2] Where a Storefront Building is located at the intersection of either Capitol Drive or Oakland Avenue with a neighborhood street, Capitol Drive or Oakland Avenue must be treated as the primary frontage.
- [3] Where a building other than a Storefront Building is located at the intersection of either Capitol Drive or Oakland Avenue with a neighborhood street, the development may treat either as the primary frontage.
- [4] Where an existing building is located at the intersection of either Capitol Drive or Oakland Avenue with a neighborhood street and fronts the neighborhood street, the neighborhood street serves as the primary frontage.

(e) Non-Primary Frontages. Non-primary frontages allow for a lower level of facade treatment as well as permit locations for garage and parking lot driveways entrances. Non-primary frontages may always be treated at the higher level of a primary frontage.

535-21D(8) MINIMUM STREETScape AREA

- (a) Purpose.** A minimum area between the street pavement and the lot line is required to ensure adequate pedestrian facilities are provided along all streets, including, at a minimum, sidewalks and street trees.
- (b) Build-to Zone Measurement.** Where the area from the back of curb to the lot line along any portion of the

frontage is less than 12 feet³, the build-to zone must be measured starting from 12 feet off the back of curb/edge of pavement into the lot. The result is the building will be located such that the pedestrian area is at least 12 feet deep. The back-of-curb measurement must be taken along the typical street segment and must not include any bump-outs at street corners. See [XXX](#) for measuring build-to zones.

- (c) Streetscape.** The extended streetscape area must be treated with streetscape per [XXX](#).
- (d) Easement.** When the sidewalk is less than 5 feet in clear width, an easement is required to ensure a full 5-foot sidewalk is publicly available.

³ The current build-to line in B1 requires 15 feet instead of 12, back of curb to 15 feet, or if the distance is greater than 15 feet, the lot line is the build-to line. 12 is a typical, comfortable pedestrian area width -- 7-foot tree/furnishings area plus 5-foot clear walk area. Most of the current pedestrian areas are 12 feet. Build-to lines are not very flexible and result in a rigid streetwall that does not create spaces along the sidewalk, one of the objectives discussed in the public meetings. Build-to zones allow more flexibility.

535-21E STOREFRONT BUILDING TYPE

535-21E(1) DESCRIPTION AND INTENT

The Storefront Building type is intended for use along corridors to accommodate shopping, services, and eating establishments in a mixed-use building. Oriented to the street with narrow or no side setbacks, this building type's streetwalls help define the public space of the street. Ground story storefront glass, entrances along the sidewalk, and windows in upper stories facing the street make these buildings interesting and inviting to pedestrians. Parking is located internally or in the rear yard.

535-21E(2) ILLUSTRATIVE IMAGES

The images shown in [Figure 535-21-A](#) are intended to illustrate the general character of the building type. The buildings and sites in each image may not fulfill all of the building type regulations.

535-21E(3) BUILDING REGULATIONS

The following tables and illustrations regulate this specific building type. See [535-21D](#) for general regulations for all building types. See [535-21I](#) for definitions and measuring table regulations.

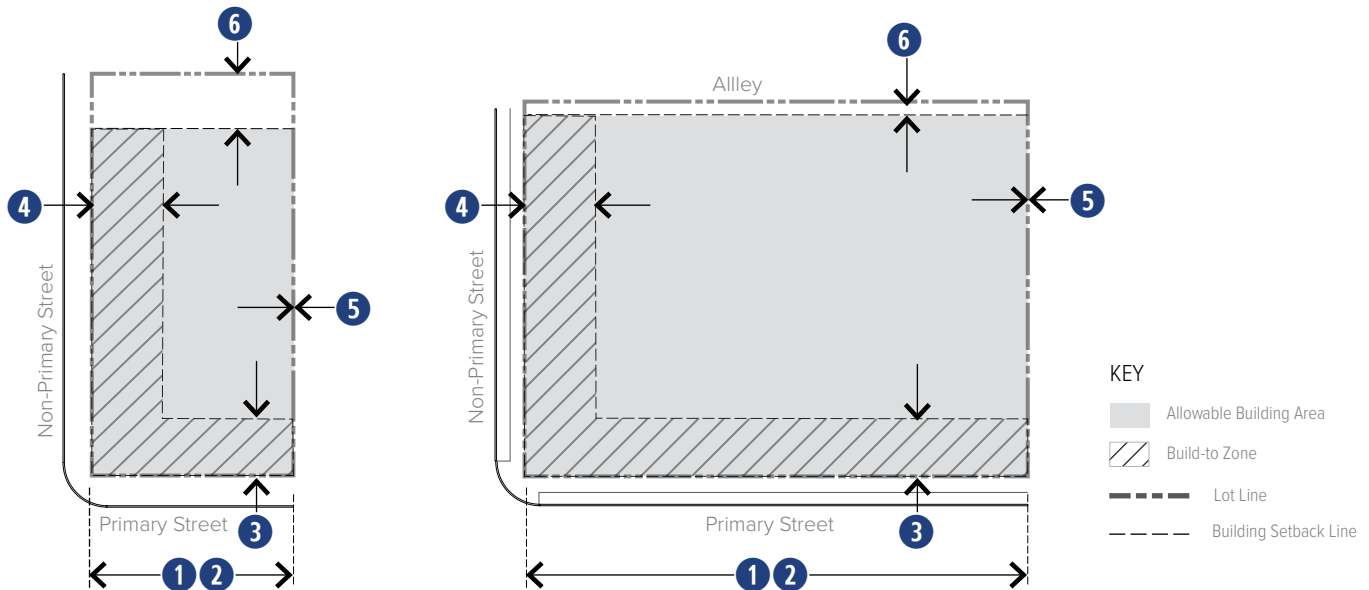
LINK	SUBSECTION
535-21 E (4)	Building Siting
535-21 E (5)	Parking & Accessory Structures
535-21 E (6)	Height
535-21 E (7)	Roofs
535-21 E (8)	Primary & Non-Primary Facades
535-21E(9)	Supplemental Regulations



Figure 535-21-A. Examples of Storefront Building Type

535-21 Commercial & Mixed-Use Districts
535-21E. Storefront Building Type

Figure 535-21-B. Storefront Building Siting

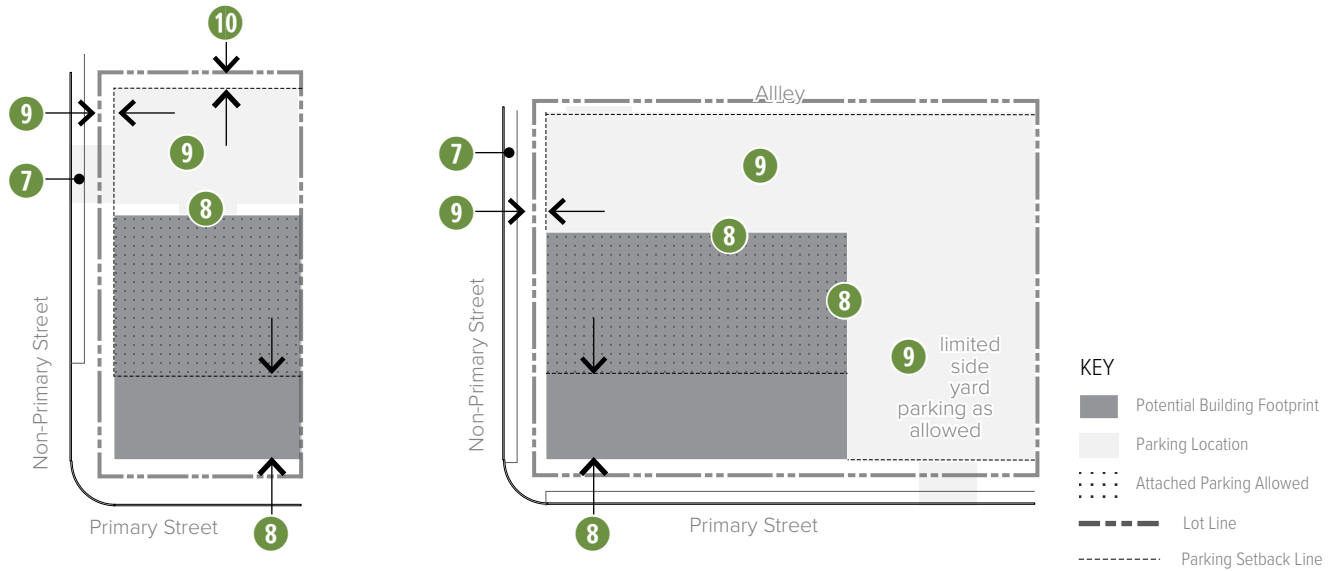


DISTRICTS

	MX	CX	Additional/References
535-21 E (4) BUILDING SITING. See Figure 535-21-B			
1 Lot Width ¹	35 ft. [40 ft., 4500 sf]	35 ft. [40 ft., 4500 sf]	
2 Primary Streetwall	80% min.	65% min.	See 535-21E(9) for building form variation. Through-lots addressed per 535-21D(7) . See 535-21(6) for measuring.
Primary Streetwall Variation	See 535-21E(9)(a) for courtyard, outdoor dining, and seating requirement on primary streetwall over 130 ft. wide. ²		
3 Primary Street Build-to Zone	0 min. 20 ft. max.	0 min. 20 ft. max.	Minimum streetscape area required per 535-21D(8) . See 535-21(6) for measuring.
4 Non-Primary Street Build-to Zone	0 min. 25 ft. max. ³	0 min. 25 ft. max.	Through-lots addressed per 535-21E(9).B .
5 Side Setback	min. 5 ft. adjacent to other district; otherwise, 0 ft. min. or, if set back, min. 5 ft.		Buffer required adjacent to R districts per 535-21E(9) .
6 Rear Setback	min. 5 ft. at alley; if no alley, min. 20 ft. [min. 10 feet adjacent to R district]		

1 Eliminating lot size requirement. Smallest lot width found is 35 feet, allowing development on this lots without a variance/exception.
 2 Requires spaces off the sidewalk only when the building is wider than 130 feet. Cornerstone building is approx. 125 feet from corner to plaza, which is approx. 50 feet wide, then the remaining building is approx. 50 feet wide.
 3 The depth of the Fiddleheads patio is approx. 25 feet.

Figure 535-21-C. Storefront Building Parking Siting



DISTRICTS

MX

CX

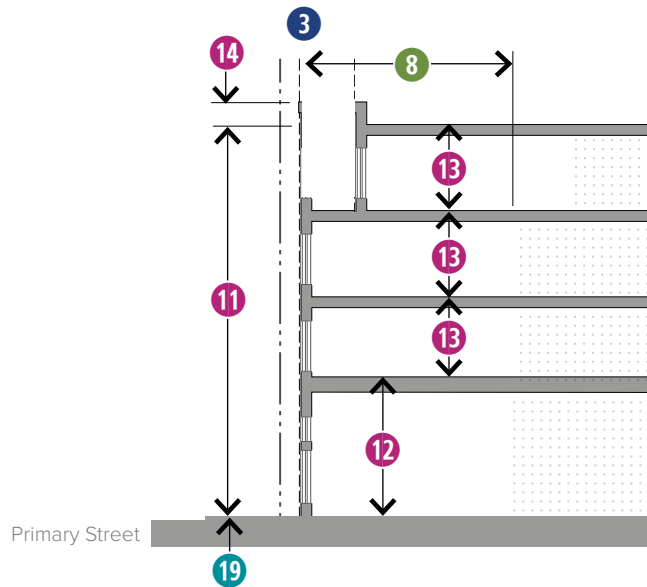
Additional/References

535-21 E (5) PARKING & ACCESSORY STRUCTURES. See [Figure 535-21-C](#).

7	Parking & Driveway Access Location	Alley; if no alley, 1 access off non-primary street; if no non-primary street, 1 access off primary street	See Article IX for parking.
	Size	Max. 22 ft. width at sidewalk	
8	Internal Parking Setback	20 ft. min. from primary facade above any basement	See XXX for garage door design regulations.
	Internal Parking Door Location	Rear, side facade; if no alley exists, door may be located on a non-primary street facade with an approved exception	
9	Surface Parking Location	Rear yard Rear yard; limited side yard	See 535-21(9) for allowed limited side yard parking layout
	Street Setback	No closer to lot line than principal building	See XXX for landscape buffers.
	Side & Rear Setback	0 ft. min. at alley; 3 ft. min.	0 ft. min. at alley; 3 ft. min.
	Accessory Structure Location	Rear yard; see accessory structure regulations	See Article V for accessory structures and uses.
10	Street Setback	No closer to lot line than principal building	
	Side & Rear Setback	5 ft. min.	5 ft. min.
KEY ACCESSORY STRUCTURES			KEY:
	Outbuildings & Garages	●	● = Allowed
	Drive-Through Facilities	–	○ = Requires a Conditional Use Permit
	Fuel Pumps	–	
	Outdoor Sales & Display	–	
	Parking Structure	●	

535-21 Commercial & Mixed-Use Districts
535-21E. Storefront Building Type

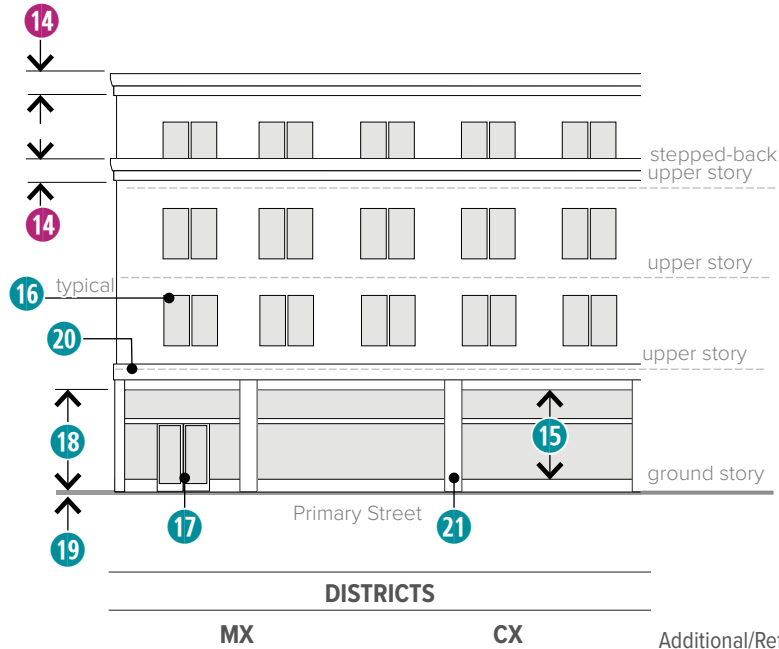
Figure 535-21-D. Storefront Building Height



DISTRICTS

		MX	CX	Additional/References
535-21 E (6) HEIGHT. See Figure 535-21-D				
11	Height	2 story min. In MX1 : 4 stories max. In MX2 : 5 stories max.	2 story min. 5 stories max.	See 535-21E(9) for minimum story facade location. Step-backs required adjacent to R districts per 535-21E(9) . Primary street step-backs required per 535-21E(9) .
12	Ground Story Height		12 ft. min. 16 ft. max.; up to 20 ft. max. with approved exception	Measured floor-to-floor. See 535-21(10) for measuring height.
13	Upper Story Height	9 ft. min. 12 ft. max.	9 ft. min. 12 ft. max.	
535-21 E (7) ROOFS. See Figure 535-21-D				
14	Roof Types	Flat, parapet, pitched		See XXX for roof types and tower regulations
	Tower	Allowed		

Figure 535-21-E. Storefront Building Facade



535-21 E (8) PRIMARY & NON-PRIMARY FACADES. See Figure 535-21-E				
		MX	CX	Additional/References
15	Transparency: Ground Story on Primary Facades	65% min.	70% min.	See 535-21(11) for measuring transparency. Blank wall segments apply.
		Measured between 2 ft. and 10 ft. from sidewalk grade		
		No bays or 15 ft. wide sections of any story on a primary facade may be without transparency		
		Ground story transparency must extend min. 30 ft. around the corner down any street-side facades		
16	Transparency: Upper Stories on Primary Facades	20% min.		Measured per story, includes any half stories, visible basement, or towers with full height stories. See 535-21(11) for measuring transparency.
		No bays or 15 ft. wide sections of any story on a primary facade may be without transparency		
	Transparency: Non-Primary Facades	20% min. ⁴		
17	Building Entrance Location	One per every 60 feet of primary facade		See 535-21(12) for measuring building entrance location.
18	Entrance Type	Storefront		See XXX for entrance types.
19	Ground Story Elevation	Within 24 in. of sidewalk elevation		
20	Horizontal Divisions with Shadow Lines	Within 3 ft. of the top of the first story		Horizontal shadow lines to run a min. 80% of length of facade. See XXX for definition of shadow lines.
21	Vertical Divisions with Shadow Lines	One per every 60 ft. of ground story street facade		

⁴ Note - this does not include the 15-foot section limit with no windows regulation.

535-21 Commercial & Mixed-Use Districts
535-21E. Storefront Building Type

535-21E(9) SUPPLEMENTAL REGULATIONS

(a) Primary Streetwall Variation. One of the following must be utilized for every 130-foot wide section of building streetwall:

- (1) Courtyard.** One courtyard, minimum 30 feet in width by 30 feet in depth, is required.
 - [a] The courtyard may count towards primary streetwall when abutting the build-to zone or line. See definition of courtyard in [XXX](#).
 - [b] Parking is not allowed in courtyards.
 - [c] Courtyard facades must be treated as primary frontage per facade regulations for the building type and any design regulations in [XXX](#).
 - [d] Courtyard may not be located on the corner of the lot except as approved by a design exception. No more than one corner of an intersection may be occupied by a courtyard.
 - [e] The courtyard must include special paving materials and patterns and landscape materials such as trees in grates or planters and/or landscape beds.
 - [f] Temporary or permanent seating is required. Temporary seating must be in place between April 30 and September 30, at a minimum.
 - [g] At least one other amenity such as a pergola, trellises, catenary or string overhead lighting, a fountain, or artwork such as a sculpture or mural must be included. Other amenities may be approved through the exception process.

(2) Seating/Dining Areas. The maximum build-to zone must be utilized for a minimum of 35% of the streetwall to allow for one or more permanent outdoor seating or dining areas.

- [a] The seating/dining areas must be included in the streetscape area per [XXX](#). Special paving materials and patterns, landscape materials such as trees in grates or planters and/or landscape beds must be included.
- [b] Temporary or permanent seating is required. Temporary seating must be in place between April 30 and September 30, at a minimum.
- [c] At least one other amenity per 130 feet of streetwall must be included. Amenities include such items as a pergola, trellises, catenary or string overhead lighting, a fountain, or artwork such as a sculpture or mural must be included. Other amenities may be approved through the exception process.

(b) Treatment Turning Corners. At all intersections of primary and non-primary streets, primary facade regulations must be met along the first 30 feet of facade, measured horizontally along the non-primary street from the corner.

(c) Minimum Story Street Facades. The street facades of the minimum stories must be located fully in the build-to zone, occupying the same facade plane. For example, with a minimum height of 2 stories, the street facade of the second story may not be set back from the first story.

(d) Transition at R Districts. Facades abutting an R district above the third story must be stepped back a minimum of 15 feet from the rear lot line. Side and rear buffer required per [7.110](#).

(e) Stepped-Back Top Story. For all buildings over 3 stories and 120 feet in width along the primary street, a minimum of 50% of the top story facade must be set back from the primary street facade a minimum of 7 feet.

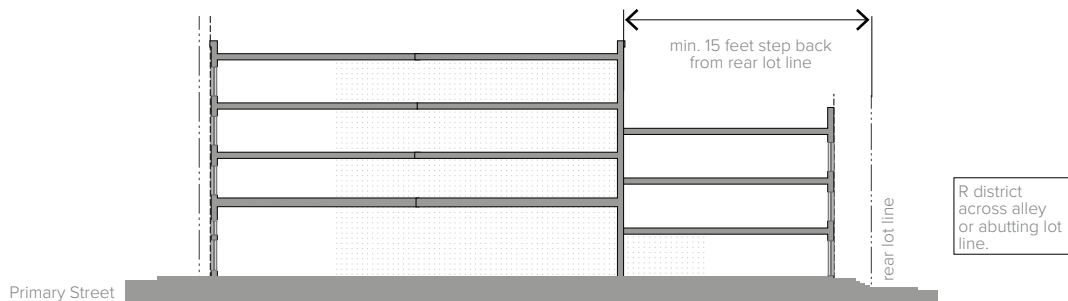


Figure 535-21-F. Step Back at R District (section)

535-21F COMMERCIAL BUILDING TYPE

535-21F(1) DESCRIPTION AND INTENT

The Commercial Building is a version of the Storefront Building that accommodates both vehicular and pedestrian access comfortably. Vehicular-focused uses, such as fueling stations and businesses with drive-through facilities are accommodated by this building type.

535-21F(2) ILLUSTRATIVE IMAGES

The images shown in [Figure 535-21-A](#) are intended to illustrate the general character of the building type. The buildings and sites in each image may not fulfill all of the building type regulations.

535-21F(3) BUILDING REGULATIONS

The following tables and illustrations regulate this specific building type. See [535-21D](#) for general regulations for all building types. See [535-21I](#) for definitions and measuring table regulations.

