

# City of Oshkosh Zoning Update







# The Zoning Rewrite Process

- Commenced in June of 2013 with selection of Vandewalle and Associates as zoning rewrite consultants.
- Consultants, City Staff, Plan Commission, and Working Group worked 3 years on developing updated Zoning Ordinance. 6 drafts created.
- New Zoning Ordinance adopted in 2016 with effective date of January 1, 2017.





# Purpose

- Protect property values and neighborhoods
- Support neighborhood stabilization efforts
- Help revitalize the downtown and riverfront
- Promote adaptive reuse and redevelopment of aging properties
- Support mixed use development
- Address nonconforming situations
- Modernize land use regulations
- Increase predictability and simplify development procedures





# Comprehensive Plan Recommended a New Zoning Code

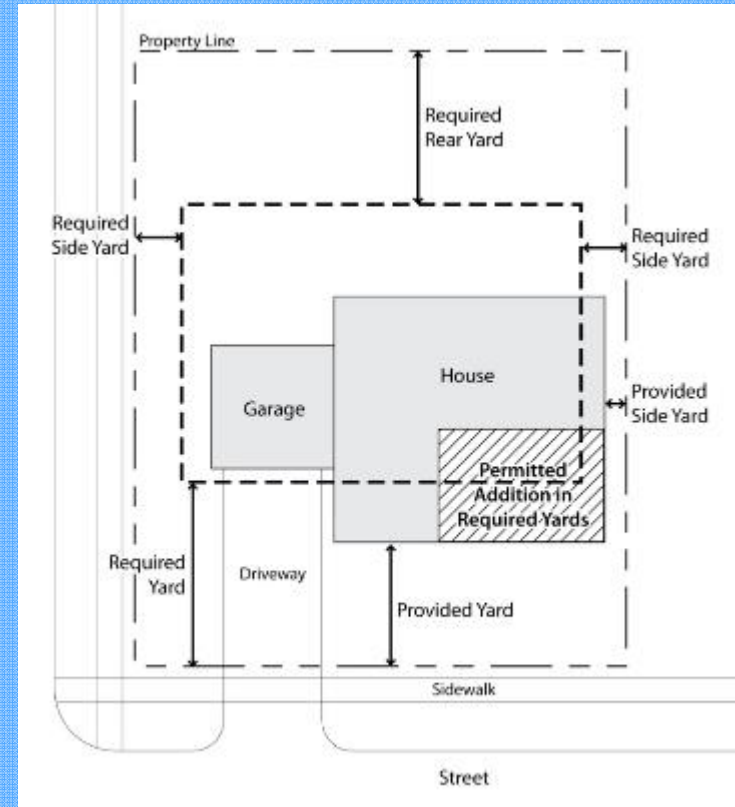
## Recommendations in 2005 Comprehensive Plan:

- Open space and/or recreation facilities for new high density developments
- Landscaping for new developments and parking lots
- Minimum lot sizes and setbacks
- Protection of shorelands and natural features
- Bike and pedestrian facilities
- Parking requirements and shared parking options



# How Does the New Code Impact My Home?

- Makes all lots and homes fully conforming
- Allows for more flexibility for additions and decks
- Offers more protection from intense uses through conditional use permits and buffers
- Straightforward regulations for garages, fences, sheds, and other improvements

