

ORDINANCE NO. 2131

AN ORDINANCE TO CREATE SECTIONS 15.32 AND 15.33 OF THE MUNICIPAL CODE OF ORDINANCES CREATING A PUBLIC BUILDING ZONING DISTRICT AND A PARK ZONING DISTRICT

WHEREAS, the Plan Commission has recommended creating a public buildings zoning district and a parks zoning district and

WHEREAS, the Common Council held a public hearing on this proposed amendment to the City's zoning code on March 29, 2016 at which hearing the comments were unanimously in favor of the proposed changes:

NOW THEREFORE, The Common Council of the City of South Milwaukee does hereby ordain as follows:

SECTION 1: Sections 15.32 and 15.33 of the Municipal Code of Ordinances are hereby created to read as follows:

15.32 B- PUBLIC BUILDINGS ZONE

(A) **PURPOSE AND INTENT.** The B Public Buildings Zone is intended to eliminate the ambiguity of maintaining, in unrelated use districts, areas which are under public or public-related ownership and where the use for public purpose is anticipated to be permanent.

(B) **USES PERMITTED.** In the B Public Buildings Zone, no building, structure, or premises shall be used and no building or structure shall hereafter be erected or structurally altered unless otherwise provided for in this ordinance, except for one or more of the following uses:

- (1) Libraries.
- (2) Post office and postal substations.
- (3) Public administrative offices, and public service buildings, including fire and police stations.
- (4) Public schools.
- (5) Public utility offices.
- (6) Public parking lots.

(C) **ACCESSORY USES.** The following uses may be permitted in a B Public Buildings Zone, but not until the principal structure is present or under construction:

- (1) Garages for storage of vehicles used in conjunction with the operation of a permitted use.

(D) **CONDITIONAL USES.** The following uses may be permitted in the B Public Buildings Zone by Conditional Use Permit pursuant to Section 15.16:

- (1) Central composting site and related operations, such as wood shaving or brush collection sites.
- (2) Parks and playgrounds.
- (3) Playfields or athletic fields.
- (4) Skate parks or bike parks.
- (5) State or Federal offices or services, excluding jails or prisons.
- (6) Marinas, yacht clubs and associated storage.
- (7) Restaurants where ancillary to permitted or conditional use.
- (8) Community gardens or community centers.
- (9) Museums and public art galleries.
- (10) Charter schools.
- (11) Public passenger transportation terminals, such as bus and rail depots, and heliports.
- (12) Recycling center and/or transfer stations.
- (13) Utility substations, municipal wells, pumping stations, and towers.

(E) **HEIGHT.** No building or structure shall exceed thirty-five (35) feet or three (3) stories in height. Height may increase as part of a special exception permit.

(F) **FRONT YARD.** There shall be a front yard of ten (10) feet. Exception: If lot is abutting another lot with a more restrictive front setback requirement, the average of the two requirements shall be used.

(G) **SIDE YARD.** There shall be a front yard of ten (10) feet. All buildings hereafter erected or structurally altered shall be set back a minimum of twenty-five (25) feet from any lot line which adjoins a residential zone.

(H) **REAR YARD.** There shall be a rear yard having a minimum depth of twenty (20) feet.

(I) **LOT AREA.** No minimum lot areas shall be required, except as is deemed necessary by the Plan Commission for lots less than thirty (30) feet in width.

(J) **BUILDING SIZE.** No minimum building size shall be required, except as may be deemed necessary by the Plan Commission.

15.33 P PARK ZONE

(A) **PURPOSE AND INTENT.** The P Park Zone is intended to provide for areas where the open space and recreational needs, both public and private, of the citizens of the city of South Milwaukee can be met by designation of natural and improved lands with the intent to be permanent, unless the use is discontinued or use is amended with recommendation of the Plan Commission.

(B) **USES PERMITTED.** In the P Park Zone, no building, structure, or premises shall be used and no building or structure shall hereafter be erected or structurally altered, unless otherwise provided for in this ordinance, except for one or more of the following uses:

- (1) Botanical gardens and arboretums.
- (2) Hiking, biking, and nature trails.
- (3) Historic monuments or sites.
- (4) Outdoor skating rinks.
- (5) Park and playgrounds.
- (6) Picnic areas.
- (7) Playfields or athletic fields.
- (8) Non-motorized winter sports.
- (9) Swimming beaches.
- (10) Swimming pools.
- (11) Tennis courts.

(C) ACCESSORY USES. The following uses may be permitted in the P Park Zone, but to until the principal structure is present or under construction:

- (1) Service buildings and facilities normally accessory to the permitted uses.

(D) CONDITIONAL USES. The following uses may be permitted in the P Park Zone by Conditional Use Permit issued pursuant to Section 15.16:

- (1) Archery ranges.
- (2) Bathhouses.
- (3) Neighborhood tot lots.
- (4) Boat mooring and rental.
- (5) Campgrounds.
- (6) Conservatories.
- (7) Driving Ranges.
- (8) Athletic fields with lighting.
- (9) Gymnasiums.
- (10) Ice boating facilities.
- (11) Marinas.
- (12) Outdoor theatre.
- (13) Pavilions.
- (14) Restaurants where ancillary to a permitted or conditional use.
- (15) Fishing piers or waterfront access points.
- (16) Boat launches.
- (17) Golf courses and clubhouses.
- (18) Utility substations, municipal wells, pumping stations, and towers.

(E) HEIGHT. No building or structure shall exceed thirty-five (35) feet or three (3) stories in height. Heights may be increased as part of a special exception permit.

(F) FRONT YARD. There shall be a side yard on each side of a building. The minimum side yard setback shall be twenty (20) feet.

(G) REAR YARD. There shall be a rear yard having a minimum depth of twenty (20) feet.

(H) LOT AREA. Uses in the P Park Zone shall provide sufficient lot area and width for all uses, buildings, and attendant off-street parking areas.

SECTION 2: All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed

SECTION 3: This ordinance shall take force and be in effect from and after its passage and publication.

This Ordinance was adopted at a regular meeting of the Common Council of the City of South Milwaukee on June 7, 2016, six aldermen voting in favor thereof and none voting against.

BY ORDER OF THE COMMON COUNCIL
OF THE CITY OF SOUTH MILWAUKEE



Erik Brooks, Mayor

James Shelenske, City Clerk

Date Adopted: June 7, 2016

Date Published: June 16, 2016