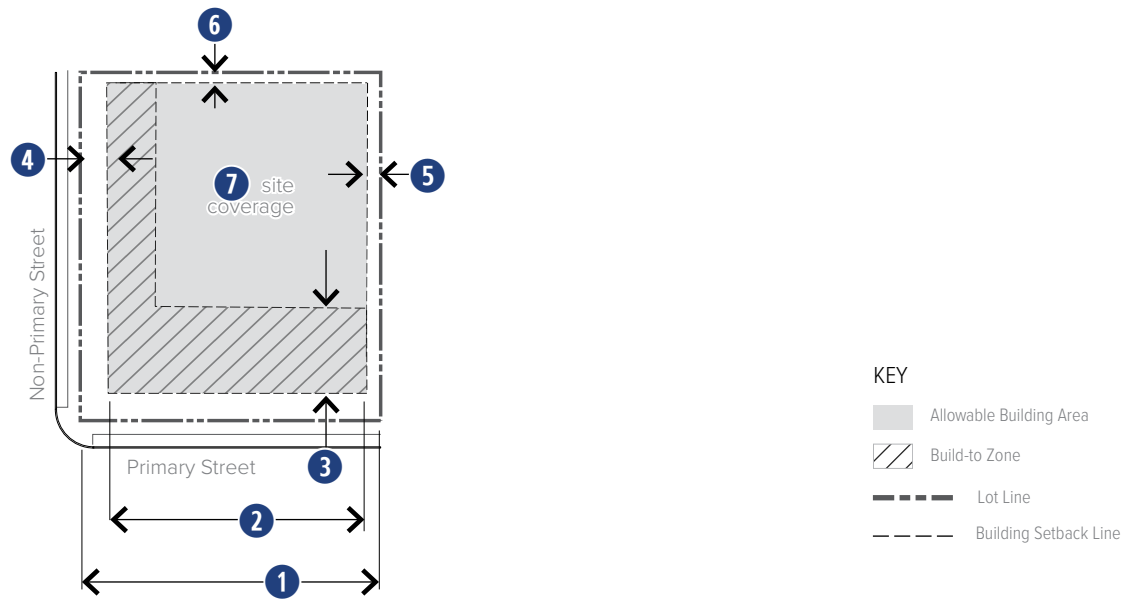
LINK	SUBSECTION
535-21 F (4)	Building Siting
535-21 F (5)	Parking & Accessory Structures
535-21 F (6)	Height
535-21 F (7)	Roofs
535-21 F (8)	Primary & Non-Primary Facades
535-21F(9)	Supplemental Regulations



Figure 535-21-A. Examples of Commercial Center Building Type

535-21 Commercial & Mixed-Use Districts
535-21F. Commercial Building Type

Figure 535-21-B. Commercial Building Siting



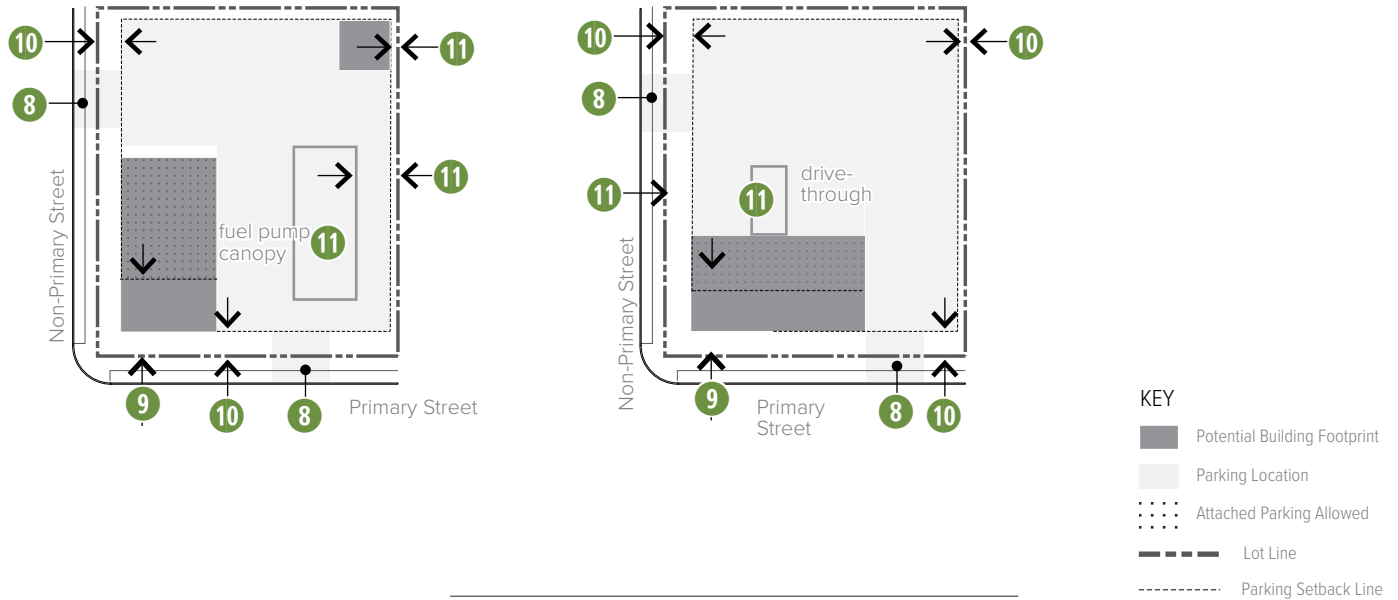
DISTRICTS

CX

Additional/References

535-21 F (4) BUILDING SITING. See Figure 535-21-B			
		CX	Additional/References
1	Lot Width	40 ft. min.	
2	Primary Streetwall	50% min.	
3	Primary Street Build-to Zone	10 ft. min. 35 ft. max.	Min. streetscape area required per 535-21D(8) . Outdoor dining and seating area required per 535-21F(9) .
4	Non-Primary Street Build-to Zone	10 ft. min. 20 ft. max.	
5	Side Setback	5 ft. min.	Buffer required adjacent to R districts per 535-21F(9) .
6	Rear Setback	min. 5 ft. at alley; if no alley, min. 20 ft.	
7	Site Coverage	75% max.	See 535-21(7) for measuring site coverage.

Figure 535-21-C. Commercial Building Parking Siting



DISTRICTS

CX

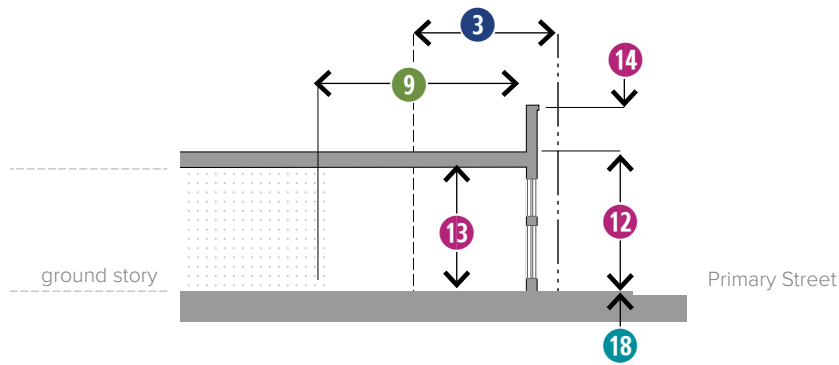
Additional/References

535-21 F (5) PARKING & ACCESSORY STRUCTURES. See Figure 535-21-C .			
8	Parking & Driveway Access Location	1 access per 120 feet of street frontage ¹	See Article IX for parking.
	Size	Max. 22 ft. width at sidewalk	
9	Internal Parking Setback	20 ft. min. behind primary facade in rear of building above any basement	See XXX for garage door design regulations.
	Internal Parking Door Location	Rear, side, non-primary facade	
10	Surface Parking Location	Rear yard, side yard	Minimum primary streetwall must be met for side yard parking. See XXX for definition of yards.
	Street Setback	No closer to lot line than principal building	
	Side & Rear Setback	5 ft. min.	
11	Accessory Structure Location	Rear yard only, except fuel pumps allowed in rear & side yard	See Article V for accessory structures and uses.
	Street Setback	No closer to lot line than principal building	
	Side & Rear Setback	5 ft. min.; 15 ft. min. adjacent to R district	
KEY ACCESSORY STRUCTURES			KEY: ● = Allowed ○ = Requires a Conditional Permit
	Outbuildings & Garages	●	
	Drive-Through Facilities	●	
	Fuel Pumps	●	
	Outdoor Sales & Display	●	
	Parking Structure	—	

¹ Neither Culvers nor Corner Bakery would meet this requirement, but if they shared a driveway there could be 3 drives.

535-21 Commercial & Mixed-Use Districts
535-21F. Commercial Building Type

Figure 535-21-D. Commercial Building Height



DISTRICTS

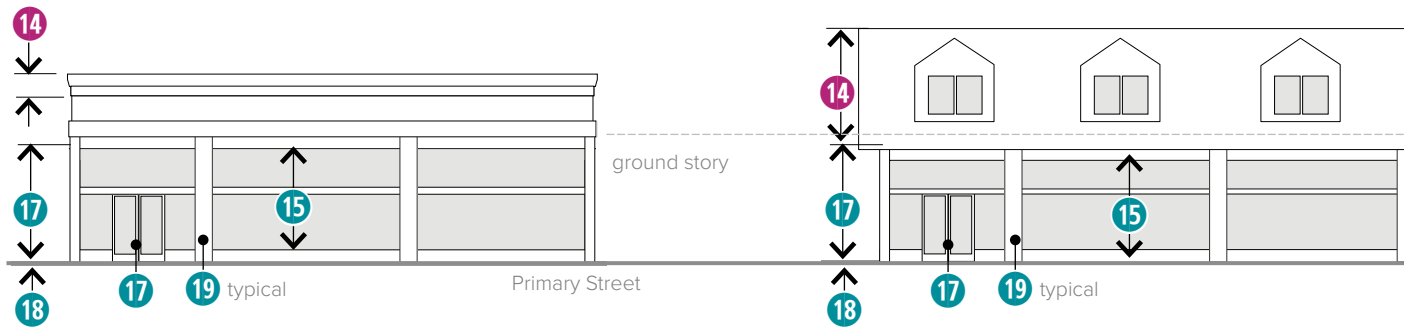
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Additional/References

535-21 F (6) HEIGHT. See Figure 535-21-D			
12	Height	1 story min. 1 story max. ²	See 535-21(10) for measuring height.
13	Ground Story Height	10 ft. min. with pitched roof, 14 ft. min. with flat or parapet roof 18 ft. max.	
535-21 F (7) ROOFS. See Figure 535-21-D			
14	Roof Types	Flat, parapet, pitched	See XXX for roof types and tower regulations. See 535-21F(9) for pitched roof on single-story building.
	Tower	Allowed	

² Recommend allowing only a single story building here. If multiple stories are intended, the storefront building would be used.

Figure 535-21-E. Commercial Building Facade



DISTRICTS

CX

Additional/References

535-21 F (8) PRIMARY & NON-PRIMARY FACADES. See [Figure 535-21-E](#)

15	Ground Story Transparency on Primary Facades	55% min. No bays or 15 ft. wide sections of any story on a primary facade may be without transparency Ground story transparency must extend a min. 30 ft. around the corner, down any street-side facades	Ground story transparency measured between 2 ft. and 10 ft. from sidewalk grade. See 535-21(11) for measuring transparency. Blank wall segments apply.
	Transparency: Non-Primary Facades	15% min.	Measured per story, includes any towers with full-floor height. See 535-21(11) for measuring transparency.
16	Building Entrance Location	One per every 60 feet of primary facade	See 535-21(12) for measuring building entrance location.
17	Entrance Type	Storefront	See XXX for entrance types.
18	Ground Story Elevation	Within 24 in. of sidewalk elevation ³	
	Horizontal Divisions with Shadow Lines	–	See XXX for definition of shadow lines.
19	Vertical Divisions with Shadow Lines	One per every 60 ft. of ground story street facade	

³ Note that corner bakery would have required a variance because it is a unique lot. An exception could be included to allow for more than 2 feet in ground story elevation, but would not likely contemplate the amount of grade on the Corner Bakery site.

535-21 Commercial & Mixed-Use Districts
535-21F. Commercial Building Type

535-21F(9) SUPPLEMENTAL REGULATIONS

(a) Outdoor Dining and Seating Area. One or more permanent outdoor seating or dining areas, each a minimum of 600 sf, must be located either within the build-to zone, abutting the build-to zone, or a combination of the two.

[1] If located in the build-to zone, either fully or partially, the seating/dining areas must be included in the streetscape area design per XXX. Special paving materials and patterns, landscape materials such as trees in grates or planters and/or landscape beds must be included.

[2] Temporary or permanent seating is required. Temporary seating must be in place between April 30 and September 30, at a minimum.

(b) Treatment Turning Corners. At all intersections of primary and non-primary streets, primary facade regulations must be met along the first 30 feet of facade, measured horizontally, on the non-primary street from the corner.

535-21G GENERAL BUILDING TYPE

535-21G(1) DESCRIPTION AND INTENT

The General Building is a basic urban building, typically housing multiple residential units, office, laboratory spaces, classrooms, and similar spaces, usually with a central main entrance off a lobby and with windows delineating each story. Parking is located in the rear yard with attached garages entered from the rear of the building. Buildings vary in height depending on the district with any half story located within a pitched roof or in a visible basement.

535-21G(2) ILLUSTRATIVE IMAGES

The images shown in [Figure 535-21-A](#) are intended to illustrate the general character of the building type. The buildings and sites in each image may not fulfill all of the building type regulations.

535-21G(3) BUILDING REGULATIONS

The following tables and illustrations regulate this specific building type. See [535-21D](#) for general regulations for all building types. See [535-21I](#) for definitions and measuring table regulations.

LINK	SUBSECTION
535-21 G (4)	Building Siting
535-21 G (5)	Parking & Accessory Structures
535-21 G (6)	Height
535-21 G (7)	Roofs
535-21 G (8)	Primary & Non-Primary Facades
535-21G(9)	Supplemental Regulations

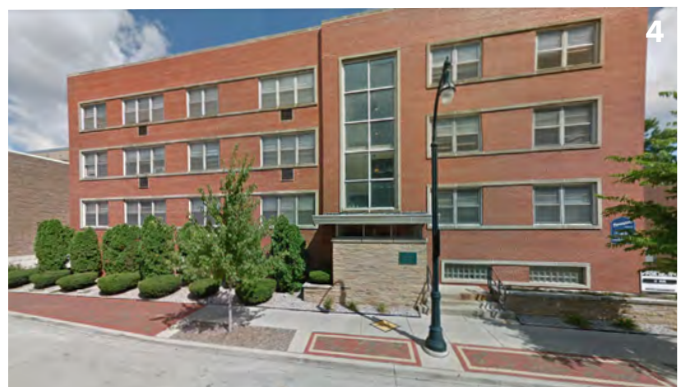
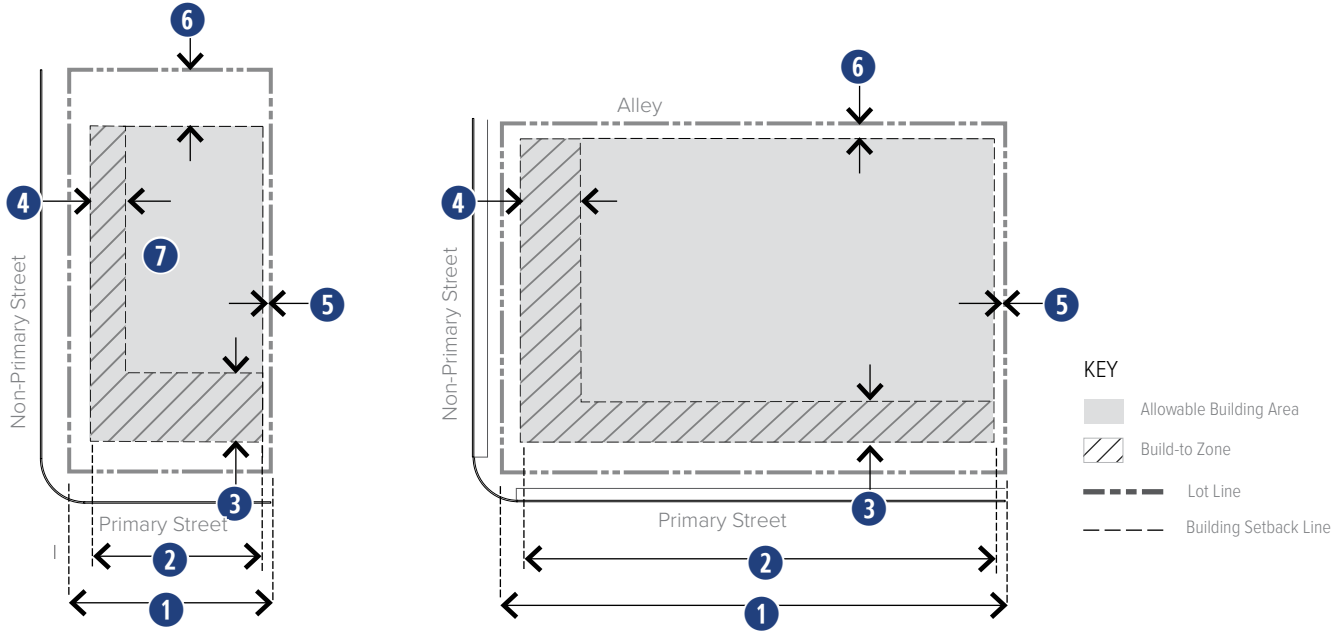


Figure 535-21-A. Examples of General Building Type

535-21 Commercial & Mixed-Use Districts
535-21G. General Building Type

Figure 535-21-B. General Building Siting



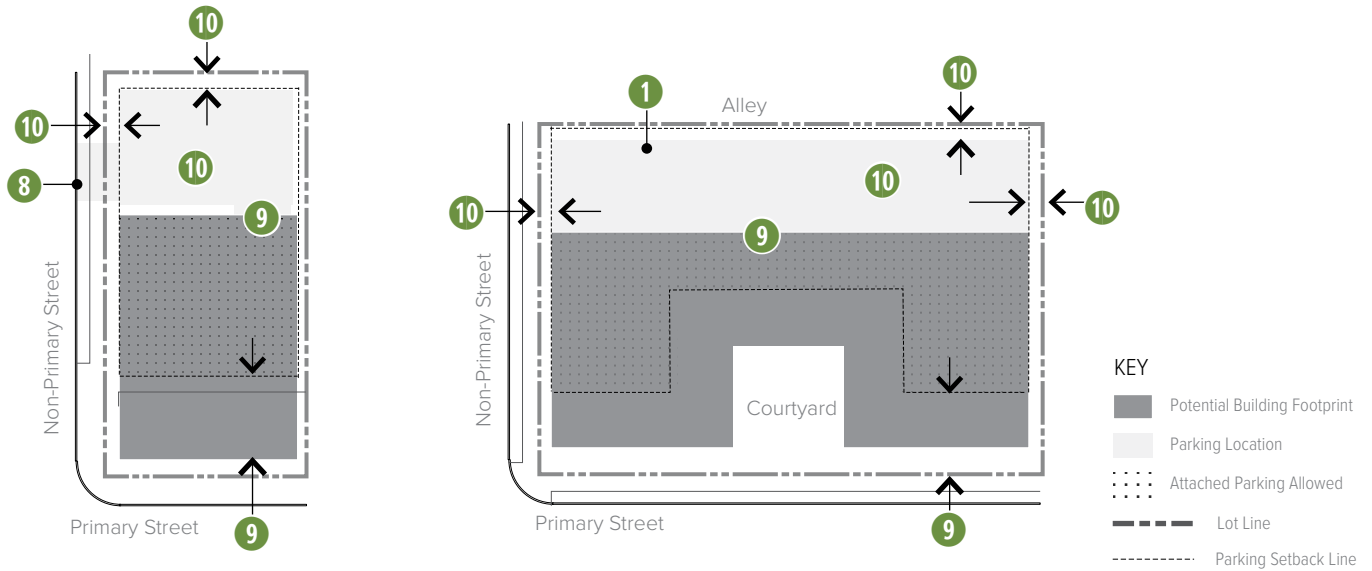
DISTRICTS

GX, RX

Additional/References

535-21 G (4) BUILDING SITING. See Figure 535-21-B		
Multiple Principal Buildings	allowed	Each building must meet the building type regulations with primary street frontage.
1 Lot Width	35 ft. [40 ft. min.]	
2 Primary Streetwall	75% min.	See 535-21G(9) for courtyard allowance and double frontage lots.
Primary Streetwall Variation	See 535-21G(9)(a) for courtyard, outdoor seating requirement on primary streetwall over 130 ft. wide.	
3 Primary Street Build-to Zone	10 ft. min. 25 ft. max.	Contextual setbacks apply on neighborhood streets. See 535-21I(6). See 535-21D(8) minimum streetscape area.
4 Non-Primary Street Build-to Zone	5 ft. min. 25 ft. max.	
5 Side Setback	Min. 10 ft. adjacent to R district; otherwise, min. 5 ft..	
Between Buildings on a Lot	Min. 10 ft	
6 Rear Setback	Min. 5 ft. at alley; if no alley, min. 20 ft.	See 535-21G(9) for treatment adjacent to R districts.
7 Site Coverage	85% max.	See 535-21I(7) for measuring site coverage.

Figure 535-21-C. General Building Parking Siting



DISTRICTS

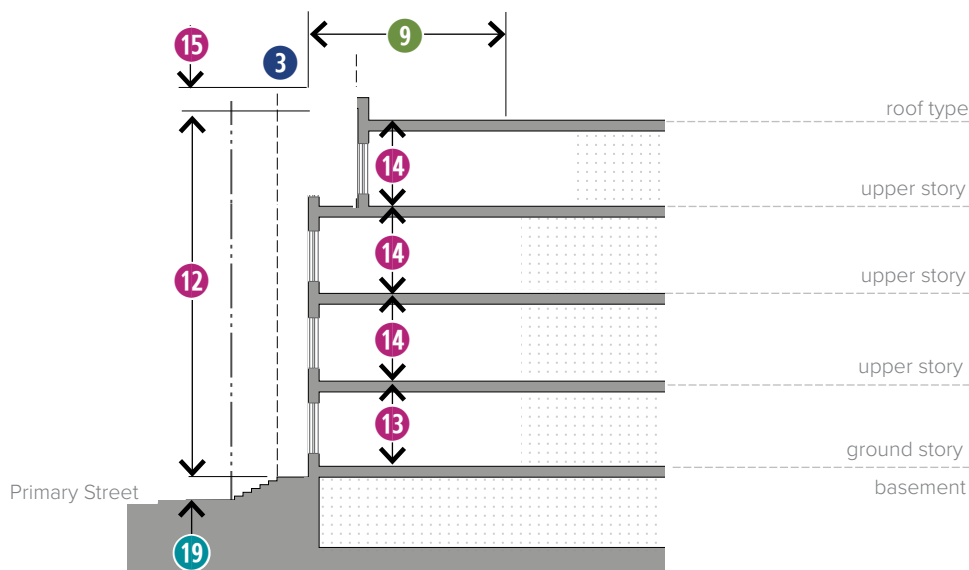
GX, RX

Additional/References

535-21 G (5) PARKING & ACCESSORY STRUCTURES. See Figure 535-21-C .			
8	Parking & Driveway Access Location	Alley; if no alley, 1 access off non-primary street; if no non-primary street, 1 access off primary street	See Article IX for parking.
	Size	Max. 22 ft. width at sidewalk	
9	Internal Parking Setback	20 ft. min. from primary facade above any basement	See XXX for garage door design regulations.
	Internal Parking Door Location	Rear, interior side facades; if no alley, non-primary facade may be approved with an exception	
10	Surface Parking Location	Rear yard	
	Street Setback	No closer to lot line than principal building	
	Side & Rear Setback	5 ft. min.	
11	Accessory Structure Location	Rear yard	See Article V for accessory structures regulations.
	Street Setback	No closer to lot line than principal building	
	Side & Rear Setback	5 ft. min.	
KEY ACCESSORY STRUCTURES			KEY:
	Outbuildings & Garages	●	● = Allowed
	Drive-Through Facilities	–	○ = Requires a Conditional Permit
	Fuel Pumps	–	
	Outdoor Sales & Display	–	
	Parking Structure	●	

535-21 Commercial & Mixed-Use Districts
535-21G. General Building Type

Figure 535-21-F. General Building Height and Roofs



DISTRICTS

GX, RX

Additional/References

535-21 G (6) HEIGHT. See Figure 535-21-F			
12	Height	2 stories min. GX1 and RX: 4.5 stories max. GX2: 5.5 stories max. GX3: 8.5 stories max.	See 535-21G(9) for minimum story facade location. Step-backs required adjacent to R districts per 535-21G(9). See 535-21I(10) for measuring height. Primary street step-backs required per 535-21G(9)
13	Ground Story Height ¹	10 ft. min. 14 ft. max.	Measured floor-to-floor.
14	All Other Stories Height	9 ft. min. 12 ft. max.	
535-21 G (7) ROOFS. See Figure 535-21-F			
15	Roof Types	Flat, parapet, pitched	See XXX for roof types and tower regulations.
	Tower	Allowed	

¹ Flexibility built in per workshop: Typically the ground story height would be the same as upper stories in the General Building, but to allow these buildings to be used in the future for other uses, the ground story height may be set separately in this structure. However, consider that this building type allows the ground story to be elevated above sidewalk grade for privacy of residential units on the ground story. If used for commercial uses in the future, that elevation will not be ideal.

