



City of Oak Creek Zoning Code Update

An overview of proposed changes to the City's Zoning Code

About the update

Following the adoption of the *Comprehensive Plan*, City of Oak Creek, the City began the process of updating the Zoning Code. Although portions of the Zoning Code had been amended over the years, a comprehensive overhaul had not occurred since 1995. This update will align the Zoning Code and Sign Code with the vision, goals, and objectives of the adopted *Comprehensive Plan*.

What is changing?

Format

One of the changes users will notice immediately is the format of the Zoning Code. Rather than having uses and standards listed per Zoning District with general requirements throughout Chapter 17, the update will be organized into ten (10) Articles based partially on how frequently they are referenced. To make requirements easier to understand, wherever possible the text of the Code uses plain language to reduce "legalese." In the code itself, there are more graphics and tables to create a user friendly and complete document — no need for a separate Zoning Illustrations document to reference!

Article 2: Establishment of Districts

Eliminates the B-1, Local Business District: Following an inventory and analysis of the Business Districts, it was determined that very few parcels in the City were located within the B-1 district. Those that were zoned B-1 also met the requirements of the B-2, Community Business District, which ultimately led to the conclusion that the B-1 district was no longer valid or required. Those parcels currently zoned B-1 will be rezoned to the B-2 district following adoption of the new Code.

Eliminates the Lakefront Overlay and General 27th Street Overlay Districts:

Analysis of these Overlay Districts concluded that the requirements were more appropriate as part of the general Zoning Code rather than in addition to the general requirements for the base Zoning District. In other words, there has been no discernable benefit to separate Overlay District requirements.

Article 3: District Specific Standards

Revises Bulk and Dimensional Standards for some districts:

Minimum lot sizes and widths will be revised as appropriate for some districts based on the analysis of existing lots within those districts.

Revises Permitted and Conditional Uses:

Uses allowed by District are now represented in separate tables for Residential Districts and Nonresidential Districts. New categories include **neighborhood retail and service** as Conditional Uses in Residential Districts except for the ER District, and **short-term rentals** as permitted uses in all Residential Districts except for the Rm-1 District. **Multifamily residential** dwellings above the ground floor will be allowed as Permitted Uses in the B-4 & B-6 Districts. **Warehousing and Distribution** uses occupying 200,000 square feet or greater will require a Conditional Use Permit in the M-1 District. **Mobile Food Establishments/Food Trucks** will be allowed as either Temporary Uses or Conditional Uses depending on whether in an approved permanent location or for a specified timeframe (this does NOT apply to City-sponsored events).

Article 4: District Specific Standards

Reduction of Interior Side Yard Setback Requirements for Single-Family Attached Dwellings:

For dwellings that contain two (2) attached dwelling units (e.g., duplexes, side-by-sides), the interior side yard setback may be reduced to zero (0).

Standards for Attached Garages:

- Garages attached to single-family detached dwellings:
- May not exceed 50% of the living space of the house.
 - Must share a common wall and roof with the house.
 - Must provide internal access to the house.
 - May not exceed the height of the house.
 - May not extend more than 5 feet ahead of the closest portion of the front façade to the front lot line.
 - Garage doors maximum width:
 - ◊ Set ahead = 45% of the house front façade width.
 - ◊ In line = 50% of the house front façade width.
 - ◊ Behind = 55% of the house front façade width.

Accessory Use Standards:

Requirements for accessory buildings are separated from those for accessory structures. A maximum of two (2) **accessory buildings** meeting specific standards and a maximum of two (2) **accessory structures** meeting specific standards are allowed per lot. New to the Code are specific allowances for **accessory dwelling units**. One (1) accessory dwelling unit at a maximum size of 800 square feet or 50% of the living space of the house (whichever is less) may be allowed interior or attached to the house, or above an existing detached garage. Additional requirements for height, access, and parking are specified. **Home occupations** meeting specific requirements will now be required to obtain a permit (*renewed annually*). Establishes standards for **permanent outdoor activities and operations** in commercial, manufacturing, and institutional districts.