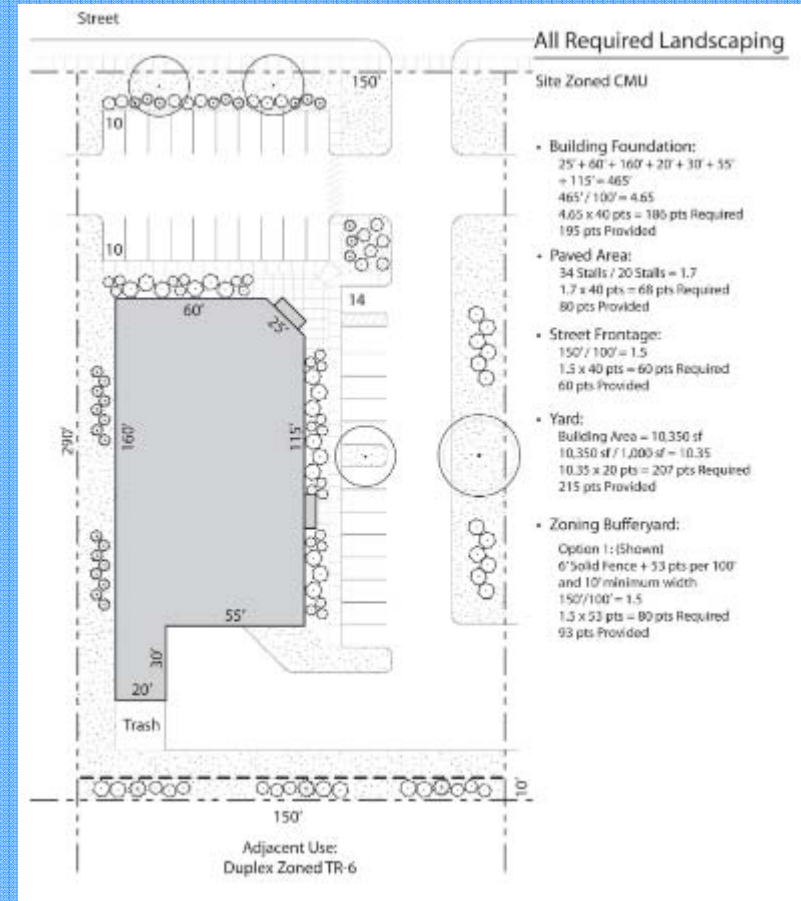






# How Does the New Code Impact My Business?

- Makes all lots and buildings fully conforming
- Additional landscaping for additions and new development (does not apply to single family home and duplexes)
- New standards specific to land uses to increase predictability about site design requirements
- New rules for new signs







# Code Outline

- Article I: Introduction and Definitions
- Article II: Establishment of Zoning Districts
- Article III: Land Use Regulations
- Article IV: Bulk Regulations
- Article V: Nonconforming Situations
- Article VI: Overlay Zoning Districts
- Article VII: Performance Standards
- Article VIII: Exterior Building Design Standards
- Article IX: Landscaping Requirements
- Article X: Signage
- Article XI: Administration and Procedures



# Former Zoning Districts

Community Character Analysis: Oshkosh's Existing Zoning Districts							
DEVELOPMENT CHARACTER:	Typical Density	PREDOMINANT LAND USE					
		Agriculture	Residential	Institutional	Office	Commercial	Industrial
RURAL	Conservation	1 du / sq mi					
	Rural & Ag. Holding	1 du / 35 ac	A-2				
	Countryside	1 du / 10 ac	A-1				
SUBURBAN	Estate	2 du / ac		Missing		Missing	Missing
	Suburban Expansive	3 du / ac		Missing			
	Suburban Compact	5 du / ac		Missing			
	Contemporary Neighborhood	6 du / ac		R-1			
URBAN	Traditional Neighborhood	10 du / ac		R-1C, R-2, R-3		Missing	
	Urban	20 du / ac		R-4, R-5		C-1, C-2	
	Central	40 du / ac			C-3 + Downtown Overlay		M-2
	Campus	Varies			Missing		
	Riverfront	Varies			Missing		
	Project-Specific	Varies		Planned Development Overlay Traditional Neighborhood Development			
	Institutional	Varies			Missing		





# New Zoning Districts

Community Character Analysis: Oshkosh's Possible Zoning Districts							
DEVELOPMENT CHARACTER:	Typical Density	PREDOMINANT LAND USE					
		Agriculture	Residential	Institutional	Office	Commercial	Industrial
RURAL	Conservation	1 du / sq mi					
	Rural & Ag. Holding	1 du / 35 ac	Rural Holding				
	Countryside	1 du / 10 ac					
SUBURBAN	Estate	2 du / ac		SR-2			
	Suburban Expansive	3 du / ac		SR-3	Suburban Mixed Use		Business Park
	Suburban Compact	5 du / ac					
	Contemporary Neighborhood	6 du / ac		SR-5, DR-6	Neighborhood Mixed Use		
	Traditional Neighborhood	10 du / ac		SR-9, MH-9, TR-10, MR-12	Neighborhood Mixed Use		
URBAN	Urban	20 du / ac		MR-20	Urban Mixed Use		Urban Ind., Heavy Ind.
	Central	40 du / ac		MR-36	Central Mixed Use		
	Campus	Varies		Campus			
	Riverfront	Varies		Riverfront Mixed Use			
	Project-Specific	Varies		Planned Development Traditional Neighborhood Development			
	Institutional	Varies			Institutional		