Figure 535-21-G. General Building Facades



DISTRICTS

GX, RX

Additional/References

535-21 G (8) PRIMARY & NON-PRIMARY FACADES. Figure 535-21-G			
16	Transparency: Primary Facades Non-Primary Facades	20% min. 18% min.	Measured per story, includes any half stories, visible basements, or towers with full floor height. See 535-21(11) for measuring transparency. Blank wall segments apply.
		No bays or 15 ft. wide sections of any story may be without transparency	
17	Building Entrance Location	One per every 120 ft. of primary facade	See 535-21(12) for measuring building entrance location.
18	Entrance Type	Stoop	See XXX for entrance types. See XXX for definition of visible basement.
19	Ground Story Elevation	Between 18 in. and 30 in. above grade or between 30 in. and 4 ft. with a visible basement	
20	Horizontal Divisions with Shadow Lines	One within 3 ft. of the top of any basement, first, or second story	Horizontal shadow lines to run a min. 80% of length of facade. See XXX for definition of shadow lines.
21	Vertical Divisions with Shadow Lines	One per every 120 ft. of street facade	

535-21 Commercial & Mixed-Use Districts

535-21G. General Building Type

535-21G(9) SUPPLEMENTAL REGULATIONS

(a) Primary Streetwall Variation. One of the following must be utilized for every 130-foot wide section of building streetwall:

- (1) Courtyard.** One courtyard, minimum 30 feet in width by 30 feet in depth, is required.
- [a] The courtyard may count towards primary streetwall when abutting the build-to zone or line. See definition of courtyard in [XXX](#).
 - [b] Parking is not allowed in courtyards.
 - [c] Courtyard facades must be treated as primary frontage per facade regulations for the building type and any design regulations in [XXX](#).
 - [d] Courtyard may not be located on the corner of the lot except as approved by a design exception. No more than one corner of an intersection may be occupied by a courtyard.
 - [e] The courtyard must include special paving materials and patterns and landscape materials such as trees in grates or planters and/or landscape beds.
 - [f] Temporary or permanent seating is required. Temporary seating must be in place between April 30 and September 30, at a minimum.
 - [g] At least one other amenity such as a pergola, trellises, catenary or string overhead lighting, a fountain, or artwork such as a sculpture or mural must be included. Other amenities may be approved through the exception process.

(2) Seating Areas. The maximum build-to zone must be utilized for a minimum of 35% of the streetwall to allow for one or more permanent outdoor seating areas.

- [a] The seating areas must be included in the streetscape area per [XXX](#). Special paving materials and patterns, landscape materials such as trees in grates or planters and/or landscape beds must be included.

[b] Temporary or permanent seating is required. Temporary seating must be in place between April 30 and September 30, at a minimum.

[c] At least one other amenity per 130 feet of streetwall must be included. Amenities include such items as a pergola, trellises, catenary or string overhead lighting, a fountain, or artwork such as a sculpture or mural must be included. Other amenities may be approved through the exception process.

(b) Minimum Story Street Facades. The street facades of the minimum stories must be located fully in the build-to zone, occupying the same facade plane. For example, with a minimum height of 2 stories, the street facade of the second story may not be set back from the first story.

(c) Transition at R Districts. Facades abutting an R district above the third story must be stepped back a minimum of 15 feet from the rear lot line. Side and rear buffer required per [XXX](#).

(d) Stepped-Back Top Story. For all buildings over 3 stories and 120 feet in width along the primary street, a minimum of 50% of the top story facade must be set back from the primary street facade a minimum of 7 feet.

535-21H ROW BUILDING TYPE

535-21H(1) DESCRIPTION AND INTENT

The Row Building is comprised of multiple vertical units with shared side walls. Each unit is typically oriented to the street with an entrance off the public sidewalk and can be solely residential or a live-work unit, as allowed by the district. Parking is located in the rear yard with either detached garages or attached garages entered from the rear of the building.

535-21H(2) ILLUSTRATIVE IMAGES

The images shown in [Figure 535-21-A](#) are intended to illustrate the general character of the building type. The buildings and sites in each image may not fulfill all of the building type regulations.

535-21H(3) BUILDING REGULATIONS

The following tables and illustrations regulate this specific building type. For the purposes of the Row Building, a building consists of a series of units. See [535-21D](#) for general regulations for all building types. See [535-21I](#) for definitions and measuring table regulations.

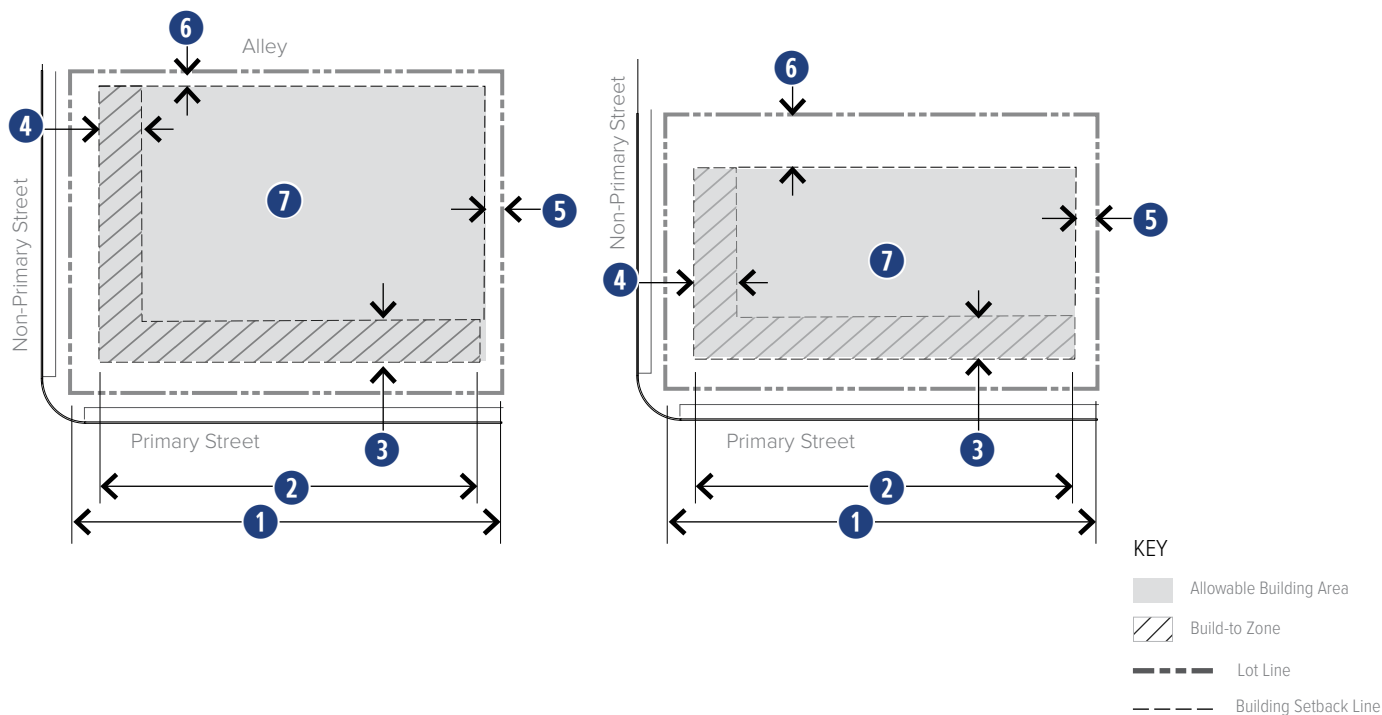
LINK	SUBSECTION
535-21 H (4)	Building Siting
535-21 H (5)	Parking & Accessory Structures
535-21 H (6)	Height
535-21 H (7)	Roofs
535-21 H (8)	Primary & Non-Primary Facades
535-21H(9)	Supplemental Regulations



Figure 535-21-A. Examples of Row Building Type

535-21 Commercial & Mixed-Use Districts
535-21H. Row Building Type

Figure 535-21-B. Row Building Siting



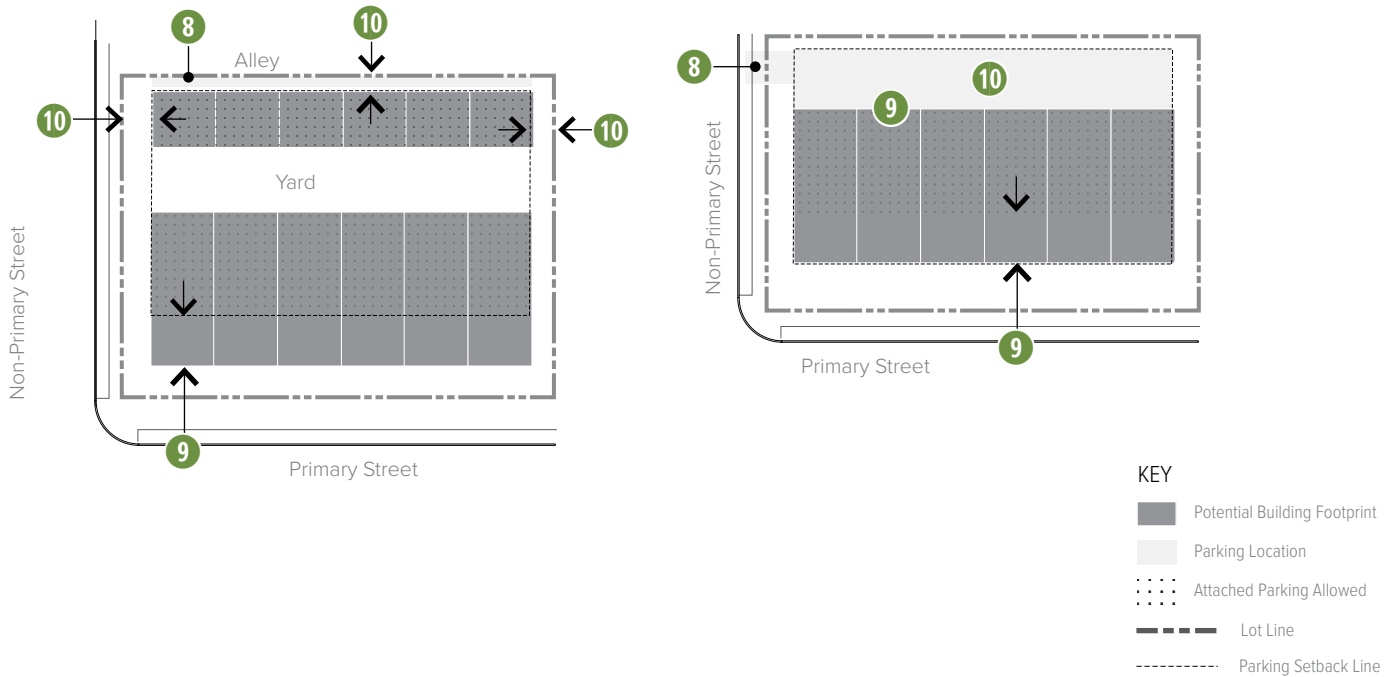
DISTRICTS

GX, RX

Additional/References

535-21 H (4) BUILDING SITING. See Figure 535-21-B		
Configuration	Multiple side-by-side units sharing common side walls	
Multiple Principal Buildings	allowed	See 535-21H(9) for multiple buildings on a lot.
1 Lot Width	100 ft. min.	
2 Primary Streetwall	70% min.	See 535-21H(9) for courtyards. Measured in build-to zone along any street frontage.
Facade Width per Street Frontage	3 units min. 5 units max.	
3 Primary Street Build-to Zone	15 ft. min. 35 ft. max.	See 535-21D(8) minimum streetscape area.
4 Non-Primary Street Setback	10 ft. min.	
5 Side Setback Space between Adjacent Buildings	7.5 ft. min. 15 ft. min.	
6 Rear Setback	5 ft. min. at alley; if no alley, 20 ft. min.	
7 Site Coverage	75% max.	See 535-21I(7) for measuring site coverage.

Figure 535-21-C. Row Building Parking Siting



DISTRICTS

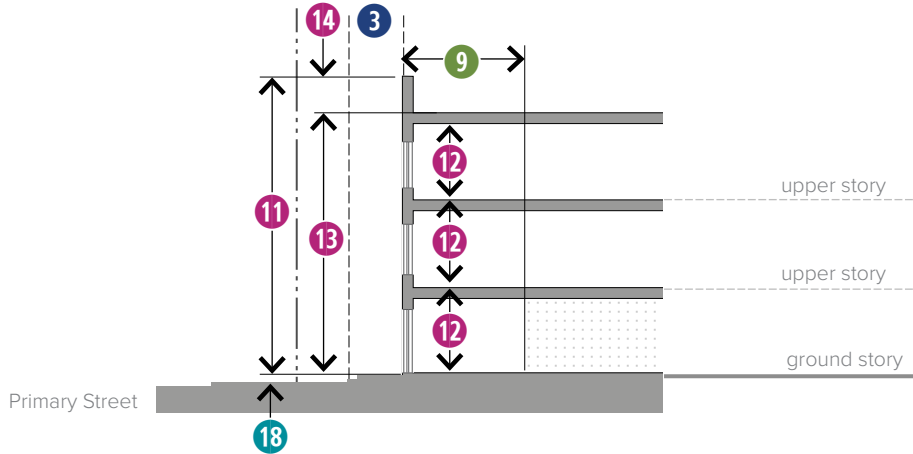
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Additional/References

535-21 H (5) PARKING & ACCESSORY STRUCTURES. See Figure 535-21-C .			
8	Parking & Driveway Access Location	Alley; if no alley, 1 access off non-primary street; if no non-primary street, 1 access off primary street	See Article IX for parking.
	Size	Max. 14 ft. width at sidewalk	
9	Internal Garage Setback	Min. 12 ft. behind primary facade above any basement	See supplemental regulations in 535-21H(9) for garage door screening. See XXX for garage door design regulations.
	Internal Garage Door Location	Rear; not visible from a primary street and screened from non-primary streets	
10	Parking Lot & Accessory Structure Location	Rear yard	See Article V for accessory structures.
	Street-Side Setback	No closer to lot line than principal building	
	Side & Rear Setback	5 ft. min.	
KEY ACCESSORY STRUCTURES			
	Outbuildings & Garages	●	KEY: ● = Allowed ○ = Requires a Conditional Permit
	Drive-Through Facilities	—	
	Fuel Pumps	—	
	Outdoor Sales & Display	—	
	Parking Structure	○	

535-21 Commercial & Mixed-Use Districts
535-21H. Row Building Type

Figure 535-21-D. Row Building Height



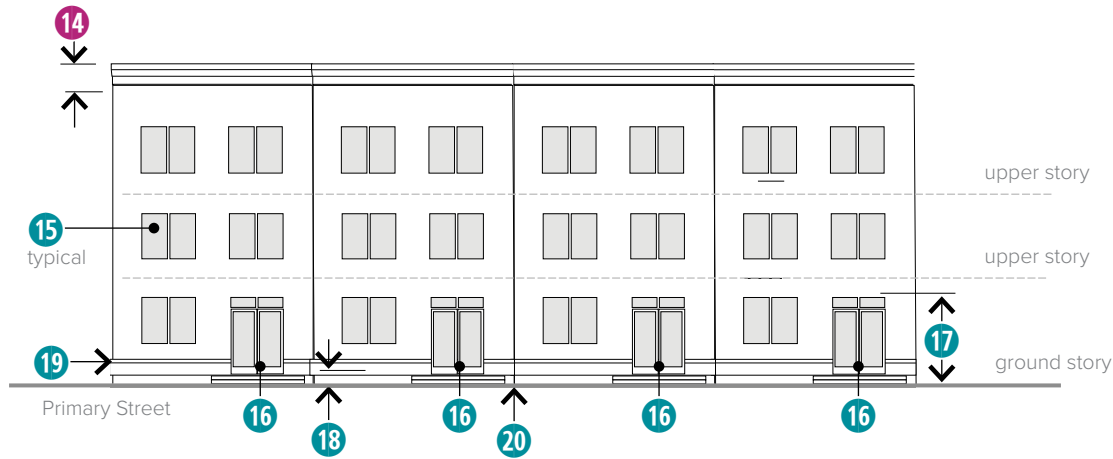
DISTRICTS

GX, RX

Additional/References

535-21 H (6) HEIGHT. See Figure 535-21-D			
11	Height	2 stories min. 3 stories max.	See supplemental regulations on half stories in 535-21H(9) . See 535-21I(10) for measuring height.
12	Floor-to-Floor Height	9 ft. min. 11 ft. max.	Measured floor-to-floor.
13	Height to Eaves (Pitched Roof)	20 ft. max.	Height to eaves is measured from the first floor to the bottom of the eave. See 535-21I(10) for measuring height to eaves.
535-21 H (7) ROOFS. See Figure 535-21-D			
14	Roof Types	Pitched, flat, parapet	See XXX for roof types and tower regulations.
	Tower	Not allowed	

Figure 535-21-E. Row Building Facades and Roofs



DISTRICTS

GX, RX

Additional/References

535-21 H (8) PRIMARY & NON-PRIMARY FACADES. See [Figure 535-21-E](#)

			Additional/References
15	Transparency: Primary Facades Non-Primary Facades	20% min. 15% min.	Measured per story, including any half stories, visible basement, or towers with full-floor height. See 535-21(11) for measuring transparency. Blank wall segments apply.
		On the primary facade, no bays or 10 ft. wide sections of any story may be without transparency	
16	Building Entrances Location	One per unit on primary facade except 1 per every 3 units may be located off a courtyard	See 535-21H(9) for courtyards.
17	Entrance Type	Porch or Stoop	See XXX for entrance types
18	Ground Story Elevation above Grade	Between 18 in. and 30 in. above grade or between 30 in. and 4 ft. with a visible basement	
19	Horizontal Divisions with Shadow Lines	One within 3 ft. of the top of any basement, first, or second story	See XXX for definition of shadow lines.
20	Vertical Divisions with Shadow Lines	One for every 60 ft. of facade on the ground story	

535-21 Commercial & Mixed-Use Districts

535-21H. Row Building Type

535-21H(9) SUPPLEMENTAL REGULATIONS

(a) **Multiple Buildings on a Lot.** Multiple buildings may be located on a lot with the following regulations:

- [1] The minimum space between buildings is met.
- [2] Each building must fulfill all of the requirements of the building type unless otherwise expressly stated.
- [3] Each building must be located in the build-to zone, contributing to the primary streetwall requirements, except one of every 2 units may front a courtyard. See [Figure 535-21-F](#).
 - [a] The courtyard counts as primary streetwall as long as 3 sides are enclosed at the minimum primary streetwall percentage.
 - [b] Parking is not allowed in the courtyard.
 - [c] Primary facade requirements apply to courtyard facades.
 - [d] If a unit is located on the corner of the courtyard and the street, the entrance must be located on the street.
 - [e] All entrances must connect to the primary street sidewalk via a minimum 4-foot wide sidewalk.

(b) **Garage Door Visibility.** Garage doors must be screened from any street by building or by a masonry wing wall off the building. The wing wall must be faced in an allowed major material used on the adjacent building facade.

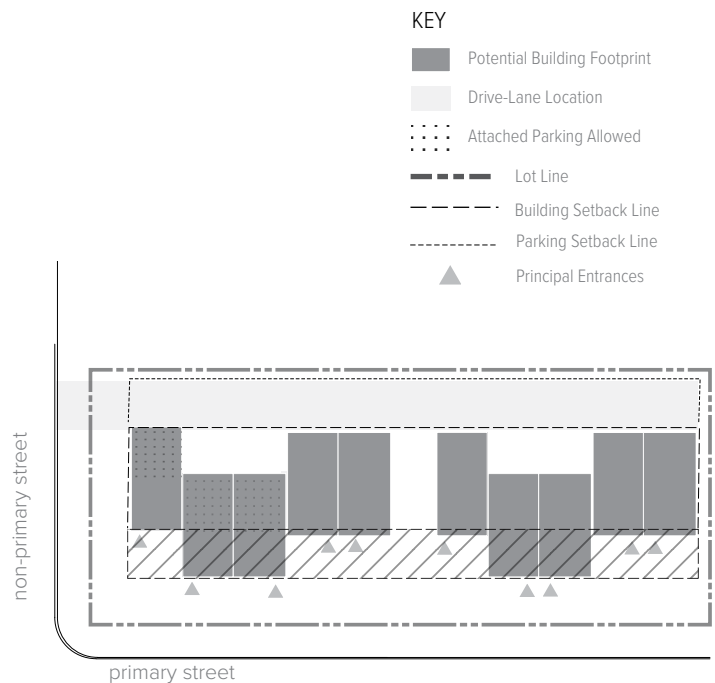


Figure 535-21-F. Multiple Row Buildings on a Lot

535-21I MEASURING BUILDING TYPE REGULATIONS

535-21I(1) FRACTIONS AND ROUNDING GENERALLY

When calculations required under this zoning code result in fractions, any fractional result of less than one-half of the unit of the regulation is rounded down to the whole number and any fractional result of one-half or more of the regulation unit is rounded up to the whole number. For example, if the maximum regulation is 2 feet, a measurement of 1.5 feet (or 1-foot, 6 inches) is rounded up to 2 feet and a measurement of 1.25 feet (or 1-foot, 3 inches) is rounded down to 1 foot. If the maximum regulation is in inches, fractions are rounded to the nearest inch.

535-21I(2) GENERALLY PARALLEL & PERPENDICULAR

"Generally parallel," when stated related to lot lines or building facades, means less than 45 degrees off the lot line or facade. "Generally perpendicular," when stated related to lot lines or building facades, means more than 45 degrees off the lot line or facade in any direction.

535-21I(3) LOT AREA

Lot area is measured as the total ground-level surface area contained within the lot lines of a lot.

535-21I(4) LOT WIDTH

Lot width is the horizontal distance measured along the minimum front setback line between the side lot lines of a lot. If no minimum front setback is required, lot width is measured along the front lot line.

535-21I(5) PRIMARY STREETWALL

(a) Definition. The minimum amount of building facade required along and generally parallel to a primary street frontage and built within the build-to zone. A streetwall

(b) Measurement: Minimum Percentage of Streetwall. The minimum percentage of primary streetwall must be equal to or greater than the width of the principal structures, as measured within the primary build-to zone, divided by the length of the lot line parallel to the primary street, minus the minimum side setbacks. See [Figure 535-21-A](#).

(c) Measurement: Maximum Streetwall. The maximum streetwall is the measurement along all primary facades that are generally parallel and facing the lot line, measured from the edge of the facade horizontally to the opposite edge of the facade.

(d) Height. The streetwall or building facade being measured must meet the minimum height required for the building type. See [535-21I\(10\)\(a\)](#).