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Temporary Use Standards: Revises the requirements, restrictions, and allowances for **car, truck, and recreational vehicle parking**. Specified vehicles and equipment must be parking on a hard-paved surface, may not be located closer to the front property line than the front elevation of the house, must be located in side or rear yards (min. 5-foot setback), and outside of all easements and vision clearance areas. One (1) recreational vehicle per residential or agricultural lot is allowed to be stored outside in conformance with setbacks (not in the front yard). Semi-trailers and truck parking are prohibited in all residential districts.

Article 5: General Development Standards

Off-Street Parking: Provides parking stall and aisle dimensional diagrams, and establishes minimum and maximum parking requirements. Also establishes standards for bicycle parking.

Driveways: Establishes standards residential driveways and parking pads, including allowed locations, minimum setbacks, and maximum dimensions.

Landscape: Provides a diagram for required landscape areas, and updates landscape requirements using a context-sensitive approach. What this means is that in addition to the onsite landscaping required for parking lots (interior and perimeter) and building foundations, developments adjacent to potentially conflicting established uses are required to provide specific landscaping elements in transition areas. For instance, if a Multifamily Residential development is proposed adjacent to a Single-Family Residential area, Transition Area B Standards must be used. Diagrams for each standard are provided in this Section to aid developers and residents with the requirements. This Section also establishes a tree preservation program in which trees meeting certain criteria may not be removed without a plan prepared by a certified landscape architect and approved by the Department. The intent is to maintain as many viable established trees as possible within the City while still allowing for development goals. Maintenance of the required landscaping per approved plans is specified in this Article to ensure that standards are upheld throughout the life of the development.

Fences: Updates the standards for fences in all districts. Coated chain link fences may only be sited in rear yards of residential districts.

Open Space: This Section is currently under revision to specify criteria under which a reduction in the open/green space requirement may be considered. No reduction will be allowed in excess of the cumulative allowed by the reduction criteria (i.e., a minimum percentage of open/green space will always apply).

Article 6: Sign Standards

Standards for Permanent Signs Requiring a Permit.

Updates the allowed sign area and dimensions, number, and requirements for signs.

- **Wall Signs** are allowed up to a maximum percentage of the face of the wall on which it is placed (5% or 10% depending on the zoning district) or a maximum of 30 square feet, whichever is greater. Single-tenant buildings will be allowed one (1) primary wall sign per lot frontage and up to three (3) secondary wall signs for buildings with lineal frontage over 75 feet in accordance with specified criteria. The cumulative allowed sign area cannot exceed 400 square feet (unless as part of a PUD). Multitenant buildings will still require an approved Planned Sign Program.
- **Monument Signs** for single-tenant buildings are allowed up to a maximum of 25 square feet or 50 square feet, and no taller than 5 feet or 8 feet, depending on the zoning district. Multitenant buildings are allowed up to a maximum of 50 square feet or 100 square feet, and no taller than 10 feet or 16 feet, depending on the zoning district. No more than one (1) sign per frontage per lot is allowed in accordance with setbacks, easement restrictions, and vision clearances. Standards for the base are established with the requirements for landscaping.
- **Awning or Canopy Signs** are restricted to a maximum of 30% of the face on which the sign will be placed, which counts toward the maximum amount of sign area allowed for wall signs. Sign copy is limited to awnings or canopies over ground-floor entrances and windows.
- **On-Site Traffic Directional Signs** are allowed up to a maximum height of four (4) feet, and no more than six (6) square feet.

Standards for Temporary Signs Requiring a Permit: Updates the allowed sign types, area and dimensions, number, and requirements for signs.

- **Display Period** Temporary signs in nonresidential zoning districts may be displayed for a maximum of 14 continuous days, with no more than three (3) display periods per single-tenant building and one (1) display period for multitenant buildings in a calendar year. Extensions may be granted by the Director of Community Development or Plan Commission.
- **Wall-Mounted Banner Signs** are allowed up to 2.5% (max. 30 square feet) or 5% (max. 60 square feet) of the total area of the face of the wall on which the sign is placed, depending on the zoning district. One (1) sign is allowed per lot frontage.
- **Ground-Mounted Signs** up to a maximum height of six (6) feet and no more than 32 square feet are allowed in accordance with setbacks, easement restrictions, and vision clearances. One (1) sign is allowed per lot.