# Zoning Districts

New zoning ordinance provides **new districts** that were missing in the current zoning ordinance

## Proposed Zoning Districts

Proposed District Name	Abbreviation	Comparable Current District	Density/ Lot Size
Rural Holding-35	RH-35	A-1, A-2	1 du / 35 ac
Single Family Residential – 2	SR-2	None	2 du / ac 20,000 sq. ft.
Single Family Residential – 3	SR-3	None	3 du / ac 10,000 sq. ft.
Single Family Residential – 5	SR-5	R-1	5 du / ac 7,200 sq. ft.
Single Family Residential – 9	SR-9	None	9 du / ac 4,500 sq. ft.
Duplex Residential – 6	DR-6	R-2	6 du / ac 7,200 sq. ft.
Two Flat Residential – 10	TR-10	R-2	10 du / ac 7,200 sq. ft.
Multi-Family Residential – 12	MR-12	R-3	12 du / ac 3,600 sq. ft./ du
Multi-Family Residential – 20	MR-20	R-4	20 du / ac 2,000 sq. ft./ du
Multi-Family Residential – 36	MR-36	R-5	36 du / ac 1,200 sq. ft./ du
Mobile Home Residential – 9	MH-9	None	9 du / ac 4,500 sq. ft.
Institutional	I	None	7,200 sq. ft.
Neighborhood Mixed Use	NMU	None	7,200 sq. ft.
Suburban Mixed Use	SMU	None	10,000 sq. ft.
Urban Mixed Use	UMU	C-1, C-2	No minimum
Central Mixed Use	CMU	C-3, Downtown Overlay	No minimum
Riverfront Mixed Use	RMU	None	10,000 sq. ft.
Business Park	BP	M-1	20,000 sq. ft.
Urban Industrial	UI	M-2	10,000 sq. ft.
Heavy Industrial	HI	M-3	1 acre





# Residential Districts

- Single Family Residential – 2, 3, 5, 9
- Duplex Residential – 6
- Two-Flat Residential – 10
- Multi-Family Residential – 12 (up to 20 units)
- Multi-Family Residential – 20 (up to 36 units)
- Multi-Family Residential – 36 (36+ units)
- Mobile Home Residential – 9







# Mixed Use Districts

- Neighborhood Mixed Use
- Suburban Mixed Use – newer highway commercial, 41 corridor
- Urban Mixed Use – older highway commercial
- Central Mixed Use – downtown commercial
- Riverfront Mixed Use – uses geared toward Fox River