(e) Courtyard and Other Allowances. Courtyards and other allowances may be listed in the supplemental regulations for the building type as exceptions. The length of the courtyard opening or expanded build-to zone may be counted towards primary streetwall.

535-21I(6) SETBACKS AND BUILD-TO ZONES

The following applies to required setbacks and build-to zones per the building type regulations in this section 535-21.

(a) Measurement: Buildings. Required setbacks and build-to zones are measured from the applicable lot line, right-of-way line, or specific location referred to in the applicable regulation, to the exterior building walls generally parallel to the subject line.

[1] Street (primary and non-primary) setbacks are measured from the actual right-of-way line of the street to the nearest exterior building wall. (Alleys

$$\frac{\text{Width of Building within Build-to Zone}}{\text{Length Primary Frontage Lot Line Minus Minimum Side Setbacks}} = \text{Primary Streetwall \%}$$

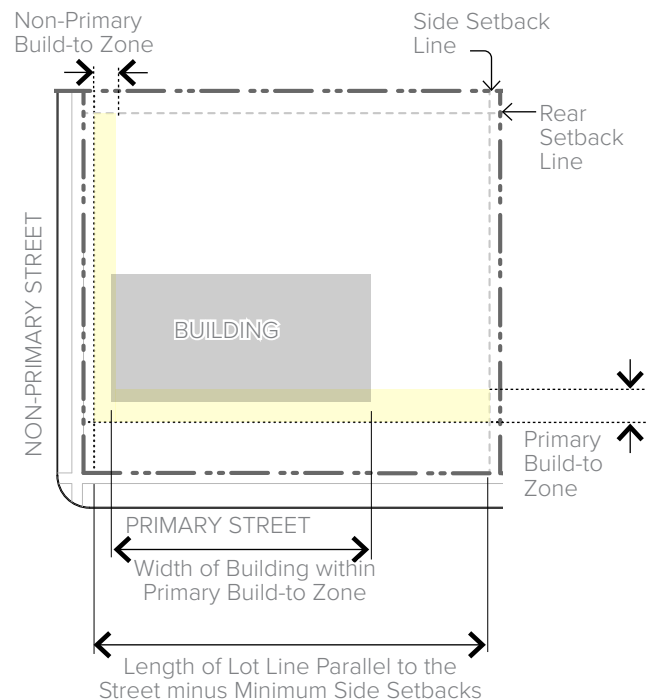


Figure 535-21-A. Measuring Primary Streetwall

535-21I. Measuring Building Type Regulations

are not considered streets and typically abut side or rear lot lines.)

- [2] Side or interior-side setbacks are measured from the nearest side lot line that does not abut a street to the nearest.
- [3] Rear setbacks are measured from the rear lot line.
- [4] On corner lots, the required primary or non-primary setback must be provided for each street frontage, depending on whether the abutting street is a primary or non-primary street. The lot line opposite of the primary street is the rear lot line, requiring a rear setback. The lot line generally perpendicular to the primary street is the side lot line, requiring a side setback.
- [5] On through-lots, the required primary or non-primary setback must be provided for each street frontage, depending on whether the abutting street is a primary or non-primary street. (See [XXX](#) for definitions.) Generally applicable regulations apply per [535-21D\(7\)](#) and supplemental building regulations for the building type may have additional requirements.

(b) Minimum Required Streetscape Area. See [535-21D\(8\)](#) for regulations requiring a minimum streetscape area. Where the minimum area does not exist, the build-to zone is measured from the edge of the expanded streetscape area into the lot.

(c) Exceptions to Build-to Zones. Upper-story recessed balcony facades are not required to be located within the build-to zone or at a build-to line.

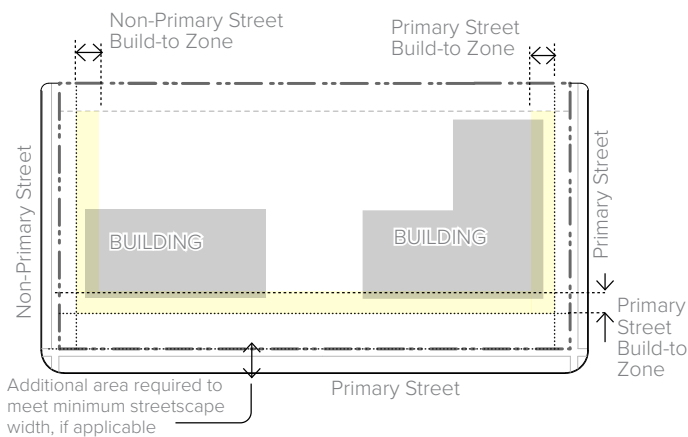


Figure 535-21-B. Build-to Zones

(d) Allowed Encroachments. Allowed encroachments into setbacks or beyond build-to zones are as follows, unless otherwise established in the building type regulations:

- (1) Minor Building Projections in All Yards for All Building Types.** Roof overhangs, eaves, chimneys, bays, and other architectural features, such as cornices, may encroach up to 18 inches into any yard no closer than 1 foot from the lot line.
- (2) Steps and Ramps in Front Yards.** Steps and ramps in front yards may encroach fully into any yard up to within 1 foot of any lot line.

(e) Setbacks on Irregular Lots. Setbacks are measured from lot lines towards the center of the lot as follows:

- [1] When lot lines are curvilinear, setbacks must be measured parallel to the curvilinear lot line.
- [2] When there are multiple rear lot lines, the rear setback must be measured from each of rear lot lines.

(f) Waterway Frontage. A river or trail frontage build-to zone or setback is measured from the required trail easement or right-of-way into the lot perpendicular to the easement or lot line. See [XXX](#) for waterway frontage trail easement.

(g) Measurement: Elements Other than Buildings. Minimum setbacks that apply to elements other than buildings (e.g. parking areas, fences, storage areas) are measured from the lot line, right-of-way line, or specific location referred to in the applicable regulations, to the nearest point of the feature.

535-21I(7) SITE COVERAGE

Site coverage is measured as the percentage of a lot covered by impervious surfaces. See [Figure 535-21-E](#).

- (a) Impervious Surfaces.** Any land or portion of a site covered by constructed features that prevent the direct percolation of surface water into the underlying earth. Examples include buildings, paved parking and roadways, masonry walls and terraces, swimming pools, sidewalks, hard surface playing courts, and paved driveways.
- (b) Semi-Pervious Materials.** Semi-pervious materials, such as semi-pervious pavers, semi-pervious asphalt, and semi-pervious concrete, counts towards the site coverage at a lower rate. The area of the semi-pervious materials is added into the overall site coverage at 75% of the actual area. For example, if the area of semi-pervious materials measures 1,600 sq. ft., 1,200 sq. ft.

535-21 Commercial & Mixed-Use Districts
535-21I. Measuring Building Type Regulations

(75% of 1,600) contributes to the lot's maximum site coverage.

- (c) **Green Roofs.** Green, or vegetated, roofs count towards the site coverage, calculated at 75% of the area of the green roof. For example, if the surface of the green roof measures 13,000 sq. ft., then 9,750 sq. ft. (75% of 1,600) contributes to the lot's maximum site coverage.

535-21I(8) INTERNAL PARKING AND DOOR LOCATION

- (a) **Internal Parking Setback Measurement.** Internal parking setbacks are defined in the building type regulations.
- (b) **Dimensional Setback.** When the building type regulation includes a dimensional setback for internal parking, the setback is measured from the primary facade of the building, located generally parallel and facing the primary lot line. The setback is intended to promote the use of the area directly behind the primary facade of any building for people and not the parking of vehicles.
- (c) **Setback Use.** The use of the space of the building within the setback must be occupied space. See definition.
- (d) **Internal Parking Door Location.** Any garage door must be located on one of the designated facades of the building.

535-21I(9) LIMITED SIDE YARD PARKING

Where allowed, limited side yard parking is located in the interior side yard and must be configured as one double- or single-loaded aisle of parking with the centerline of the aisle located perpendicular to the street.

535-21I(10) BUILDING HEIGHT

See [Figure 535-21-C](#).

- (a) **Minimum Height.** Each building type requires a minimum number of stories. The building must meet the minimum required height along all primary street facades and for a depth of at least 30 feet into the building. All building facades located within the build-to zone must meet the required minimum building height.
- (b) **Maximum Height.** Maximum heights are specified in number of stories. This requirement applies to the entire building. The maximum number of stories may not be exceeded due to sloped sites. Heights must step with the grade in order to not exceed the maximum allowable height. See [Figure 535-21-F](#).

- (c) **Towers.** When expressly allowed in the building type tables, towers may exceed the overall maximum height of the subject building type (see [XXX](#)).
- (d) **Height to Eaves.** Eave height is measured from the floor elevation of the first floor to the eave.
- (e) **Roof Type.** Roof types per [XXX](#) allowed by building type regulations add additional height to the building.
- (f) **Half Stories.** Half stories are stories either located fully within the roof type or in a visible basement.
 - (1) **Roof.** Where occupied building space is allowed within the roof type (see [XXX](#)), any space within the roof and within the floor to floor height counts as a half story towards the overall allowable height.
 - (2) **Visible Basement.** See [Figure 535-21-D](#) for diagram and explanation of a visible basement and [XXX](#) for definitions of basements and visible basements.
 - (3) **Two Half Stories.** If a building has both a half story within the roof and a half story that is a visible basement, the combined height of the two half stories is considered one full story in terms of measuring overall height.
- (g) **Basements.** See [Figure 535-21-D](#) for illustration of basements and [XXX](#) for definitions of basements and visible basements.
 - [1] A basement that is not a visible basement does not count towards the minimum or maximum height of a building.
 - [2] Any building may have a basement, unless expressly prohibited in this ordinance.
 - [3] A basement may contain any use allowed within the building, including those allowed only in upper stories.
- (h) **Story Height.** Each story is measured with a range of permitted floor-to-floor heights. See [Figure 535-21-C](#).
 - (1) **Measurement.** All story heights are measured in feet between the floor of a story to the floor of the story above it. Minimum and maximum floor-to-floor heights are required along a minimum of 80% of each facade's horizontal length for each story.
 - (2) **Ground Story.** When noted as a separate story height, the ground-story height must extend from the primary street facade into the building a minimum of 30 feet. The remainder of the ground-

535-21 Commercial & Mixed-Use Districts
535-21I. Measuring Building Type Regulations

■ = Site Coverage
■ = Permeable Paving calculated at 75% of area

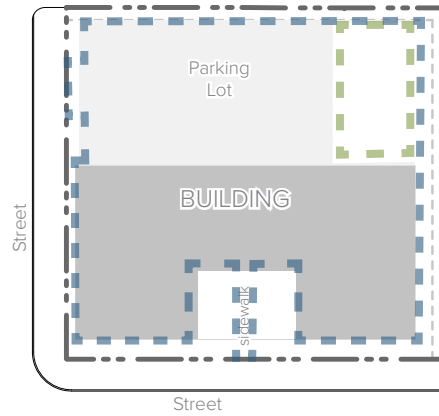


Figure 535-21-E. Site Coverage

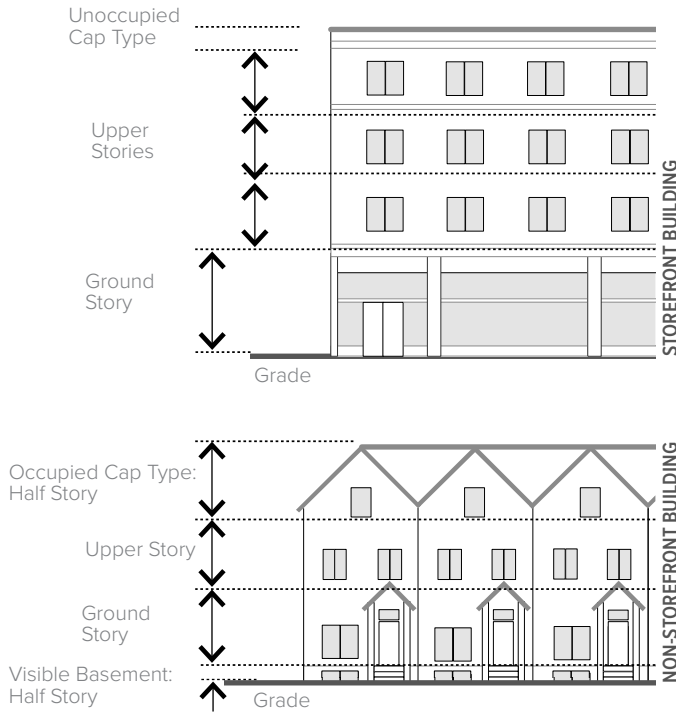


Figure 535-21-C. Measuring Building Height

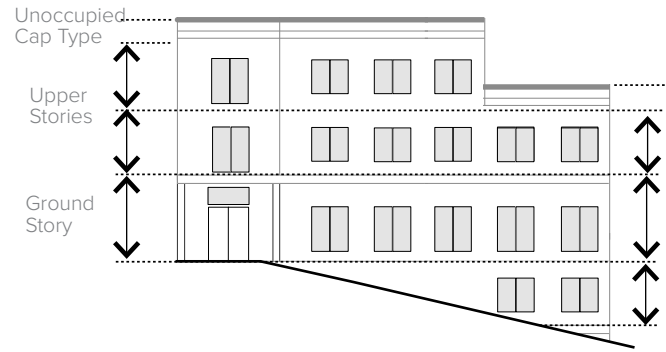


Figure 535-21-F. Measuring Height along a Sloped Street

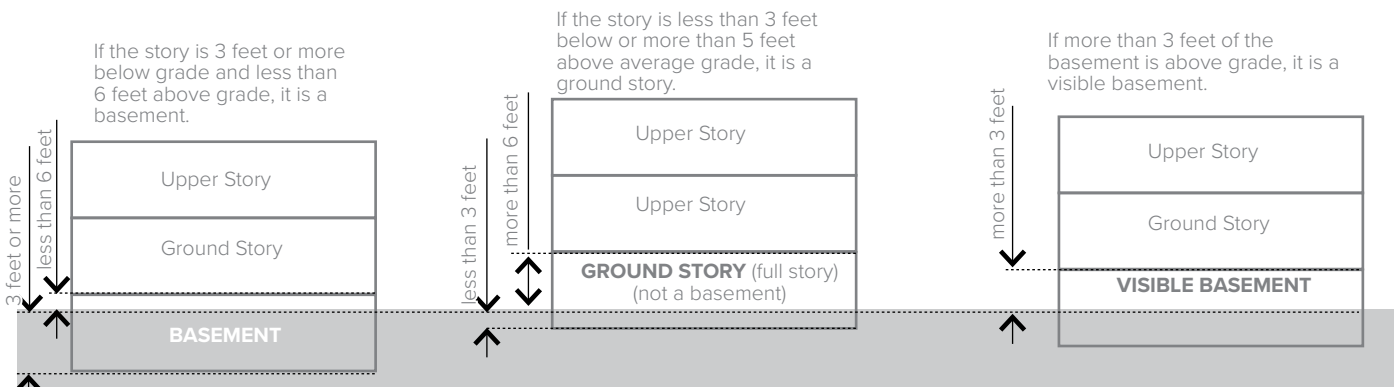


Figure 535-21-D. Basements & Visible Basements

535-21 Commercial & Mixed-Use Districts
535-21I. Measuring Building Type Regulations

story may meet either the primary frontage ground-story heights or the height range permitted for all stories.

(3) Single-Story Buildings and Top-Story

Measurement. For single-story buildings and the uppermost story of a multi-story building, the floor-to-floor height is measured from the floor of the story to the ceiling, unless a specific height is provided for a single-story building.

(4) Mezzanines. Mezzanines may be included within the allowed floor-to-floor height of any story per the building types provided the following:

- [a] Mezzanines extending above the story's allowable floor-to-floor height must count as a full story in addition the story below.
- [b] Mezzanines occupying more than 30% of the floor area below must count as a full story in addition the story below.
- [c] Where the mezzanine story is located adjacent to a street facade, the street facade transparency requirements of the subject building type must be applied to both the mezzanine floor and the story the mezzanine overlooks.

(5) Taller Spaces. Spaces exceeding the allowable floor-to-floor heights of the building type are permitted for a maximum of 20% the length of street facades.

535-21I(11) TRANSPARENCY

Governed by the building type regulations, the transparency of a facade is measured for each story separately using 2 regulations: (1) an overall minimum transparency percentage per story, and (2) where applicable per building type, maximum blank wall segments (per [535-21I\(11\)\(c\)](#), below).

(a) Definition of Transparency. For the purposes of this zoning ordinance, transparency is the measurement of the percentage of a facade that contains highly transparent, low-reflectance glass.

(1) Storefront. When transparency is required separately for primary street ground-story facades, glass must be a minimum of 60% transmittance factor and a reflectance factor of not greater than 0.25.

(2) All Other Windows. Transparency for all window, door glass, and other storefront glass must be

a minimum of 50% transmittance factor and a reflectance factor of not greater than 0.25.

(3) False Windows. The use of false or faux windows, where the window is visible from the exterior with no opening from the interior, to meet the transparency requirement is not allowed.

(b) Measurement. Minimum facade transparency is measured from floor-to-floor of each story separately, except for required minimum ground-story transparency as defined below. See the building type regulations for required transparency by building type.

- [1] Transparency requirements must be met with windows or glass in doors that comply with applicable transmittance and reflectance factors.
- [2] The measurement may include the frame, mullions, and muntins, but may not include trim or casing.

(c) Blank Wall Segments. Where applicable per the building type regulations, blank wall segments on all facades must meet the following:

- [1] No rectangular areas greater than 30% of a story's facade, as measured floor to floor, may be blank wall, without transparency. See [Figure 14-H](#).
- [2] No horizontal segments of a story's facade greater than 15 feet in width may be blank wall, without transparency. See [Figure 14-I](#).

(d) Minimum Ground-Story Transparency. When a separate minimum ground-story transparency is required per the building types requirements, the ground-story transparency is measured between 2 feet and 10 feet from the average grade at the base of the facade.

(e) Mezzanines. Mezzanines treated as a separate story per [535-21I\(10\)](#) must include upper-story transparency required per building type.

(f) Tall Stories. Stories that are 18 feet or taller in height must include additional transparency consistent with the following standards. See [Figure 14-J](#).

(1) Separate Ground Story Transparency Required. When a separate minimum ground story transparency is required per building type, the facade design must fulfill that requirement in addition to the minimum transparency for the remainder of the ground-story.

(2) No Separate Ground Story Transparency Required. Where no separate ground story

535-21 Commercial & Mixed-Use Districts
535-21I. Measuring Building Type Regulations

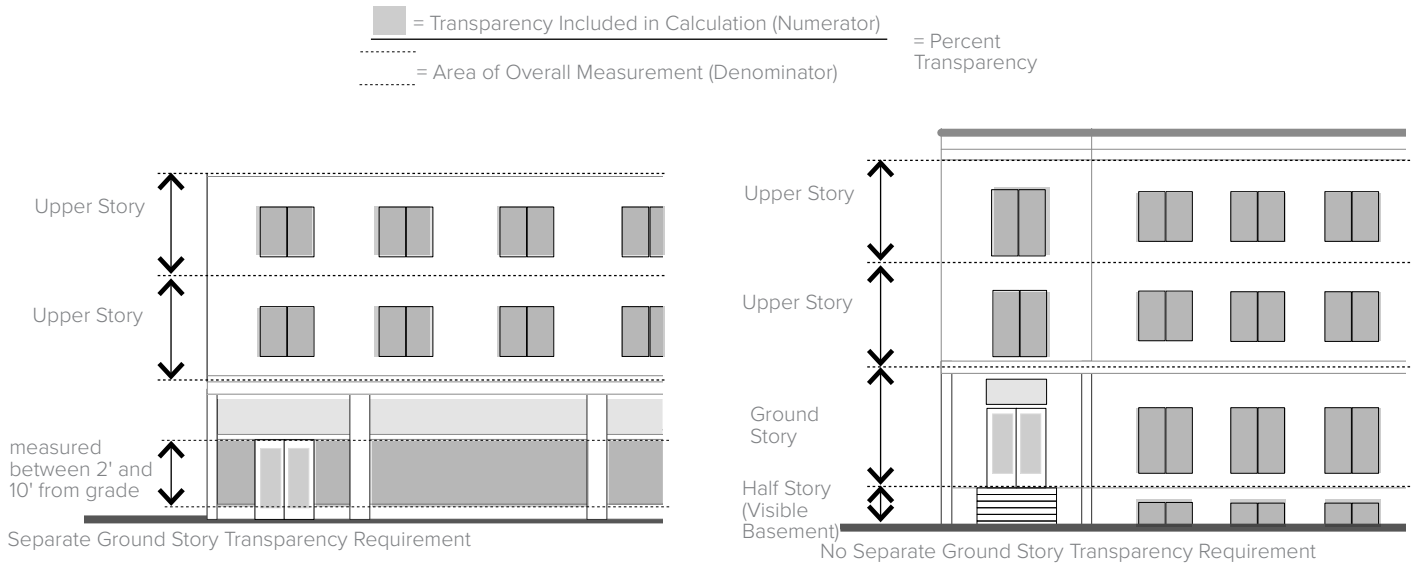


Figure 535-21-G. Measuring Transparency Floor-to-Floor

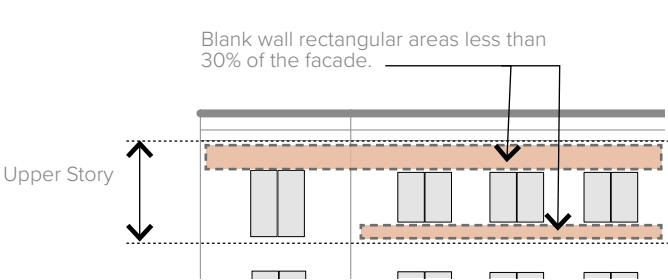


Figure 535-21-H. Blank Wall Segments (1)

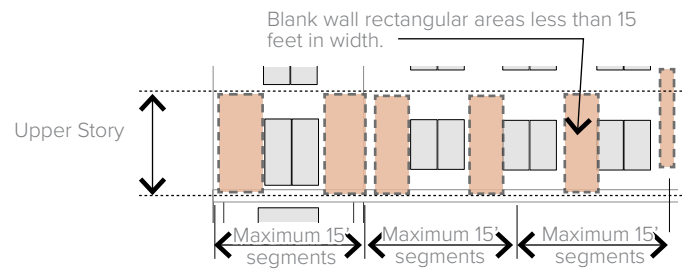


Figure 535-21-I. Blank Wall Segments (2)

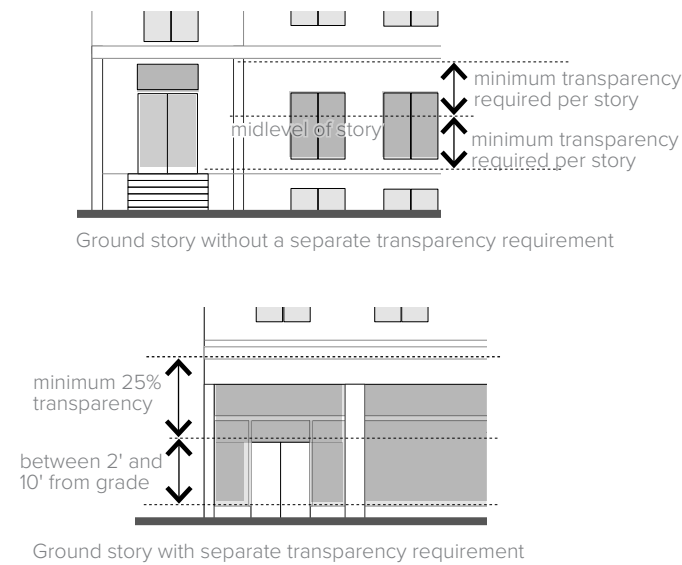


Figure 535-21-J. Measuring Transparency on Taller Stories

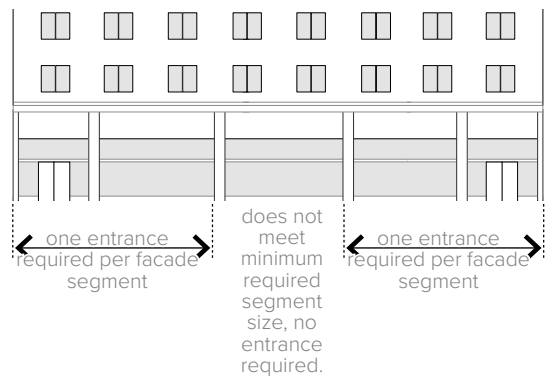


Figure 535-21-K. Entrances

transparency is required per building type, a tall story is treated as 2 separate stories, divided in half horizontally, with the minimum transparency applied to each half.