Standards for Temporary Signs Not Requiring a Permit: Updates the allowed sign types, area and dimensions, number, and requirements for signs.

- **Yard signs** up to a maximum height of five (5) feet and no more than four (4) square feet are allowed in accordance with setbacks, easement restrictions, and vision clearances. A maximum of two (2) signs may be displayed concurrently per residential lot. A maximum of one (1) sign may be displayed in nonresidential or mixed-use zoning districts. An additional two (2) signs may be displayed within 30 days of any election, and must be removed within 48 hours of the election.

General Sign Regulations: Prohibits off-premise signs, pole/pylon signs, roof signs, and outline lighting in all zoning districts.

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Article 8: Administration and Enforcement Standards

Administrative Review and Approval

Identifies the appropriate person or entity for decisions on specific requests.

- **Letter of Interpretation.** An official interpretation of the Zoning Code by the Community Development Director may be requested. Application requirements are provided.
- **Administrative Adjustment.** Defines the minor departures from the Zoning Code that may be granted by the Community Development Director (subject to specific review criteria), including:
 - ◊ Up to a 10% reduction in one (1) of the required yard setbacks when the adjustment is the only modification requested.
 - ◊ A reduction of the applicable off-street parking or bicycle parking requirements by not more than (1) space.
 - ◊ An increase to the maximum building height by not more than five (5) percent.
 - ◊ Any required yard setback for wheelchair ramps accessory to residential uses.
- **Certificate of Zoning Compliance.** Whenever a new use is proposed for an existing building, an accessory structure is proposed, or when a Building Permit or Occupancy Permit is requested, a Certificate of Zoning Compliance will be required. This Certificate will ensure that the proposed use and/or structure meets the requirements of the Zoning Code. Requests for Certificates of Zoning Compliance may also be made when no change of use or construction is proposed on a property.
- **Short-Term Temporary Use Permit.** Defines and establishes the criteria for short-term temporary uses, including permit application requirements. Temporary uses in this category may be approved up to a maximum of 14 days. Long-Term Temporary Use Permit requests for those activities anticipated to occur beyond the 14-day period allowed by the Short-Term Temporary Use Permit will require review and approval by the Plan Commission.

Public Feedback

The Draft Zoning & Sign Ordinance is available for public review on the project website (PDF) or on the Community Development page of the City website.

Comments and questions can be submitted through the City's website at <https://www.oakcreekwi.gov/government/departments/community-development/comprehensive-plan-update>.

Oak Creek • WI Zoning Code Update



Community Outreach

- **October 1, 2019 Stakeholder Meeting**
- **June 23, 2020 Plan Commission Meeting**
 - General Update
 - [View the meeting recording on YouTube](#)
- **August 11, 2020 Plan Commission Meeting**
 - Articles 2-4
 - [View the meeting recording on YouTube](#)
- **December 8, 2020 Plan Commission Meeting**
 - Articles 5-9
 - [View the meeting recording on YouTube](#)
- **January 26, 2021 Plan Commission Meeting**
 - Articles 6-9
 - [View the meeting recording on YouTube](#)
- **March 23, 2021 Plan Commission Meeting**
 - General Topics: Accessory buildings, Food Truck Parks, RV Parking, Breweries/Microbreweries, Fences, Signs, Electric Vehicle Charging Stations, Certificate of Zoning Compliance
 - [View the meeting recording on YouTube](#)
- **August 10, 2021 Plan Commission Meeting**
 - General Topics: Garages, Food Truck Parks, Outdoor Events, Temporary Food Truck Parks, Driveways, Single-Family Residential Fences, Signs
 - [View the meeting recording on YouTube](#)
- **November 23, 2021 Plan Commission Meeting**
 - [View the meeting recording on YouTube](#)
- **December 14, 2021 Plan Commission Meeting**
 - [View the meeting recording on YouTube](#)