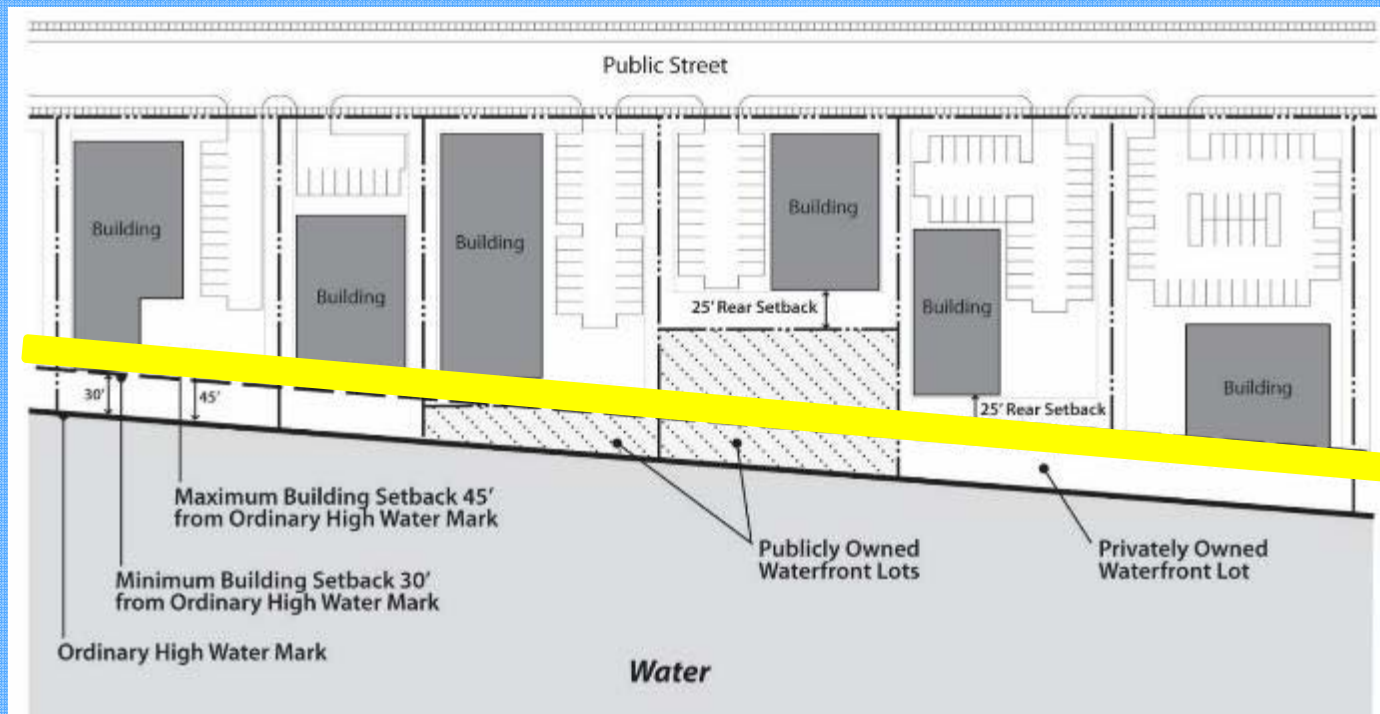






# Riverfront Mixed Use

- Encourages redevelopment on key industrial parcels
- Waterfront Setback and Build-to Line
- No parking, garages, or outdoor storage in waterfront setback





# Industrial Districts

- Business Park (BP)
- Urban Industrial (UI)
- Heavy Industrial (HI)







# Special Districts

- Rural Holding (RH)
- Institutional (I)







# New/Updated Overlay Districts

- University Transition Overlay (UT-O)
- Campus Overlay (C-O)
- Lakefront Residential (LR-O)
- Planned Development (PD-O)
- Riverfront Overlay (RF-O)







# Existing Overlay Districts

No changes to other existing overlay districts:

- Airport Overlay
- Floodplain Overlay
- Shoreland Overlay
- Traditional Neighborhood Design Overlay
- Traditional Neighborhood Development Overlay
  - renamed Neo-Traditional Development Overlay



*Image from Traditional Neighborhood Design Overlay*





# Nonconforming Situations

- Nonconforming uses
- Nonconforming and substandard lots
- Nonconforming structures
- Nonconforming sites
  - Landscaping
  - Lighting
  - Building materials
- Make all nonconforming lots, structures, and sites fully legal
  - *Nonconforming uses remain nonconforming*





# Roommate Living Arrangement

- A residential land use in which a dwelling unit is occupied by **4 or 5 unrelated adult individuals.**
- Does not apply to members of a family
- Neighborhood stabilization – created to control where student housing is and is not located
- Requires an annual exterior inspection



- Limits on outdoor storage
- Requires 1 on-site parking space for each bedroom





# Where is it Encouraged?

- **Permitted by right** in higher density residential and mixed use zoning districts:
  - Zoning districts: MR-12, MR-20, MR-36, MH-9, I, NMU, SMU, UMU, CMU, and RMU
- **Permitted by right** in the University Transition Overlay District, regardless of underlying zoning district