- (g) Half Stories.** All half story facades located within the roof structure and within visible basements must meet the minimum required transparency.

535-21I(12) BUILDING ENTRANCES

Entrances must be provided consistent with the entrance location and number requirements established for the subject building type and consistent with [Figure 535-21-K](#).

ARTICLE V. USES

- 535-25. PRINCIPAL USES..... 5-2**
 - 535-25A General Regulations 5-2
 - 535-25B Use Classifications 5-2
 - 535-25C Residential Use Group 5-4
 - 535-25D Commercial Use Group 5-4
 - 535-25E Civic & Institutional Use Group5-7
 - 535-25F Other Uses 5-8

- 535-26. ACCESSORY USES & STRUCTURES 5-9**
 - 535-26A General Accessory Use Regulations 5-9
 - 535-26B Drive-Through Facility5-10
 - 535-26C Electric Vehicle Supply Equipment5-10
 - 535-26D Fuel Pumps 5-11
 - 535-26E Home Occupations 5-11
 - 535-26F Parking Structures 5-12

- 535-27. TEMPORARY USES.....5-12**
 - 535-27A Authority to Approve 5-12
 - 535-27B Conditions of Approval 5-13
 - 535-27C Duration of Temporary Use..... 5-13

- 535-28. CONDITIONAL USE PERMITS5-13**

535-25. Principal Uses

535-25. PRINCIPAL USES

535-25A GENERAL REGULATIONS

535-25A(1) USE TABLE

Principal uses are allowed in accordance with [Table 535-28-4](#).

535-25A(2) INTERPRETING THE USE TABLE

- (a) **Use Classification System.** Uses are listed in the first column of [Table 535-28-4](#). This chapter classifies uses into categories and subcategories, as explained in [535-25B](#).
- (b) **Permitted Uses.** Uses identified with a “●” are permitted as-of-right in the subject zone, subject to compliance with all other applicable regulations of this chapter.
- (c) **Permitted in Upper Stories and Rear of Ground Story Only.** Uses identified with a “●” are permitted as-of-right in the subject zone but only when located above the ground-floor in upper stories of the building or in the rear of the ground story, a minimum of 20 feet from the primary facade. The 20 feet behind the primary facade must contained an allowed occupied use. See [XXX](#) for definition of occupied use.
- (d) **Permitted in Limited Portion of Building Footprint.** Uses identified with a “●” are permitted as-of-right in the subject zone in any story, but the total area of any of these uses may not occupy more than 25% of the building footprint.
- (e) **Conditional Uses.** Uses identified with a “○” are allowed only if reviewed and approved in accordance with the conditional use permit procedures of [XXX](#).
- (f) **Prohibited Uses.** Uses identified with a “—” are expressly prohibited. Uses that are not listed in the use table and that cannot be reasonably interpreted (as stated in [535-25B](#)) to fall within any defined use category or subcategory are also prohibited.
- (g) **Conditions.** The final (“Conditions”) column of [Table 535-28-4](#) includes a cross-reference to any supplemental (use-specific) conditions that apply to one or more uses within the subject use category.
- (h) **Accessory Uses & Structures.** Many customary accessory uses and structures are allowed in conjunction with principal uses. See [535-26](#) for regulations.

535-25B USE CLASSIFICATIONS

This section establishes and describes the use classification system used to categorize principal uses under this chapter.

535-25B(1) USE GROUPS

This chapter classifies principal uses into 3 major groupings. These are referred to as “use groups.” The use groups are as follows:

- (a) Residential (see [535-25C](#));
- (b) Commercial (see [535-25D](#));
- (c) Civic & Institutional (see [535-25E](#)); and
- (d) Other (see [535-25E](#)).

535-25B(2) USE CATEGORIES

Each use group is further divided into more specific categories. Use categories classify principal uses and activities based on common functional, product or physical characteristics, such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, or relevant building or site conditions.

535-25B(3) USE SUBCATEGORIES

Some use categories are further broken down to identify specific subcategories of uses.

535-25B(4) CLASSIFICATION OF USES

The Zoning Administrator is authorized to classify individual uses on the basis of the use group, category, and subcategory descriptions of this article. When a use cannot be reasonably classified into a use group, category, or subcategory, or appears to fit multiple groups, categories, or subcategories, the Zoning Administrator is authorized to assign the use to the most similar and thus most appropriate group, category, or subcategory based on the actual or projected characteristics of the principal use or activity in relationship to the use group, category, or subcategory descriptions. In making such determinations, the Zoning Administrator must consider:

- (a) The types of activities that will occur in conjunction with the use;
- (b) The types of equipment and processes to be used;
- (c) The existence, number and frequency of residents, customers or employees;
- (d) Parking demands associated with the use; and
- (e) Other factors deemed relevant to a use determination.
- (f) If a use can reasonably be classified in multiple groups, categories, or subcategories, the Zoning Administrator

Table 535-28-4. Principal Use Table

USE GROUP Use Category	DISTRICTS												Conditions
	Commercial & Mixed-Use				Residential						Public		
	MX1 MX2	CX	GX1 GX2 GX3	RX	R-1 R-2 R-3 R-4	R-5	R-6	R-7	R-8	R-9 R-10	P-1	P-3	
RESIDENTIAL (535-25C)													
Household Living, 1 unit	●	●	●	●	●	●	●	●	●	●	-	-	
Household Living, 2 units	●	●	●	●	-	-	●	-	●	●	-	-	
Household Living, 3+ units	●	●	●	●	-	-	-	-	●	●	-	-	
Group Living (except as below)	○	○	○	○	-	-	-	-	○	○	-	-	XXX
Community Living Arrangement, Small	●	●	●	●	●	●	●	●	●	●	-	-	535-25C(2)(b)
Community Living Arrangement, Large	○	○	○	○	-	-	-	-	○	○	-	-	535-25C(2)(b)
Residential Care Facility	●	●	●	●	-	-	-	-	●	●	-	-	
COMMERCIAL (535-25D)													
Consumer Service	●	●	●	-	-	-	-	-	-	-	-	-	
Child Care Center	●	●	●	-	-	-	-	-	-	●	-	-	
Eating & Drinking Places	●	●	●	-	-	-	-	-	-	-	-	-	
Event Venue	●	●	●	-	-	-	-	-	-	-	-	-	
Funeral & Mortuary Service	-	-	●	-	-	-	-	-	-	-	-	-	
Lodging	●	●	●	●	-	-	-	-	-	-	-	-	
Manufacturing & Production, Artisan	●	●	●	-	-	-	-	-	-	-	-	-	
Office	●	●	●	-	-	-	-	-	-	-	-	-	
Personal Credit Establishment	○	○	-	-	-	-	-	-	-	-	-	-	
Retail Sales, General	●	●	●	-	-	-	-	-	-	-	-	-	
Retail Sales, Donated Goods	○	○	-	-	-	-	-	-	-	-	-	-	
Vehicle Service	-	○	-	-	-	-	-	-	-	-	-	-	
CIVIC & INSTITUTIONAL (535-25E)													
College	●	●	●	-	-	-	-	-	-	-	●	-	
Community Assembly	●	●	●	-	-	-	-	-	-	-	●	-	
Cultural Facility	●	●	●	-	-	-	-	-	-	-	●	-	
Hospital	-	-	●	-	-	-	-	-	-	-	●	-	
Parks & Open Space	●	●	●	●	●	●	●	●	●	●	●	●	
School	●	●	●	-	-	-	-	-	-	-	●	-	
Utilities & Services, Minor	●	●	●	●	●	●	●	●	●	●	●	●	
Utilities & Services, Major	-	○	○	○	○	○	○	○	○	○	○	○	
OTHER													
Parking Lot	○	○	○	○	-	-	-	-	-	○	○	○	

KEY: ● = permitted as-of-right ● = Permitted as-of-right in upper stories only ● = Permitted as-of-right (floor area not to exceed 25% of building footprint)
○ = Conditional use permit approval required - = Prohibited

Article V. Uses

535-25. Principal Uses

is authorized to categorize each use in the category, subcategory that provides the most exact, narrowest and appropriate “fit.”

- (g) Appeals of use classification determinations may be taken to the board of appeals in accordance with the appeal procedures of 535-56.

535-25C RESIDENTIAL USE GROUP

The residential use group includes uses that provide for long-term residential occupancy by individual households or by groups of people living together in a non-household setting.

535-25C(1) HOUSEHOLD LIVING¹

- (a) **Description.** The household living use category is characterized by a single household occupying a dwelling unit that is self-contained, with facilities for cooking, eating, sleeping, and hygiene. Tenancy is typically 30 days or longer. Examples of household living uses include living in houses, residential buildings containing multiple dwelling units, mixed-use buildings, and other buildings containing self-contained dwelling units. Housing that includes shared facilities (e.g., assisted living facilities, co-housing, and intentional communities) is considered household living if residents occupy self-contained dwelling units.

535-25C(2) GROUP LIVING

- (a) **Description.** The group living use category is characterized by residential occupancy of all or a portion of a building by a group other than a household. Individuals typically occupy rooms or areas that do not include separate cooking, eating, or bathroom facilities necessary to provide for self-contained living. Group living uses typically have a common eating area for residents. Tenancy is typically 30 days or longer. Buildings or spaces occupied by group living uses contain individual rooms with private or shared bathroom facilities and may also contain shared kitchen facilities, and/or common dining and living areas for residents. Residents may or may not receive any combination of care, training, or treatment, but those receiving such services must reside at the site. Examples of group living uses include convents, fraternity and sorority houses, co-ops, and the following subcategories:

- (1) **Community Living Arrangement.** Any use described in Wis. Stat. 46.03(22), 48.743(1), 48.02(6), or 50.01(1). Small community living arrangement uses are those occupied by 8 or fewer residents (not counting caregivers). Large community living

arrangement uses are those occupied by 9 or more residents (not counting caregivers).

- (2) **Residential Care Facility.** A nursing home, as described in Wis. Stat. 50.01(3), a hospice, as described in Wis. Stat. 50.90(1), or a residential care apartment complex, as described in Wis. Stat. 50.034.

- (b) **Use-Specific Conditions.** Community living arrangements are subject to the regulations established in Wis. Stat. 62.23(7)(i).

535-25D COMMERCIAL USE GROUP

The commercial use group includes uses that provide a business service or involve the selling, leasing or renting of merchandise to the general public.

535-25D(1) CONSUMER SERVICE

- (a) **Description.** The consumer service use category includes establishments that provide personal or small business-oriented services to individuals or small businesses. Typical uses in the consumer service use category include the following:

- (1) **Personal Improvement Service.** Establishments that provide personal grooming, cosmetic or health and well-being-related services. Typical uses include barbers, hair and nail salons, tanning salons, day spas, health clubs, and body art services (e.g., tattoo and piercing).
- (2) **Studio, Artist or Instructional Service.** Establishments that focus on providing individual or small group instruction or training in fine arts, music, dance, drama, fitness, language or similar activities. Also includes dance studios, ballet academies, yoga studios, martial arts instruction, tutoring, artist studios and photography studios.
- (3) **Business Support Service.** Establishments that provide personnel services, printing, copying, package (delivery) drop-off, photographic services or communication services to businesses or consumers. Examples include employment agencies, copy and print shops, delivery/courier service drop-off location for consumers, and photo developing labs.
- (4) **Business Training.** Commercial establishments and facilities, including classrooms, providing vocational, trade, business or professional training services in a completely enclosed building.

¹ Definition of households forthcoming to include the allowance for co-housing.

(5) Consumer Maintenance & Repair Service.

Establishments that provide maintenance, cleaning and repair services for consumer goods on a site other than that of the customer (i.e., customers bring goods to the site of the repair/maintenance business). Examples include laundry and dry cleaning pick-up shops, tailors, bicycle repair, taxidermists, dressmakers, shoe repair, picture framing shops, locksmiths, vacuum repair shops, electronics repair shops and similar establishments.

535-25D(2) CHILD CARE CENTER

(a) Description. Any use described in Wis. Stat. 49.136(1)(ad).

535-25D(3) EATING & DRINKING PLACES

(a) Description. The eating & drinking places use category includes any use described in Wis. Stat. 97.01(14g), as well as uses engaged in the retail sales of alcohol in the manner described in Wis. Stat. 125.26 and 125.51(3), including brewpubs, as described in Wis. Stat. 125.295. Eating and drinking places with drive-up or drive-through service are allowed only where accessory drive-through service is allowed, in accordance with the building type regulations of [435-21](#).

535-25D(4) EVENT VENUE

(a) Description. An event venue is a multi-purpose venue facility hosting special events such as graduations, weddings, anniversaries, holiday gatherings, trade shows, corporate functions or parties, concert settings, and general get-togethers. An event venue typically includes indoor and/or outdoor seating and a stage or event area, but not a full-service kitchen.

535-25D(5) FUNERAL & MORTUARY SERVICE

(a) Description. The funeral and mortuary service use category includes establishments that provide services related to the death of a human or domestic, household pet, including funeral homes and mortuaries. [May include cremation if approved in accordance with the conditional use permit procedures of XXX.](#)

535-25D(6) LODGING

(a) Description. Establishments that provide temporary lodging for less than 30 days to transient guests who maintain a permanent place of residence elsewhere. Examples include hotels and motels, bed & breakfast inns, as described in Wis. Stat. 97.01(1g), and short-term rentals, as described in Wis. Stat. 66.1014(1)(c).

535-25D(7) MANUFACTURING & PRODUCTION, ARTISAN

(a) Description. The artisan manufacturing & production use category includes indoor work spaces used by artists for creation of art or the practice of their artistic

endeavors or by craftspeople that produce consumer goods by hand manufacturing, involving the use of hand tools and small-scale, light mechanical equipment in a completely enclosed building with no outdoor operations, storage or regular commercial truck parking/loading. Typical uses include woodworking; custom furniture shops; cabinet-making; ceramic studios; jewelry manufacturing; confections and custom-made food items; and artwork including painting, printmaking and sculpture.

(b) Supplemental Regulations. A minimum of 200 square feet of accessory retail sales or service is required for artisan manufacturing and production. The accessory retail sales or service must be located within the primary frontage of the building.

535-25D(8) OFFICE

(a) Description. The office use category includes workplaces of private companies, organizations (for-profit and non-profit), and public agencies providing professional, executive, management, medical, administrative, or design services, including the following subcategories:

- (1) Business & Professional Office.** Workplaces of firms, organizations, or agencies, as well as individuals in a co-working environment, providing professional, executive, management, administrative, financial, accounting, or legal services, but excluding walk-in offices. Examples of business and professional offices include accounting, architecture, computer software design, engineering, graphic design, interior design, investment, insurance, and law offices.
- (2) Broadcast or Recording Studio.** Establishments that provide for audio or video production, recording or broadcasting.
- (3) Financial Service.** Establishments involved in the exchange, lending, borrowing and safe-keeping of money. Examples include banks and credit unions. Automatic teller machines, kiosks and similar facilities that do not have on-site employees or amplified sound are not classified as financial service uses if they meet the criteria for classification as an accessory use. Personal credit establishments are not considered financial service uses (see [535-25D\(9\)](#)).
- (4) Medical or Dental Office or Clinic.** Workplaces of medical doctors, dentists, veterinarians and similar practitioners of medical and healing arts licensed for such practice by the state. This subcategory

535-25. Principal Uses

includes outpatient clinics, but excludes medical services provided in hospitals.

- (5) **Research Service.** Establishments engaged in scientific research and testing services leading to the development of new products and processes. Research service uses do not include the mass production, distribution or sale of products or that produce odors, dust, noise, vibration or other external impacts that are detectable beyond the property lines of the subject property.
- (6) **Walk-In Office.** Workplaces primarily providing direct services to patrons or clients, typically not requiring appointments. This subcategory includes employment agencies, insurance agencies, real estate agent offices, travel agencies, utility company offices, and offices for elected officials. It does not include medical or dental offices or uses more specifically classified as financial services.

535-25D(9) PERSONAL CREDIT ESTABLISHMENT

- (a) **Description.** The personal credit establishment use category includes any one or more of the following:
 - (1) **Check Cashing Establishment.** Any use, except a bank, trust company, savings bank, savings and loan association, credit union, industrial loan and thrift company, engaged in the business of cashing checks, drafts, money orders or traveler's checks for a fee.
 - (2) **Pawnbroker.** An establishment that is engaged to any extent in the purchasing and selling of articles or jewelry in a manner described in Wis. Stat. 134.71(1)(e) or 134.71(1)(g) or (h).
 - (3) **Payday Lender.** Any person or entity that is substantially in the business of negotiating, arranging, aiding, or assisting a consumer in procuring payday loans, as described in Wis. Stat. 62.23(7)(hi)1.b.
- (b) **Use-Specific Conditions.** Personal credit establishments are subject to the following use-specific regulations:

- (1) A personal credit establishment may not be established within 1,500 feet of any other personal credit establishment, measured in a straight line between the nearest exterior walls of the buildings occupied by the respective personal credit establishments.
- (2) A personal credit establishment may not be established within 150 feet of a single-family zoning

district, an R-1, R-2, R-3, R-4, R-5, or R-6 zoning district or P-1 zoning district.

- (3) A personal credit establishment may not be established within 50 feet of a Planned Development district, unless the Plan Commission specifically finds that the proposed use would be consistent with the uses allowed in the subject Planned Development district and would not impede the normal and orderly development and improvement of the property in the Planned Development district.
- (4) A personal credit establishment may not be open or in operation between the hours of 9:00 p.m. and 7:00 a.m.

535-25D(10) RETAIL SALES, GENERAL

- (a) **Description.** The general retail sales use category includes uses that sell or otherwise provide pharmaceuticals, groceries, sundry goods, convenience goods, consumer shopping goods, household goods, plants and flowers, or hardware. This category includes consignment sales and retail sales of used merchandise, including antiques, and does not include goods classified in the retail sales, donated goods category.

535-25D(11) RETAIL SALES, DONATED GOODS

- (a) **Description.** The donated goods retail sales use category includes uses that receive donated goods from the public for on-site sale of those goods to the public. Consignment sales and retail sales of used merchandise is classified in the general retail sales use category.
- (b) **Use-Specific Conditions.** Retail sales, donated goods, are subject to the following use-specific regulations:

- (1) Donation drop-off must be limited to during business hours only. All donations must be brought inside or collected from an employee at an entrance and stored inside.
- (2) Exterior doors must include a sign specifying that no donations outside of business hours are accepted.
- (3) Refuse containers must be located inside the building per XXX.

535-25D(12) VEHICLE SERVICE

- (a) **Description.** The vehicle service use category includes uses that provide for the ordinary maintenance, or limited repair of new or used passenger motor vehicles. Examples of vehicle service uses include the following subcategories:
 - (1) **Fueling Station.** Establishments engaged in retail sales of vehicle fuels for personal motor vehicles,

other than fleet fueling facilities and truck stops. Fueling stations may dispense conventional vehicle fuels and/or alternative vehicle fuels. Fleet vehicle fueling facilities are not allowed. See [535-26D](#) for accessory structure fueling pumps.

(2) Personal Vehicle Repair and Maintenance, Minor.

The service and repair of automobiles, light-duty trucks, boats, and motorcycles, including the incidental sale, installation, and servicing of related equipment and parts. This classification includes the replacement of small automotive parts and liquids as well as emissions testing, quick-service oil, tune-up and brake and muffler shops in which service is provided in enclosed bays and no vehicles are stored overnight. Does not include disassembly, removal or replacement of major components such as engines, drive trains, transmissions or axles; automotive body and fender work, vehicle painting or other operations that generate excessive noise, objectionable odors, or hazardous materials.

(3) Car Washes. Establishments engaged in the cleaning of motor vehicles. As the principal use on the lot, all car wash facilities must meet the regulations of a building type. Accessory car wash facilities are regulated as outbuildings.

(b) Use-Specific Conditions. Vehicle service uses are subject to the following use-specific regulations::

- (1) The maximum number of vehicles that may be stored or displayed outside of completely enclosed buildings may not exceed 1 vehicle per 300 square feet of lot area after deducting areas covered by buildings and required parking and maneuvering areas from the gross area of the lot.
- (2) Vehicles may not be stored in tandem, each vehicle must be accessible from a drive aisle.
- (3) Inoperable vehicles must be parked on-site and for no more than 30 days.

535-25E CIVIC & INSTITUTIONAL USE GROUP

The civic and institutional use group includes public, quasi-public, and institutional uses that provide services that benefit the public at-large.

535-25E(1) COLLEGE

(a) Description. The college use category includes Institutions of higher learning that offer courses of general or specialized study and are authorized to grant academic degrees. The college use subcategory includes classrooms and instructional spaces, as well as on-campus residence halls, fraternity and sorority

houses, administrative buildings, auditoriums and other on-campus uses and facilities that provide customary accessory and support functions for college or university uses.

535-25E(2) COMMUNITY ASSEMBLY

(a) Description. The community assembly use category includes facilities for hosting public or private meetings including senior centers, community centers, City-owned performing arts centers, and religious institutions. It also includes fraternal organizations and similar not-for-profit clubs restricted to use by dues-paying members and their guests.

535-25E(3) CULTURAL FACILITY

(a) Description. Museum-like preservation and exhibition of objects in one or more of the arts and sciences, gallery exhibition of works of art or library collections of books, manuscripts and similar materials operated by a public or quasi-public agency.

535-25E(4) HOSPITAL

(a) Description. The hospital use category includes all uses described in Wis. Stat. 50.33(2).

535-25E(5) PARKS & OPEN SPACE

(a) Description. The parks and open space use category includes recreational, social, or multi-purpose uses associated with public parks, public open spaces, public play fields, public or private golf courses, or other outdoor open space or recreation areas. It also includes urban agriculture uses, such as community gardens, outdoor urban farms and beekeeping. The parks and open space use category includes the following subcategories:

- (1) Cemetery.** Land or structures used for burial or permanent storage of the dead or their cremated remains. Typical uses include cemeteries and mausoleums. Also includes pet cemeteries.
- (2) Community Garden.** An area of land managed and maintained by a public or non-profit organization or a group of individuals to grow and harvest food crops and/or ornamental crops, such as flowers, for personal or group use, consumption, or donation. Community gardens may be divided into separate plots for cultivation by one or more individuals or may be farmed collectively by members of the group and may include common areas maintained and used by group members. Community gardens may be principal uses or accessory to other public or semi-public uses, such as parks, schools, community centers, or community assembly uses. This classification does not include gardens that

535-25. Principal Uses

are accessory to residential uses when access is limited to those who reside on the subject property. Sales of products produced in association with a community garden is permitted as an accessory use in zones in which retail sales & entertainment uses are allowed.

- (3) **Natural Resource Preservation.** Undeveloped land left in a natural state for specific use as visual open space or environmental purposes. Typical uses include wildlife or nature preserves, arboretums, flood management projects and reservoirs.
- (4) **Parks and Recreation.** Parks, playgrounds, recreation facilities, and related open spaces that are open to the general public. This subcategory also includes playing fields, courts, gymnasiums, swimming pools, picnic facilities, tennis courts, boat docks, and golf courses, as well as related food concessions or clubhouses within a principal structure or in an accessory structure on the same site.

535-25E(6) SCHOOL

- (a) **Description.** Public and private schools at the primary, elementary, middle school or high school level that provide basic, compulsory, state-mandated education outside of a residence.

535-25E(7) UTILITIES & SERVICES

- (a) **Description.** The utilities and services use category includes utilities and essential public service uses and facilities. The utilities and services use category includes the following subcategories:

- (1) **Utilities & Services, Minor.** Facilities that need to be located in or close to the area where the service is provided. Minor utilities generally do not have regular employees at the site and typically have few if any impacts on surrounding areas. Typical uses include water and sewer pump stations; gas regulating stations; underground electric distribution substations; electric distribution lines and transformers; bus turnarounds and on-street transit stops, water conveyance systems; stormwater storage and conveyance systems; and emergency communication warning/broadcast facilities. Also includes establishments that provide fire, police or life protection, together with the incidental storage and maintenance of necessary vehicles.
- (2) **Utilities & Services, Major.** Facilities that typically have substantial visual or operational impacts on nearby areas. Typical uses include water and wastewater treatment facilities, high-voltage electric

substations, regional electrical transmission lines, regional gas or oil pipelines, utility-scale power generation facilities (including wind, solar and other renewable and nonrenewable energy sources), and sanitary landfills.

535-25F OTHER USES

535-25F(1) PARKING LOTS & STRUCTURES

- (a) **Description.** The parking lot use category includes all parking lots and parking structures located on lots or sites that are not occupied by a principal building or use, including public parking lots and parking lots that provide required parking spaces for land uses that are located on a different site than the use served by such parking (i.e., off-site parking).
- (b) **Use-Specific Conditions.** Use-specific conditions are as follows:
 - (1) **Location.** Parking lots, with the exception of public parking lots, must not be located on a primary street frontage.
 - (2) **Materials.** Any portion of a parking structure fronting a street or visible from any street must meet the materials and color requirements of general design requirements. See XXX.
 - (3) **Ramps.** Drive ramps sloped more than 1:20 must not be located on a street facade.
 - (4) **Height.** The height of any parking structure must be lower than any part of an abutting or adjacent principal structure by a minimum of 6 feet.
 - (5) **Re-Use.** Consider providing horizontal floors at the floor-to-floor heights of one of the building types allowed in the zoning district, to allow future conversion to another use.

535-26. Accessory Uses & Structures

535-26. ACCESSORY USES & STRUCTURES

535-26A GENERAL ACCESSORY USE REGULATIONS

535-26A(1) USES AND STRUCTURES AUTHORIZED

Accessory uses and structures are allowed only in connection with lawfully established principal uses and principal structures. Allowed accessory uses and structures are limited to those expressly identified in [Table 535-26-6](#), as well as those that in the determination of the Zoning Administrator satisfy all of the following criteria:

- (a) They are customarily found in conjunction with the subject principal use and structure;
- (b) They are subordinate and clearly incidental to the principal use of the property;
- (c) They are operated and maintained by the owners or lessees of the principal use; and
- (d) They serve a necessary function for or contribute to the comfort, safety or convenience of the owners or lessees of the principal use.

535-26A(2) GENERALLY APPLICABLE REGULATIONS

The regulations of this section apply generally to all accessory uses and structures unless express provisions of this chapter establish more specific regulations for a particular type of accessory use or accessory structure.

- (a) **Location.** Accessory uses and structures must be located on the same lot as the principal use and principal structure to which they are accessory.
- (b) **Yard.** Accessory buildings and structures are allowed in the rear yard only, unless otherwise expressly stated.
- (c) **Time of Establishment.** No accessory building or structure other than a fence or temporary construction office or may be placed on a lot before construction of the principal building.
- (d) **Buildings & Structures.** Accessory buildings and structures are subject to the same regulations that apply to principal buildings and structures on the subject lot, unless otherwise expressly stated.
- (e) **Separation from Principal Structure.** Accessory buildings must be separated by a minimum distance of 10 feet from the principal building on the lot.

Table 535-26-6. Accessory Use & Structure Table

ACCESSORY USE	DISTRICTS												Reference
	Commercial & Mixed-Use				Residential						Public		
	MX	CX	GX	RX	R-1 R-2 R-3 R-4	R-5	R-6	R-7	R-8	R-9 R-10	P-1	P-3	
Automatic Teller Machine	●	●	●	-	-	-	-	-	-	-	-	-	-
Drive-Through Facility	See building type regulations 435-21				-	-	-	-	-	-	-	-	535-26B
Electric Vehicle Supply Equipment	●	●	●	●	●	●	●	●	●	●	●	●	535-26C
Fuel Pumps	See building type regulations 435-21				-	-	-	-	-	-	-	-	535-26D
Home Occupation	●	●	●	●	●	●	●	●	●	●	-	-	535-26E
Outbuildings & Garages	See building type regulations 435-21				-	-	-	-	-	-	-	-	
Outdoor Dining	●	●	-	-	-	-	-	-	-	-	-	-	
Outdoor Sales/Displays	See building type regulations 435-21				-	-	-	-	-	-	-	-	
Parking Structures	See building type regulations 435-21				-	-	-	-	-	-	-	-	535-26F
Solar Energy System	●	●	●	●	●	●	●	●	●	●	●	●	
Wind Energy System	○	○	○	○	○	○	○	○	○	○	○	○	
Other Customary Accessory Uses	●	●	●	●	●	●	●	●	●	●	●	●	

KEY: ● = Permitted ○ = Requires Conditional Use Approval - = Prohibited

535-26. Accessory Uses & Structures

535-26B DRIVE-THROUGH FACILITY

535-26B(1) APPLICABILITY

The regulations of this section govern accessory drive-through uses and facilities, which are structures or portions of a building that permit customers to purchase goods or receive services while remaining in their motor vehicle.

535-26B(2) BUILDING TYPE REGULATIONS

The key accessory structure tables for each building type identify the zones in which drive-through facilities are allowed (see [435-21](#)).

535-26B(3) LOCATION

Drive-up windows and drive-through facilities must be located in the rear yard² or on the rear of the building, completely screened from view of the primary street by the principal building. See [Figure 535-26-A](#) for one example of a drive-through.

535-26B(4) ADDITIONAL REGULATIONS

- (a) **Vehicle Stacking.** Vehicle stacking lanes must be located in the rear yard or an interior side yard.
- (b) **Accessory Structures/Signs.** The menu board and speaker must be located in the rear yard or an interior side yard.

² It may be better in CX for the drive-through to be located in the interior side yard, farther away from residences?

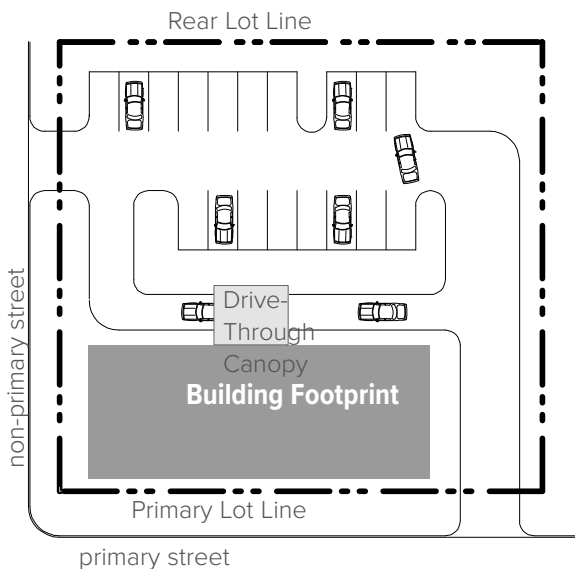


Figure 535-26-A. Drive-Through Facility

- (c) **Adjacent to R District.** When a drive-through facility is located on a lot that abuts an R district to the side or rear, the following applies:
 - (1) The drive-through facility, including the window, any canopy, and any stacking area for vehicles, must be set back at least 35 feet from the abutting R district lot line.
 - (2) The drive-through facility may not be located closer to any street than any principal building on the lot or an abutting lot.

- (d) **Structure.** Drive-through canopies and roofs must match the roof of the principal building. Materials used for the drive-through supports or other features must be repeated from the principal building design.

535-26C ELECTRIC VEHICLE SUPPLY EQUIPMENT

535-26C(1) WHERE ALLOWED

- (a) Electric vehicle supply equipment is permitted in all districts when accessory to the principal use. When such stations are accessory to residential uses, they must be designated as private, restricted-use charging stations.
- (b) If the principal use of the subject property is electric vehicle charging, then the use is considered a fueling station for zoning purposes and restricted to zoning districts in which fueling stations are allowed.

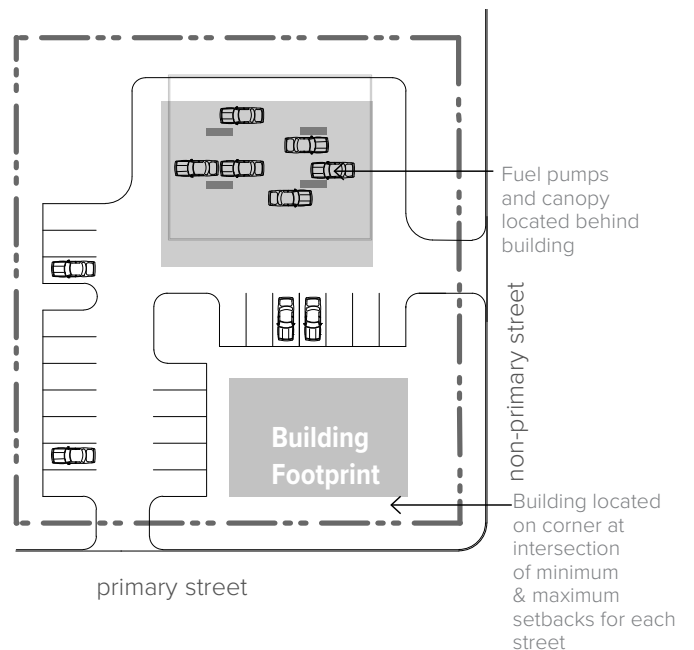


Figure 535-26-B. Fuel Pumps

535-26. Accessory Uses & Structures

535-26C(2) USAGE FEES

- (a) Property owners may collect a service fee for the use of public electric vehicle supply equipment.
- (b) Parking spaces for electric vehicle supply equipment are counted towards minimum off-site parking requirements.

535-26D FUEL PUMPS

535-26D(1) APPLICABILITY

The regulations of this section apply to fuel pumps and canopies associated with vehicle service uses. They do not apply to electric vehicle charging equipment.

535-26D(2) WHERE ALLOWED

The accessory structure tables for each building type identify the zones in which fuel pumps are allowed.

535-26D(3) PRINCIPAL BUILDING

Fuel pumps must be accessory to a principal building, a building type allowed in the subject zone.

535-26D(4) LOCATION

Fuel pumps must be located in the rear yard³, completely screened from view of the primary street by the principal building. See [Figure 535-26-B](#) for one example of a fuel pump location.

535-26D(5) ADDITIONAL REGULATIONS

- (a) **Height.** Fuel pump canopies may not exceed 18 feet in height.
- (b) **Materials.** The roof of the canopy must match the principal building in type and material. Columns and supports must be clad in a major material used on the principal building facade.

535-26E HOME OCCUPATIONS

535-26E(1) ALLOWED HOME OCCUPATIONS

The following home occupations are permitted as of right if they comply with all of the general regulations of paragraph [535-26E\(2\)](#), below. Allowed home occupations that do not comply with the general regulations of paragraph [535-26E\(2\)](#), below, require approval of a conditional use permit.

- (a) Caterers, dressmakers, seamstresses or tailors;
- (b) Music or dancing teachers, provided that the instruction shall be limited to one pupil at a time except for occasional groups;
- (c) Artists, sculptors or authors;

- (d) Lawyers, architects, engineers, real estate agents/brokers, insurance agents, and members of similar professions;
- (e) Ministers, rabbis, priests or members of religious orders;
- (f) The letting for hire of not more than two rooms for rooming or boarding use for not more than two persons, neither of whom is a transient;
- (g) Home-based workers employed by a firm or organization with offices located elsewhere; and
- (h) Other home-based work activities that can be conducted without external impacts on the surrounding neighborhood.

535-26E(2) GENERAL REGULATIONS

Home occupations are subject to compliance with the following regulations in addition to all regulations of the underlying zoning district:

- (a) The home occupation shall be incidental and secondary to the use of the dwelling for dwelling purposes.
- (b) No more than 25% of the floor area of one story of the dwelling shall be devoted to any home occupation.
- (c) No person other than members of the immediate family occupying such dwelling shall be employed in the home occupation.
- (d) No stock-in-trade (except articles produced by members of the immediate family residing on the premises) shall be displayed or sold upon the premises.
- (e) There shall be no stock-in-trade or commodity sold or services rendered that require receipt or delivery of merchandise, goods or equipment by other than a passenger motor vehicle or by letter carrier mail service or parcel delivery service.
- (f) No alteration of the dwelling shall be made which changes the character thereof as a dwelling.
- (g) The home occupation shall be conducted entirely within the dwelling; all activity, including storage, shall be conducted completely within the dwelling.
- (h) There shall be no signs, display or activity that will indicate from the exterior of the dwelling that the building is being used for any purpose other than that of the dwelling.
- (i) No home occupation shall be operated in such a manner as to cause a public nuisance as defined in § 389-1 of the Village Code.

³ It may be better in CX for the drive-through to be located in the interior side yard, farther away from residences?

Article V. Uses

535-27. Temporary Uses

- (j) There shall be no perceptible noise, odor, smoke, electrical interference or vibrations emanating from the dwelling.
- (k) There shall be no more than one customer or client on the premises at the same time.
- (l) There shall be no activity connected with the home occupation between the hours of 10:00 p.m. and 7:00 a.m.

535-26E(3) PROHIBITED HOME OCCUPATIONS

The following are expressly prohibited as home occupations:

- (a) Animal hospitals.
- (b) Barbershops.
- (c) Beauty parlors.
- (d) Clinics or hospitals.
- (e) Dancing schools, except as allowed by paragraph (a)[2], above.
- (f) Mortuaries.
- (g) Nursery schools.
- (h) Private clubs.
- (i) Renting of trailers.
- (j) Repair shops or service establishments, except the repair of electrical appliances, typewriters, cameras, or other similar small items.
- (k) Restaurants.
- (l) Stables or kennels.
- (m) Tourist homes.

535-26F PARKING STRUCTURES

535-26F(1) APPLICABILITY

The regulations of this section apply to stand-alone, accessory structures occupied by decked, multi-level motor vehicle parking.

535-26F(2) BUILDING TYPE REGULATIONS

The accessory structure tables for each building type identify which zones allow accessory parking structures.

535-26F(3) LOCATION

Accessory parking structures must be located on the same lot as the principal structure.

535-26F(4) YARD

Accessory parking structures must be located in the rear yard and be screened from view of any primary street by the principal building. Parking structures on lots with multiple primary street frontages must be screened from view of all primary streets.

535-26F(5) ADDITIONAL REGULATIONS

- (a) **Setbacks.** Parking structures may not be located closer to any street or interior side lot line than the principal structure.
- (b) **Height.** The overall height of a parking structure must be at least one story lower than the tallest principal structure.
- (c) **Facade Design.** On non-primary street frontages, accessory parking structures must meet the facade regulations of a principal parking structure (See XXX).

535-27. TEMPORARY USES

535-27A AUTHORITY TO APPROVE

535-27A(1) PLANNING & DEVELOPMENT DEPARTMENT

- (a) The Planning and Development Department is expressly authorized to approve the following as temporary uses upon determining that the proposed use is a customary temporary use in the subject location and will generally be compatible with surrounding uses and not be a detriment to public safety.
 - (1) Construction staging areas, construction field offices and storage of materials related to ongoing construction or demolition not to exceed the period in which construction is ongoing and for which all required permits remain valid;
 - (2) Mobile storage containers not to exceed the period in which construction is ongoing and for which all required permits remain valid, or if no building or construction permits are required, for no more than 40 days;
 - (3) Parking lot sales and farmer's markets for a maximum of 30 days per lot per year;
 - (4) Christmas tree, pumpkin and similar holiday sales lots for a maximum of 60 days per lot per year;
 - (5) Other similar customary temporary uses and activities.
- (b) The Planning and Development Department is also expressly authorized to refer any temporary use request to the Plan Commission for final decision-making.

535-28. Conditional Use Permits**535-27A(2) PLAN COMMISSION**

The Plan Commission must hear temporary use requests within a reasonable time after application filing to determine whether the temporary use request should be approved, approved with conditions, or denied. In order to approve temporary use requests, the Plan Commission must determine that the proposed use is a customary temporary use in the subject location, will be generally compatible with surrounding uses when conducted on a temporary basis, and will not be a detriment to public safety.

535-27B CONDITIONS OF APPROVAL

In approving a temporary use, the Planning and Development Department and the Plan Commission are authorized to impose conditions on their operation that will help to ensure that they do not create unreasonable adverse impacts on surrounding uses and that they operate safely, consistent with the general purposes of this zoning ordinance. Examples of such conditions include the following:

- (a) Requirements for vehicle access and parking;
- (b) Restrictions on hours of operation;
- (c) Limitations on signs, outdoor lighting and amplified sound;
- (d) Requirements for financial guarantees for cleanup and/or removal of structures or equipment; and
- (e) Other conditions necessary to carry out the general purposes of this zoning ordinance.

535-27C DURATION OF TEMPORARY USE

- (a) The applicant must submit a written explanation of the length of time needed for a proposed temporary use.
- (b) The Planning and Development Department or the Plan Commission, as applicable, must establish the allowed time limit for each temporary use at the time of approval, which in no event may exceed 12 months.

535-28. CONDITIONAL USE PERMITS**535-28C(1) GENERAL**

- (a) Due to their varying design and operational characteristics, and potentially deleterious neighborhood impact, conditional uses, as identified within individual zoning districts in the Village Code, require a transparent, public review process on a case-by-case basis in order to determine whether or not they will be compatible with surrounding uses and development patterns.

- (b) The Plan Commission may authorize the Planning and Development Department to issue a conditional use permit for conditional uses after review and a public hearing, provided that such conditional uses and structures are in accordance with the purpose and intent of this chapter and are found to be in compliance with the performance standards of Article VIII and do not adversely affect property values.

535-28C(2) APPLICATIONS

Applications for conditional use permits must be submitted to the Planning and Development Department on forms furnished by the department. Application must include at least the following information, as applicable:

- (a) Names and addresses of the applicant, owner of the site, architect, professional engineer, and contractor.
- (b) ~~Legal description and~~ Address of the subject site; type of structure; description of proposed operation and use of structure and site; number of employees; parking plan; and zoning district within which the subject site lies.
- (c) A site plan ~~plat of survey prepared by a registered land surveyor~~ showing all structures and other features, including landscaping and spot elevations when considered applicable by the Planning and Development Department.
- (d) ~~Fee receipt from the Village Treasurer~~ in the amount specified in the Village Fee Schedule.
- (e) Additional information as may be required subsequently by the Plan Commission, Planning and Development Department, Health Department, Police Department or Fire Department.
- (f) Applications for approval to construct a wind energy system as defined in 535-30D(2)(a) must conform to the requirements contained in § PSC 128.30(1) through (5), Wis. Adm. Code. (current through Administrative Register, December 2014, No. 708) and as hereinafter amended, which are hereby incorporated by reference and made a part hereof as if fully set forth herein. As a condition of approval, the application must contain all information, studies, agreements, permits, and reports referenced in § PSC 128.33, Wis. Adm. Code (current through Administrative Register, December 2014, No. 708) and as hereinafter amended, which is hereby incorporated by reference and made a part hereof as if fully set forth herein.

535-28. Conditional Use Permits

535-28C(3) PROCEDURES

- (a) **General.** Upon the filing of a complete application of conditional use permit approval, the Plan Commission must review the site, existing and proposed structures, architectural plans, neighboring uses, parking areas, driveway locations, highway access, traffic generation and circulation, drainage, sewerage and water systems, and the proposed operation.
- (b) **Notice.** The Village Clerk must give notice of the required public hearing through publication of a Class II Notice, under Chapter 985 of the Wisconsin Statutes in the official Village newspaper. To the extent practical, the Planning and Development Department must also provide notice to the owners of record of properties within 200 feet of the property for which the conditional use is being considered at least seven days before the hearing; however, compliance with this neighboring property owner notice shall not be a requirement for providing proper legal notice in order to take action, nor does failure to provide such notice invalidate any action taken.
- (c) **Conditions.** Conditions, such as landscaping, architectural design, type of construction, construction commencement and completion dates, sureties, lighting, fencing, planting screens, operational control, hours of operation, improved traffic circulation, deed restrictions, highway access restrictions, increased yards, or parking requirements, may be required by the Plan Commission upon its finding that these are necessary to fulfill the purpose and intent of this chapter.
- (d) **Compliance with Applicable Regulations.** Compliance with all other provisions of this chapter, such as lot width and area, yards, height, parking, loading, traffic, highway access, performance standards and use-specific conditions, is required for all conditional uses. Variances may only be granted as provided in Article X.
- (e) **Findings.** A conditional use permit may not be approved by the Plan Commission unless the Plan Commission find that:
- (1) The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.
 - (2) The conditional use will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted nor substantially diminish or impair property values within the neighborhood.
 - (3) The establishment of the conditional use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district or have a negative impact on the diversity of the type of businesses located in the district.
 - (4) Adequate utilities, access roads, drainage and/or necessary facilities have been or are being provided.
 - (5) Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.
 - (6) The conditional use must, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Board of Trustees pursuant to the recommendations of the Plan Commission.
 - (7) The conditional use is in accordance with and subject to all other applicable laws and regulations.
- (f) **Decision.** The Plan Commission must render its written decision within 60 days of the close of the public hearing, including any reasons for granting or denying the conditional use permit, unless an extension of time for decision-making is agreed upon by the applicant.
- (g) **Amendments and Modifications after Approval.** No alteration, extension or other modification of a conditional use is permitted, unless specifically approved by the Plan Commission. Any application for an alteration, extension or other modification will be filed and processed as an original application under this section.
- (h) **Lapse of Approval**
- (1) Any conditional use approved by the Plan Commission lapses and becomes null and void one year after the date of approval if the use has not commenced, or a valid building permit has not been obtained or construction is not underway. If a valid building permit has been obtained or construction is underway, the approval will expire if construction has not been completed within 18 months of the granting of the conditional use permit. The applicant may obtain an extension of these limitations through a request to the Plan Commission prior to expiration with a written explanation for the extension of time, and a timeline or schedule for completion.
 - (2) Any conditional use approved by the Plan Commission lapses and becomes null and void if

the use has been abandoned or discontinued for a period of one year.

- (i) **Changes in Tenure.** Any conditional use approved by the Plan Commission operated in conformity with the original application and any conditions imposed within the approval runs with the land and benefit all future owners and occupants of the affected premises, unless the use is abandoned or discontinued as herein provided.
- (j) **Successive Applications.** The Plan Commission shall not consider an application for a similar conditional use under the same conditions or information that was denied by the Plan Commission within one year from the date of denial. Upon review of the application, the Planning and Development Director shall make the initial determination of whether or not an application is similar, or that no new information has been provided or conditions have not changed. After that initial determination, the Planning and Development Director will bring the application to the Plan Commission for confirmation, if desired by the applicant. If the Plan Commission modifies that determination and deems that the use is not similar, or that conditions have changed or new information has been provided, the Planning and Development Director will process the submission as an original application and schedule consideration for the next meeting of the Plan Commission.
- (k) **Revocation and Termination.** The Plan Commission may revoke a conditional use permit and terminate a conditional use after a public hearing, if any of the following determinations are made:
 - (1) The conditional use has not operated in conformity with the original application or any conditions imposed within the approval.
 - (2) The conditional use has had a demonstrably negative impact on the surrounding area.
 - (3) The applicant or entity granted the conditional use violates, allows or suffers the violation of the ordinances of the Village of Shorewood, the State of Wisconsin or the United States on the premise covered by the conditional use.

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Address Display String	Name Occupant	Use Category	Current Zoning	Classification	Non-Conforming?	Proposed Category - Principal Use	Proposed Category - Accessory Uses & Structures	Proposed Zoning	Proposed Classification	Conforming / Non-Conforming
1225 E OLIVE ST	Whitefish Bay - Shorewood Nursery School	Daycare / preschool	P-1	Permitted		Child Care Center		P-1	Permitted	
1600 E LAKE BLUFF BLVD	Bright Beginnings	Preschool	P-1	Permitted		Child Care Center		P-1	Permitted	
2100 E CAPITOL DR	Bright Beginnings	Preschool	P-1	Permitted		Child Care Center		P-1	Permitted	
2200 E CAPITOL DR	Milestones Program for Children	Daycare	P-1	Permitted		Child Care Center		P-1	Permitted	
4114 N OAKLAND AVE	Casa De Corazon	Daycare	B-1	Unclassified (Conditional Use)		Child Care Center		MX-1	Upper stories only	Non-conforming
1225 E OLIVE ST	Kingo Lutheran Evangelical Church	Religious institution	P-1	Permitted		Community Assembly		P-1	Permitted	
2011 E CAPITOL DR	Fourth Church of Christ, Scientist	Religious institution	B-1	Unclassified (Conditional Use)		Community Assembly		GX-2	Upper stories only	Non-conforming
2224 E CAPITOL DR	St Roberts Congregation	Religious institution	P-1	Permitted		Community Assembly		P-1	Permitted	
3833 N MARYLAND AVE	Luther M. Chapel	Religious institution	P-1	Permitted		Community Assembly		P-1	Permitted	
1700 E CAPITOL DR	Shorewood Press Inc.	Printing services	B-1	Permitted		Consumer Service - Business Support		MX-2	Permitted	
4230 N OAKLAND AVE	The UPS Store	Mailing services	B-2	Unclassified (Conditional Use)		Consumer Service - Business Support		MX-1	Permitted	
1522 E CAPITOL DR	The Sharp Brothers	Service/repair (knife sharpeners)	B-3	Prohibited		Consumer Service - Maintenance & Repair		GX-2	Permitted	
1810 E CAPITOL DR	Joe Vello Custom Tailor	Tailor	B-1	Permitted		Consumer Service - Maintenance & Repair		MX-2	Permitted	
2101 E CAPITOL DR	Capitol Cleaners	Drycleaner	B-1	Permitted		Consumer Service - Maintenance & Repair		MX-1	Permitted	
3559 N OAKLAND AVE	My Laundromat	Laundromat	B-1	Permitted		Consumer Service - Maintenance & Repair		MX-2	Permitted	
3610 N OAKLAND AVE	Edgewood Tailors	Tailor	B-2	Permitted		Consumer Service - Maintenance & Repair		GX-1	Permitted	
3803 N OAKLAND AVE	Natasha's Tailoring	Tailor	B-2	Permitted		Consumer Service - Maintenance & Repair		MX-1	Permitted	
4026 N WILSON DR	Pinnacle Bike Service	Service/repair (bike shop)	B-3	Conditional Use		Consumer Service - Maintenance & Repair		GX-1	Permitted	
4032 N WILSON DR	Sophisticated Rose Alterations	Tailor (dressmaker?)	B-3	Permitted		Consumer Service - Maintenance & Repair	Manufacturing & Production, Artisan	GX-1	Permitted	
1425 E CAPITOL DR 100	Trilogy Hair Salon	Barber/beauty shop	B-3	Permitted		Consumer Service - Personal Improvement		GX-2	Permitted	
1518 E CAPITOL DR 2	Goddessstry Beauty	Barber/beauty shop (hair braiding)	B-3	Permitted		Consumer Service - Personal Improvement		GX-2	Permitted	
1520 E CAPITOL DR	Nicks Barbershop LLC	Barber/beauty shop	B-3	Permitted		Consumer Service - Personal Improvement		GX-2	Permitted	
1701 E CAPITOL DR	Shorewood Community Fitness Center	Fitness center (health club)	P-1	Permitted		Consumer Service - Personal Improvement		P-1	Prohibited	Non-conforming
1712 E CAPITOL DR	Beu Face & Body Lounge, LLC	Beauty shop	B-1	Permitted		Consumer Service - Personal Improvement		MX-2	Permitted	
1808 E CAPITOL DR	Manhattan's Men Grooming	Barbershop	B-1	Permitted		Consumer Service - Personal Improvement		MX-2	Permitted	
1918 E CAPITOL DR	Positronic Tattoo	Beauty shop (tattoo) / Artist studio	B-1	Permitted		Consumer Service - Personal Improvement		MX-2	Permitted	
1928 E CAPITOL DR	Main Salon Studios #104	Barber/beauty shop	B-1	Permitted		Consumer Service - Personal Improvement		MX-2	Permitted	
2127 E CAPITOL DR	Q-ticles Nail Salon	Beauty shop	B-1	Permitted		Consumer Service - Personal Improvement		MX-1	Permitted	
2219 E CAPITOL DR	LUXE Hair Design	Barber/beauty shop	B-1	Permitted		Consumer Service - Personal Improvement		MX-1	Permitted	
2317 E CAPITOL DR	Crafted Hair Group	Barber/beauty shop	B-3	Permitted		Consumer Service - Personal Improvement		GX-1	Permitted	
3551 N OAKLAND AVE	Lin's Beauty Studio	Beauty shop	B-1	Permitted		Consumer Service - Personal Improvement		MX-2	Permitted	
3569 N OAKLAND AVE	Sculpted Body Care Inc.	Beauty shop	B-1	Permitted		Consumer Service - Personal Improvement		GX-2	Permitted	
3575 N OAKLAND AVE	Groom for Men	Barbershop	B-1	Permitted		Consumer Service - Personal Improvement		GX-2	Permitted	
3610 N OAKLAND AVE	Run With Scissors	Barber/beauty shop	B-2	Permitted		Consumer Service - Personal Improvement		GX-1	Permitted	
3805 N OAKLAND AVE	Valentine Electric Tattoo	Beauty shop (tattoo) / art studio	B-2	Permitted		Consumer Service - Personal Improvement		MX-1	Permitted	
3809 N OAKLAND AVE	Tete-a-Tete Beauty Salon	Barber/beauty shop	B-2	Permitted		Consumer Service - Personal Improvement		MX-1	Permitted	
3811 N OAKLAND AVE	Le Cocon Day Spa	Clinic (wellness)	B-2	Conditional Use		Consumer Service - Personal Improvement		MX-1	Permitted	
3955 N PROSPECT AVE	St. Moritz Salon	Barber/beauty shop	B-1	Permitted		Consumer Service - Personal Improvement		GX-1	Permitted	
4005 N DOWNER AVE	Skn Bar Rx	Beauty shop	B-3	Permitted		Consumer Service - Personal Improvement		MX-1	Permitted	
4009 N OAKLAND AVE	Anytime Fitness	Fitness center	B-1	Unclassified (Conditional Use)		Consumer Service - Personal Improvement		MX-2	Permitted	
4012 N WILSON DR	Shells Studio LLC	Barber/beauty shop	B-3	Permitted		Consumer Service - Personal Improvement		GX-1	Permitted	
4164 N OAKLAND AVE	Great Clips	Barber/beauty shop	B-1	Permitted		Consumer Service - Personal Improvement		MX-1	Permitted	
4405 N OAKLAND AVE	So~Solace LLC	Beauty shop	B-2	Permitted		Consumer Service - Personal Improvement		MX-1	Permitted	
4407 N OAKLAND AVE	Zen the Salon	Barber/beauty shop	B-2	Permitted		Consumer Service - Personal Improvement		MX-1	Permitted	
4423 N OAKLAND AVE	The Men's Room	Barbershop	B-2	Permitted		Consumer Service - Personal Improvement		MX-1	Permitted	
4429 N OAKLAND AVE	Vanity Fur	Pet grooming	B-2	Permitted		Consumer Service - Personal Improvement		MX-1	Permitted	
4479 N OAKLAND AVE	Brian Houston Salon	Barber/beauty shop	B-1	Permitted		Consumer Service - Personal Improvement		MX-1	Permitted	
4503 N OAKLAND AVE	The Establishment-Aveda	Barber/beauty shop	B-1	Permitted		Consumer Service - Personal Improvement		MX-1	Permitted	
4610 N WILSON DR	Wanderlust Salon	Barber/beauty shop	B-5	Permitted		Consumer Service - Personal Improvement		GX-1	Permitted	
3510 N OAKLAND AVE 203	Lakeside Natural Medicine, LLC	Clinic (wellness)	B-1	Conditional Use		Consumer Service - Personal Improvement		MX-2	Permitted	
4210 N OAKLAND AVE	Golden Rey Energy Center	Clinic (wellness)	B-2	Conditional Use		Consumer Service - Personal Improvement		GX-1	Permitted	
1518 E CAPITOL DR	4 Paw	Pet grooming	B-3	Permitted		Consumer Service - Personal Improvement		GX-2	Permitted	
4011 N OAKLAND AVE	Northshore Nails	Beauty shop	B-1	Permitted		Consumer Service - Personal Improvement		MX-2	Permitted	
3970 N OAKLAND AVE # 404	Meta Massage & Bodywork	Clinic (massage)	B-1	Conditional Use		Consumer Service - Personal Improvement		GX-3	Permitted	
3970 N OAKLAND AVE # 502	Integrative Massage & Body Therapy	Clinic (therapy/massage)	B-1	Conditional Use		Consumer Service - Personal Improvement		GX-3	Permitted	
3510 N OAKLAND AVE 206	Optimal Performance Therapeutic Massage	Clinic (therapy/massage)	B-1	Conditional Use		Consumer Service - Personal Improvement		MX-2	Permitted	
3510 N OAKLAND AVE 206	Caribbean Touch Therapeutic Massage	Clinic (therapy/massage)	B-1	Conditional Use		Consumer Service - Personal Improvement		MX-2	Permitted	
3510 N OAKLAND AVE 206	Sandy's Soothing Hands	Clinic (therapy/massage)	B-1	Conditional Use		Consumer Service - Personal Improvement		MX-2	Permitted	
3956 N MURRAY AVE	Morgan Shea Health & Wellness, LLC	Clinic (therapy/massage)	B-1	Conditional Use		Consumer Service - Personal Improvement		GX-2	Permitted	
4433 N OAKLAND AVE	Cream City Physical Therapy and Wellness	Clinic (therapy/massage)	B-2	Conditional Use		Consumer Service - Personal Improvement		GX-1	Permitted	
4601 N OAKLAND AVE 101	Balanced Being LLC	Clinic (therapy/massage)	B-2	Conditional Use		Consumer Service - Personal Improvement		GX-1	Permitted	
4601 N OAKLAND AVE 102	Life Steps Health & Wellness Clinic	Clinic (wellness)	B-2	Conditional Use		Consumer Service - Personal Improvement		GX-1	Permitted	
4601 N OAKLAND AVE 221	Chokkan Shiatsu & Wellness Services	Clinic (wellness)	B-2	Conditional Use		Consumer Service - Personal Improvement		GX-1	Permitted	
4208 N OAKLAND AVE	Golden Rey IV Nutrient Lounge	Clinic (wellness)	B-2	Conditional Use		Consumer Service - Personal Improvement		GX-1	Permitted	
1922 E CAPITOL DR	Movement MKE	Fitness center (personal training)	B-1	Unclassified (Conditional Use)		Consumer Service - Studio, Artist or Instructional		MX-2	Permitted	
3514 N OAKLAND AVE	Brew Fitness	Fitness center	B-1	Unclassified (Conditional Use)		Consumer Service - Studio, Artist or Instructional		MX-2	Permitted	
3565 N OAKLAND AVE	The Exercise Coach	Fitness center (personal training)	B-1	Unclassified (Conditional Use)		Consumer Service - Studio, Artist or Instructional		GX-2	Permitted	
3970 N OAKLAND AVE # 300	Milwaukee Rowing Club	Fitness center	B-1	Unclassified (Conditional Use)		Consumer Service - Studio, Artist or Instructional		GX-3	Permitted	
4155 N Oakland AVE	Orange Theory Fitness	Fitness center	PDD	Unclassified (Conditional Use)		Consumer Service - Studio, Artist or Instructional		MX-1 w/PDD	Permitted	
3948 N MARYLAND AVE	Milwaukeeke Yoga Center & Blooming Lotus Bakery	Fitness center / Retail (bakery)	B-1	Unclassified (Conditional Use)		Consumer Service - Studio, Artist or Instructional	Retail Sales, General	MX-1	Permitted	
3817 N OAKLAND AVE	LADA Driver School, LLC	Instruction (driving)	B-2	Unclassified (Conditional Use)		Consumer Service - Studio, Artist or Instructional		MX-1	Permitted	
3555 N OAKLAND AVE	Milwaukeeke Irish Dancers, LLC	Instruction (dance)	B-1	Permitted		Consumer Service - Studio, Artist or Instructional		MX-2	Permitted	
4050 N OAKLAND AVE	School of Rock	Instruction (music)	B-1	Unclassified (Conditional Use)		Consumer Service - Studio, Artist or Instructional		MX-1	Permitted	
4121 N WILSON DR	Shorewood Center for the Arts	Instruction (dance)	B-3	Permitted		Consumer Service - Studio, Artist or Instructional		GX-2	Permitted	
4160 N OAKLAND AVE	So Cool Craft	Instruction (crafts)	B-1	Unclassified (Conditional Use)		Consumer Service - Studio, Artist or Instructional		MX-1	Permitted	
4477 N OAKLAND AVE	B.K. Yun's Black Belt Academy	Instruction (martial arts)	B-1	Unclassified (Conditional Use)		Consumer Service - Studio, Artist or Instructional		MX-1	Permitted	
3920 N MURRAY AVE	Shorewood Library	Library	PDD	Permitted (P-1)		Cultural Facility		GX-2 w/PDD	Permitted	
1305 E CAPITOL DR	Corner Bakery Cafe	Dine-in restaurant w/ drive through	B-3	Conditional Use		Eating & Drinking Places	Drive-Through	CX	Permitted	
1325 E CAPITOL DR	Culver's	Dine-in restaurant w/ drive through	B-3	Conditional Use		Eating & Drinking Places	Drive-Through	CX	Permitted	
2205 E CAPITOL DR	City Market	Dine-in restaurant	B-1	Permitted		Eating & Drinking Places	Retail Sales, General	MX-1	Permitted	
2213 E CAPITOL DR	Falbo Bros. Pizzeria	Dine-in restaurant	B-1	Permitted		Eating & Drinking Places		MX-1	Permitted	
3549 N OAKLAND AVE	Harry's Bar & Grill	Dine-in restaurant	B-1	Permitted		Eating & Drinking Places		MX-2	Permitted	

3565 N MORRIS BLVD	Hubbard Park - Russ Davis	Event center / Dine-in restaurant / Beer garden	P-3	Unclassified (Conditional Use)	Eating & Drinking Places	Event Venue	P-3	Permitted	
3567 N OAKLAND AVE	Le Rich & Pour	Drinking establishment (wine bar)	B-1	Unclassified (Conditional Use)	Eating & Drinking Places	Retail Sales, General	GX-2	Limited portion	
3592 N OAKLAND AVE	Crave Cafe	Dine-in restaurant w/carryout and delivery	B-2	Permitted	Eating & Drinking Places		MX-2	Permitted	
3600 N OAKLAND AVE	East Garden	Dine-in restaurant w/carryout and delivery	B-2	Permitted	Eating & Drinking Places		MX-2	Permitted	
4022 N OAKLAND AVE	Brat House Shorewood	Dine-in restaurant / Drinking establishment (bar)	B-1	Permitted	Eating & Drinking Places		MX-2	Permitted	
4044 N OAKLAND AVE	Camp Bar	Drinking establishment (bar)	B-1	Unclassified (Conditional Use)	Eating & Drinking Places		MX-1	Permitted	
4106 N OAKLAND AVE	Stone Creek Coffee	Drinking establishment (coffee shop)	B-1	Permitted	Eating & Drinking Places	Retail Sales, General	MX-1	Permitted	
4151 N Oakland AVE	MOD Super Fast Pizza, LLC	Dine-in restaurant w/carryout	PDD	Permitted	Eating & Drinking Places		MX-1 w/PDD	Permitted	
4156 N OAKLAND AVE	Benji's Delicatessen & Restaurant	Dine-in restaurant w/carryout	B-1	Permitted	Eating & Drinking Places	Retail Sales, General	MX-1	Permitted	
4170 N OAKLAND AVE	Starbucks Coffee Company	Drinking establishment (coffee shop)	B-1	Permitted	Eating & Drinking Places	Retail Sales, General	MX-1	Permitted	
4195 N Oakland AVE	Buttermint Finer Dining and Cocktails	Dine-in restaurant	PDD	Permitted	Eating & Drinking Places		MX-1 w/PDD	Permitted	
4301 N OAKLAND AVE	Caribou Coffee & Einstein Bros. Bagels	Dine-in restaurant/Drinking establishment (coffee shop)	B-2	Permitted	Eating & Drinking Places	Retail Sales, General	MX-1	Permitted	
4330 N OAKLAND AVE	C-viche	Dine-in restaurant	B-2	Permitted	Eating & Drinking Places		MX-1	Permitted	
4334 N OAKLAND AVE	Fiddleheads Coffee	Drinking establishment (coffee shop)	B-2	Permitted	Eating & Drinking Places	Retail Sales, General	MX-1	Permitted	
4401 N OAKLAND AVE	North Shore Boulangerie	Dine-in restaurant	B-2	Permitted	Eating & Drinking Places	Manufacturing & Production, Artisan	MX-1	Permitted	
4417 N OAKLAND AVE	Draft & Vessel	Drinking establishment (bar)	B-2	Unclassified (Conditional Use)	Eating & Drinking Places		MX-1	Permitted	
4473 N OAKLAND AVE A	Riley's Sandwich Company	Carryout restaurant	B-1	Conditional Use	Eating & Drinking Places		MX-1	Permitted	
4475 N OAKLAND AVE	Nino's Southern Sides LLC	Dine-in restaurant w/carryout	B-1	Permitted	Eating & Drinking Places	Manufacturing & Production, Artisan	MX-1	Permitted	
4488 N OAKLAND AVE	Cloud Red	Dine-in restaurant	B-1	Permitted	Eating & Drinking Places		MX-1	Permitted	
4500 N OAKLAND AVE	Collectivo Coffee Roasters	Drinking establishment (coffee shop)	PDD	Permitted	Eating & Drinking Places	Retail Sales, General	MX-1 w/PDD	Permitted	
4501 N OAKLAND AVE	No. 1 Chinese Restaurant	Dine-in restaurant w/carryout and delivery	B-1	Permitted	Eating & Drinking Places		MX-1	Permitted	
4511 N OAKLAND AVE	Nana Fusion Japanese Restaurant	Dine-in restaurant	B-1	Permitted	Eating & Drinking Places		MX-1	Permitted	
4512 N OAKLAND AVE	cornerstonewine LLC	Drinking establishment (wine bar) w/Retail (wine and liquor)	PDD	Unclassified (Conditional Use)	Eating & Drinking Places	Retail Sales, General	MX-1 w/PDD	Permitted	
4515 N OAKLAND AVE	Three Lions Pub	Dine-in restaurant / Drinking establishment (bar)	B-1	Permitted	Eating & Drinking Places		MX-1	Permitted	
2107 E CAPITOL DR	The Atrium	Event space	B-1	Unclassified (Conditional Use)	Event Venue		MX-1	Permitted	
4606 N WILSON DR	Little Sprouts Play Cafe	Event center / Retail (specialty)	B-5	Unclassified (Conditional Use)	Event Venue	Retail Sales, General	GX-1	Permitted	
2025 E CAPITOL DR	Feerick's Funeral Home	Funeral home	B-1	Conditional Use	Funeral & Mortuary Service		GX-2	Permitted	
3601 N OAKLAND AVE	Northshore Funeral Services	Funeral home	B-2	Conditional Use	Funeral & Mortuary Service		GX-1	Permitted	
1111 E CAPITOL DR	Harbor Chase Shorewood	Assisted senior living / memory care	PDD	Unclassified (Conditional Use)	Household Living - 3+ units	Group Living - Residential Care Facility	GX-2 w/PDD	Permitted	
3900 N ESTABROOK PKWY	Shorewood Senior Apartments LLC	Multi-unit residential (55+)	B-4	Permitted	Household Living - 3+ units		GX-2	Permitted	
4322 N OAKLAND AVE	Oxford Art Glass Studio	Studio (art glass)	B-2	Permitted	Manufacturing & Production, Artisan		MX-1	Permitted	
4411 N OAKLAND AVE	House of Engraving LLC	Studio (engraving)	B-2	Permitted	Manufacturing & Production, Artisan	Retail Sales, General	MX-1	Permitted	
3801 N OAKLAND AVE	Signature Sweets	Bakery (retail and catering)	B-2	Permitted	Manufacturing & Production, Artisan	Retail Sales, General	MX-1	Permitted	
4001 N DOWNER AVE	Home Again Fabric and Furnishings LLC	Service/repair (furniture repair/upholstery) w/Retail (home furnishings)	B-3	Permitted	Manufacturing & Production, Artisan	Retail Sales, General	MX-1	Permitted	
4048 N BARTLETT AVE	DoenerMKE	Commercial kitchen	P-1	Unclassified (Conditional Use)	Manufacturing & Production, Artisan		P-1	Prohibited	Non-conforming
4465 N OAKLAND AVE 203	Harvest Motion Design LLC	Studio (animation)	B-1	Permitted	Office - Broadcast or Recording Studio		GX-1	Permitted	
4447 N OAKLAND AVE LOWR	Sourcepoint Counseling	Office (counseling)	B-2	Permitted	Office - Business & Professional		GX-1	Permitted	
3970 N OAKLAND AVE # 402	Family Healing and Wellness Center LLC	Clinic (mental health)	B-1	Conditional Use	Office - Business & Professional		GX-3	Permitted	
3970 N OAKLAND AVE # 504	New Leaf Therapies, LLC	Clinic (mental health)	B-1	Conditional Use	Office - Business & Professional		GX-3	Permitted	
4433 N OAKLAND AVE D	Brill Counseling	Office (counseling)	B-2	Permitted	Office - Business & Professional		GX-1	Permitted	
4465 N OAKLAND AVE 310	The Practice MKE	Office (counseling)	B-1	Permitted	Office - Business & Professional		GX-1	Permitted	
4465 N OAKLAND AVE 320B	CALM Services, LLC	Clinic (mental health)	B-1	Conditional Use	Office - Business & Professional		GX-1	Permitted	
4465 N OAKLAND AVE 360	Nova Mental Health Services, LLC	Clinic (mental health)	B-1	Conditional Use	Office - Business & Professional		GX-1	Permitted	
4433 N OAKLAND AVE C	Milwaukee Therapy LLC	Office (counseling)	B-2	Permitted	Office - Business & Professional		GX-1	Permitted	
2321 E CAPITOL DR 400	Behrens Psychotherapy Services, LLC	Clinic (mental health)	B-3	Conditional Use	Office - Business & Professional		GX-1	Permitted	
2321 E CAPITOL DR 500 # 600	Flourish Counseling Milwaukee, LLC	Office (counseling)	B-3	Permitted	Office - Business & Professional		GX-1	Permitted	
2510 E CAPITOL DR	Many Roads Clinic, LLC	Clinic (mental health)	B-3	Conditional Use	Office - Business & Professional		GX-1	Permitted	
1200 E CAPITOL DR 100	Kivley Investments LLC	Office (financial consulting)	B-4	Permitted	Office - Business & Professional		GX-2	Permitted	
1200 E CAPITOL DR 360	Pinix Law, LLC	Office (legal)	B-4	Permitted	Office - Business & Professional		GX-2	Permitted	
1572 E CAPITOL DR	Northwoods Software Development	Office (IT/software)	B-3	Permitted	Office - Business & Professional		GX-2	Permitted	
1800 E CAPITOL DR # 1A	Alliance Francaise de Milwaukee	Office (association)	B-1	Permitted	Office - Business & Professional	Consumer Service - Studio, Artist or Instructional	MX-2	Upper stories only	
1800 E CAPITOL DR 2E	Stein Business Office	Office (property management)	B-1	Permitted	Office - Business & Professional		MX-2	Upper stories only	
1800 E CAPITOL DRIVE 2D # 2F	Benjamin Consulting Services LLC	Office (IT/software)	B-1	Permitted	Office - Business & Professional		MX-2	Upper stories only	
2321 E CAPITOL DR 300	Schramm & Co. Inc.	Office (property management)	B-3	Permitted	Office - Business & Professional		GX-1	Permitted	
2323 E CAPITOL DR	Edward Jones	Office (financial consulting)	B-3	Permitted	Office - Business & Professional		GX-1	Permitted	
2510 E CAPITOL DR	Sweet & Associates, LLC	Office (legal)	B-3	Permitted	Office - Business & Professional		GX-1	Permitted	
2510 E CAPITOL DR	Law Offices of Joseph R. Cincotta	Office (legal)	B-3	Permitted	Office - Business & Professional		GX-1	Permitted	
2514 E CAPITOL DR	Pech Property Investments, Inc	Office (property management)	B-3	Permitted	Office - Business & Professional		MX-1	Upper stories only	Non-conforming
3510 N OAKLAND AVE 210	Ohio Kilts LLC	Office (property management)	B-1	Permitted	Office - Business & Professional		MX-2	Upper stories only	Conforming
3555 N OAKLAND AVE	Select Property Group, LLC	Office (property management)	B-1	Permitted	Office - Business & Professional		MX-2	Upper stories only	Non-conforming
3610 N OAKLAND AVE	Metro Investments	Office (property management)	B-2	Permitted	Office - Business & Professional		GX-1	Permitted	
3970 N OAKLAND AVE # 201	Domer Law Office	Office (legal)	B-1	Permitted	Office - Business & Professional		GX-3	Permitted	
3970 N OAKLAND AVE # 604	Rozek Law Offices, SC	Office (legal)	B-1	Permitted	Office - Business & Professional		GX-3	Permitted	
3970 N OAKLAND AVE # 701	Country Financial	Office (financial consulting)	B-1	Permitted	Office - Business & Professional		GX-3	Permitted	
4016 N WILSON DR	Mary Best Designs	Office (interior design)	B-3	Permitted	Office - Business & Professional		GX-1	Permitted	
4020 N WILSON DR	James R. Eby	Office (legal)	B-3	Permitted	Office - Business & Professional		GX-1	Permitted	
4028 N WILSON DR	Carol Snyder and Associates	Office (interior design)	B-3	Permitted	Office - Business & Professional		GX-1	Permitted	
4314 N OAKLAND AVE	Edward Jones	Office (financial consulting)	B-2	Permitted	Office - Business & Professional		MX-1	Upper stories only	Non-conforming
4316 N OAKLAND AVE	RJ Builders	Office (architecture & interior design)	B-2	Permitted	Office - Business & Professional		MX-1	Upper stories only	Non-conforming
4421 N OAKLAND AVE 200	Van Cleave Architecture & Design	Office (architecture & interior design)	B-2	Permitted	Office - Business & Professional		MX-1	Upper stories only	Conforming
4433 N OAKLAND AVE D	Campion Law, LLC	Office (legal)	B-2	Permitted	Office - Business & Professional		GX-1	Permitted	
4433 N OAKLAND AVE D	ClearStep Financial	Office (financial consulting)	B-2	Permitted	Office - Business & Professional		GX-1	Permitted	
4465 N OAKLAND AVE 200	AMTC & Associates	Office (professional)	B-1	Permitted	Office - Business & Professional		GX-1	Permitted	
4465 N OAKLAND AVE 201	MalamaDoe	Office (co-working)	B-1	Permitted	Office - Business & Professional		GX-1	Permitted	
4507 N OAKLAND AVE	Milwaukee Brokerage Employee Benefits	Office (insurance)	B-1	Permitted	Office - Business & Professional		MX-1	Upper stories only	Non-conforming
3970 N OAKLAND AVE # 401	Impact	Office (social services)	B-1	Permitted	Office - Business & Professional		GX-3	Permitted	
3970 N OAKLAND AVE # 704	Cynthia Carlson ACSW	Office (social services)	B-1	Permitted	Office - Business & Professional		GX-3	Permitted	
4532 N WILSON DR	Karademas Enterprises LLC	Office (property management)	B-5	Permitted	Office - Business & Professional		GX-1	Permitted	
4485 N OAKLAND AVE	Stowell Associates, Inc.	Office (caregiving)	B-1	Permitted	Office - Business & Professional		MX-1	Upper stories only	Non-conforming
4060 N OAKLAND AVE	North Shore Bank	Financial institution w/drive through	B-1	Conditional Use	Office - Financial	Drive-Through	MX-1	Upper stories only	Non-conforming
4108 N OAKLAND AVE	Wells Fargo Bank	Financial institution	B-1	Permitted	Office - Financial		MX-1	Upper stories only	Non-conforming
4201 N OAKLAND AVE	TCF Bank Wisconsin FSB	Financial institution w/drive through	B-2	Conditional Use	Office - Financial	Drive-Through	MX-1	Upper stories only	Non-conforming
4521 N OAKLAND AVE	SE Shorewood LLC (DBA (se))(R)(LAB)	Fitness center (therapy/personal training)	B-2	Unclassified (Conditional Use)	Office - Medical or Dental		MX-1	Upper stories only	Non-conforming

1400 E CAPITOL DR	Katherine J. Kircher, DDS	Clinic (dental)	B-3	Conditional Use	Office - Medical or Dental		GX-2	Permitted	
1409 E CAPITOL DR	Meridian Endodontics LLC	Clinic (dental)	B-3	Conditional Use	Office - Medical or Dental		GX-2	Permitted	
1431 E CAPITOL DR	Lifestyle Acupuncture	Clinic (wellness)	B-3	Conditional Use	Office - Medical or Dental		CX	Upper stories only	Non-conforming
1714 E CAPITOL DR	Dr. Klara Fleish	Clinic (dental)	B-1	Conditional Use	Office - Medical or Dental		MX-2	Upper stories only	Non-conforming
1720 E LAKE BLUFF BLVD	Carolyn Griffin DDS, LLC	Clinic (dental)	B-2	Conditional Use	Office - Medical or Dental		GX-1	Permitted	
2211 E CAPITOL DR	Crux Chiropractic LLC	Clinic (chiropractor)	B-1	Conditional Use	Office - Medical or Dental		MX-1	Upper stories only	Non-conforming
2223 E CAPITOL DR	Center for COVID Control	Clinic (medical testing)	B-1	Conditional Use	Office - Medical or Dental		MX-1	Upper stories only	Non-conforming
2321 E CAPITOL DR	Shorewood Dental LLC	Clinic (dental)	B-3	Conditional Use	Office - Medical or Dental		GX-1	Permitted	
2500 E CAPITOL DR	Shorewood Animal Hospital	Clinic (veterinary)	B-3	Conditional Use	Office - Medical or Dental		GX-1	Permitted	
3510 N OAKLAND AVE 201	Chiropractic Company	Clinic (chiropractor)	B-1	Conditional Use	Office - Medical or Dental		MX-2	Upper stories only	Conforming
3600 N OAKLAND AVE A	Eastern Wisdom Healing Center	Clinic (wellness)	B-2	Conditional Use	Office - Medical or Dental		MX-2	Upper stories only	Upper stories only
3723 N OAKLAND AVE	Bayshore Veterinary Clinic	Clinic (veterinary)	B-2	Conditional Use	Office - Medical or Dental		GX-1	Permitted	
3811 N OAKLAND AVE	Ethereal Acupuncture LLC	Clinic (wellness)	B-2	Conditional Use	Office - Medical or Dental		MX-1	Upper stories only	Non-conforming
3840 N OAKLAND AVE	CORA Physical Therapy - Shorewood	Clinic (physical therapy)	B-2	Conditional Use	Office - Medical or Dental		GX-1	Permitted	
3970 N OAKLAND AVE # 102	Orthopaedic Hospital of Wisconsin	Clinic (medical)	B-1	Conditional Use	Office - Medical or Dental		GX-3	Permitted	
3970 N OAKLAND AVE # 403	Draver Dental	Clinic (dental)	B-1	Conditional Use	Office - Medical or Dental		GX-3	Permitted	
3970 N OAKLAND AVE # 501	General Dentistry, Kamyar Saeian, D	Clinic (dental)	B-1	Conditional Use	Office - Medical or Dental		GX-3	Permitted	
3970 N OAKLAND AVE # 503	Thomas Kelley DDS	Clinic (dental)	B-1	Conditional Use	Office - Medical or Dental		GX-3	Permitted	
3970 N OAKLAND AVE # 601	Karyn Brzezinski D.D.S	Clinic (dental)	B-1	Conditional Use	Office - Medical or Dental		GX-3	Permitted	
3970 N OAKLAND AVE # 602	Acacia Dental Care	Clinic (dental)	B-1	Conditional Use	Office - Medical or Dental		GX-3	Permitted	
3970 N OAKLAND AVE # 603	Healthy Start Dentistry	Clinic (dental)	B-1	Conditional Use	Office - Medical or Dental		GX-3	Permitted	
3970 N OAKLAND AVE # 702	Shorewood Family Dentistry, LLC	Clinic (dental)	B-1	Conditional Use	Office - Medical or Dental		GX-3	Permitted	
4027 N OAKLAND AVE	Columbia St. Marys, Inc.	Clinic (medical)	B-1	Conditional Use	Office - Medical or Dental		MX-1	Upper stories only	Non-conforming
4161 N Oakland AVE	AEI Orthodontics, LLC	Clinic (dental)	PDD	Conditional Use	Office - Medical or Dental		MX-1 w/PDD	Upper stories only	Non-conforming
4433 N OAKLAND AVE A	Shorewood Family Chiropractic	Clinic (chiropractor)	B-2	Conditional Use	Office - Medical or Dental		GX-1	Permitted	
4433 N OAKLAND AVE B	Orchid Chinese Medicine	Clinic (wellness)	B-2	Conditional Use	Office - Medical or Dental		GX-1	Permitted	
4447 N OAKLAND AVE MAIN	Dr. Daniel K. Moos, D.D.S.	Clinic (dental)	B-2	Conditional Use	Office - Medical or Dental		GX-1	Permitted	
4495 N OAKLAND AVE	Metropolitan Medical Center	Clinic (medical)	B-1	Conditional Use	Office - Medical or Dental		MX-1	Upper stories only	Non-conforming
4529 N OAKLAND AVE	SE Shorewood LLC (DBA Structural Elements)	Clinic (therapy)	B-2	Conditional Use	Office - Medical or Dental		MX-1	Upper stories only	Non-conforming
4601 N OAKLAND AVE	Dr. Zhou's Acupuncture & Wellness C	Clinic (wellness)	B-2	Conditional Use	Office - Medical or Dental		GX-1	Permitted	
4604 N WILSON DR	Dr. Noah's Ark Veterinary Clinic	Clinic (veterinary)	B-5	Conditional Use	Office - Medical or Dental		GX-1	Permitted	
3930 N MURRAY AVE	Village Hall	Office (municipal)	PDD	Permitted (P-1)	Office - Walk-In	Community Assembly	GX-2 w/PDD	Permitted	
4484 N OAKLAND AVE	Gramoll & Associates - American Family Insurance	Office (insurance agent)	B-1	Permitted	Office - Walk-In		MX-1	Upper stories only	Non-conforming
1200 E CAPITOL DR 210	Re/Max Lakeside	Office (real estate)	B-4	Permitted	Office - Walk-In		GX-2	Permitted	
1410 E CAPITOL DR LOWR	Diana Kostal State Farm Insurance	Office (insurance)	B-3	Permitted	Office - Walk-In		GX-2	Permitted	
4010 N OAKLAND AVE	McCabe Insurance Agency-Allstate	Office (insurance)	B-1	Permitted	Office - Walk-In		MX-2	Upper stories only	Non-conforming
4014 N WILSON DR	Multiline Insurance Agency	Office (insurance)	B-3	Permitted	Office - Walk-In		GX-1	Permitted	
4050 N OAKLAND AVE 201	Jay Schmidt Group	Office (real estate)	B-1	Permitted	Office - Walk-In		MX-1	Upper stories only	Conforming
4166 N OAKLAND AVE	Mid-Coast MKE Realty	Office (real estate)	B-1	Permitted	Office - Walk-In		MX-1	Upper stories only	Non-conforming
4214 N OAKLAND AVE	Suzanne Powers Realty	Office (real estate)	B-1	Permitted	Office - Walk-In		GX-1	Permitted	
4447 N OAKLAND AVE LOWR	Nurses Now, LLC	Office (staffing)	B-2	Permitted	Office - Walk-In		GX-1	Permitted	
4559 N OAKLAND AVE	Shorewood Group Gen Prtnrshp	Office (real estate)	B-2	Permitted	Office - Walk-In		GX-1	Permitted	
1410 E CAPITOL DR UPPR	Temps Plus Staffing Service	Office (staffing)	B-3	Permitted	Office - Walk-In		GX-2	Permitted	
4115 N Oakland AVE	Metro Market Parking Structure	Parking structure	PDD	Unclassified (Conditional Use)	Parking Structure		MX-1 w/PDD	Conditional	
4000 N OAKLAND AVE	Visionworks	Clinic (optometry) w/retail	B-1	Conditional Use	Retail Sales, General	Office - Medical or Dental (not within first 20 ft.)	MX-2	Upper stories only	Upper stories only
4163 N Oakland AVE	Wisconsin Vision	Clinic (optometry) w/retail	PDD	Conditional Use	Retail Sales, General	Office - Medical or Dental (not within first 20 ft.)	MX-1 w/PDD	Upper stories only	Upper stories only
1421 E CAPITOL DR	North Shore Health Care d/b/a Thompson Serv-U Pharmacy	Pharmacy	B-3	Permitted	Retail Sales, General		GX-2	Limited portion	Non-conforming
1425 E CAPITOL DR 200	Posh Collective LLC	Retail (resale/consignment)	B-3	Conditional Use	Retail Sales, General		GX-2	Limited portion	
1433 E CAPITOL DR	Grande Flowers	Florist	B-3	Permitted	Retail Sales, General		CX	Permitted	
1916 E CAPITOL DR	Clicks	Retail (shoe store)	B-1	Permitted	Retail Sales, General		MX-2	Permitted	
1920 E CAPITOL DR	Cosmic Destroyer Collectibles	Retail (specialty/hobby shop)	B-1	Permitted	Retail Sales, General		MX-2	Permitted	
1926 E CAPITOL DR	Lake Effect Sports LLC	Retail with equipment rental	B-1	Permitted	Retail Sales, General		MX-2	Permitted	
2221 E CAPITOL DR	Mz. Redd's Boutique	Retail (women's fashion)	B-1	Permitted	Retail Sales, General		MX-1	Permitted	
3510 N OAKLAND AVE	Sherwin Williams	Retail (home improvement)	B-1	Permitted	Retail Sales, General		MX-2	Permitted	
3512 N OAKLAND AVE	Uptown Pharmacy & Wellness	Pharmacy	B-1	Permitted	Retail Sales, General		MX-2	Permitted	
3557 N OAKLAND AVE	Russian Food & Gifts	Retail (specialty)	B-1	Permitted	Retail Sales, General		MX-2	Permitted	
4001 N OAKLAND AVE	Sage Specialty Pharmacy Inc.	Pharmacy	B-1	Permitted	Retail Sales, General		MX-2	Permitted	
4014 N OAKLAND AVE	CC Conrad Jewelry, Inc.	Retail (jewelry/resale)	B-1	Permitted	Retail Sales, General		MX-2	Permitted	
4035 N OAKLAND AVE	Walgreens	Pharmacy w/retail	PDD	Permitted	Retail Sales, General		MX-1 w/PDD	Permitted	
4075 N Oakland AVE	Metro Market	Grocery store w/pharmacy w/deli w/drinking establishment (bar)	PDD	Permitted w/ Unclassified (Conditional Use)	Retail Sales, General	Eating & Drinking Places	MX-1 w/PDD	Permitted	
4165 N Oakland AVE	Bentley's Pet Stuff	Retail (pet store) w/pet grooming	PDD	Permitted	Retail Sales, General	Consumer Service - Personal Improvement	MX-1 w/PDD	Permitted	
4312 N OAKLAND AVE	BlackBear Children's Boutique	Retail (children's boutique)	B-2	Permitted	Retail Sales, General		MX-1	Permitted	
4320 N OAKLAND AVE	Mixa Jewelers	Retail (jewelry/resale), firearm dealer	B-2	Permitted	Retail Sales, General		MX-1	Permitted	
4326 N OAKLAND AVE	Olson House	Retail (home furnishings)	B-2	Permitted	Retail Sales, General		MX-1	Permitted	
4409 N OAKLAND AVE	Shorewood Coin Shop	Retail (resale/consignment)	B-2	Conditional Use	Retail Sales, General		MX-1	Permitted	
4451 N OAKLAND AVE	MKE Plants & Vintage Goods	Retail (home furnishings)	B-2	Permitted	Retail Sales, General		GX-1	Limited portion	Non-conforming
4473 N OAKLAND AVE B	Riley's Sandwich Company	Retail (specialty)	B-1	Permitted	Retail Sales, General		MX-1	Permitted	
4508 N OAKLAND AVE	The Workroom LLC	Retail (home furnishings)	PDD	Permitted	Retail Sales, General		MX-1 w/PDD	Permitted	
4525 N OAKLAND AVE	Indulgence Chocolatiers	Retail (specialty food)	B-2	Permitted	Retail Sales, General		MX-1	Permitted	
4533 N OAKLAND AVE	Performance Running Outfitters	Retail (shoe store)	B-2	Permitted	Retail Sales, General		MX-1	Permitted	
1600 E LAKE BLUFF BLVD	Lake Bluff Elementary School	Elementary school	P-1	Permitted	School		P-1	Permitted	
1701 E CAPITOL DR	Shorewood School District	High School	P-1	Permitted	School		P-1	Permitted	
2100 E CAPITOL DR	Atwater Elementary School	Elementary school	P-1	Permitted	School		P-1	Permitted	
2224 E CAPITOL DR	St Roberts Congregation	Elementary school	P-1	Permitted	School		P-1	Permitted	
3936 N MURRAY AVE	North Shore Fire Department	Fire station	PDD	Permitted (P-1)	Utilities & Services, Minor		GX-2 w/PDD	Permitted	
4057 N WILSON DR	Village of Shorewood Police Department	Police station	B-3	Permitted	Utilities & Services, Minor		GX-2	Permitted	
1820 E CAPITOL DR	AT&T	Office (telecommunications)	B-1	Permitted	Utilities & Services, Major		GX-2	Conditional	
2521 E CAPITOL DR	Lakeshore Petrol Pump LLC	Gas station w/ convenience store	B-3	Permitted	Vehicle Service - Fueling Station	Retail Sales, General	MX-1	Prohibited	Non-conforming
3624 N OAKLAND AVE	Oakland BP	Gas station w/ convenience store	B-2	Conditional Use	Vehicle Service - Fueling Station		GX-1	Prohibited	Non-conforming
1513 E CAPITOL DR	ARC Mobil	Gas station w/ convenience store	B-3	Conditional Use	Vehicle Service - Fueling Station		CX	Conditional	
1604 E CAPITOL DR	BP	Gas station w/ convenience store	B-1	Conditional Use	Vehicle Service - Fueling Station		CX	Conditional	
4000 N WILSON DR	Amstar Gas Station	Gas station w/ convenience store	B-3	Conditional Use	Vehicle Service - Fueling Station		CX	Conditional	
1330 E CAPITOL DR	Shorewood Auto Repair	Auto repair	B-3	Conditional Use	Vehicle Service - Repair		GX-2	Prohibited	Non-conforming