# Where is it Limited?

- **Requires a conditional use permit** in single family and two family zoning districts
- Zoning districts: RH-35, SR-2, SR-3, SR-5, SR-9, DR-6, and TR-10
- Conditional use permit can be **revoked** if there are recurring nuisance issues or lack of compliance with the building and zoning codes





## Review and Approval Activities and Bodies

Application Process	City Staff	Plan Commission	Common Council	Zoning Board of Appeals	Landmarks Commission
<b>Zoning Ordinance Amendment</b> Section 30-380	RR	PH, RR	RE, A		
<b>Zoning Map Amendment</b> Section 30-381	PM*, RR	PH, RR	RE, A		
<b>Conditional Use Permit</b> Section 30-382	PM*, RR	RE, A	Appeal Only		RR**
<b>Temporary Use Permit</b> Section 30-383	RE, IP				
<b>Land Use Permit</b> Section 30-384	RE, IP				
<b>Site Plan</b> Section 30-385	RE, A				
<b>Special Area Design Review</b> (CMU and RF-O zoning districts)	Refer to Section 30-386				
<b>Group &amp; Large Development</b>	PM*, RR	RE, A	Appeal Only		RR**
<b>Planned Development</b> Section 30-387	PM*, RR	PH, RR	RE, A		
<b>Campus Zoning</b> Section 30-388	PM, RR	PH, RR	RE, A		
<b>Interpretation</b> Section 30-410	RE, A			Appeal Only	
<b>Variance</b> Section 30-411	RR			PH, RE, A	
<b>Appeal</b> Section 30-412	RR			PH, RE, A	
<b>Violations and Penalties</b> Section 30-430	RE, A				
<b>Official Mapping</b> Wis. Stats. 62.23(6)	PM, RR	PH, RR	RE, A		
<b>Land Interest Transfer</b>	RE, A				
<b>Land Division-CSM/no new lot</b> Article XVII	RE, A				

RE = Review and Evaluate    IP = Issues Permit  
 RR = Review and Recommend    PH = Public Hearing  
 PM = Public Meeting    A = Final Action

# Procedures

New table summarizes steps and reviewing bodies for all procedures

Figure 30-360





# Exterior Building Design Standards

Design standards for new development:

- **Single and Two Family Uses** – maintain compatible design with neighboring properties; also applies to building additions; based on existing rules
- **Multi-Family Uses** – use high quality materials, residential character, and functional design
- **Commercial Uses and Mixed Uses** – use high quality materials, orient to street, screening of equipment
- **Industrial Uses** – use moderate quality materials, screening of equipment





# Exterior Building Design Standards

Design Standards in Special Areas:

- **Central Mixed Use District (CMU)**
- **Riverfront Overlay District (RF-O)**







# Design Standards & Review

- In the Central Mixed Use District and Riverfront Overlay, there are three levels of review to preserve character and ensure quality:
  1. Renovation Review
  2. Design Review
  3. Project Review







# Signage

- New Sign Types
- Nonconforming Signs







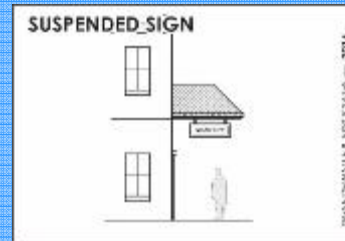
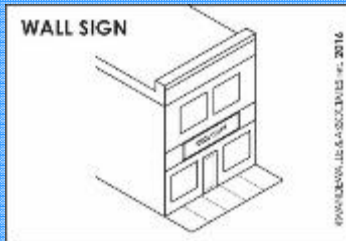
# Permanent Business Signs

**Permanent**, on-site sign used in association with an Agricultural, Institutional, Commercial, Multiple Use Buildings, Industrial, Storage, Transportation, or Extraction & Disposal land use.

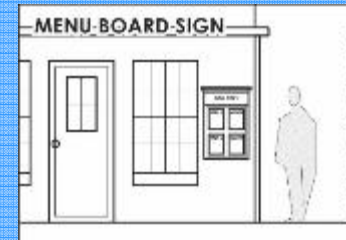
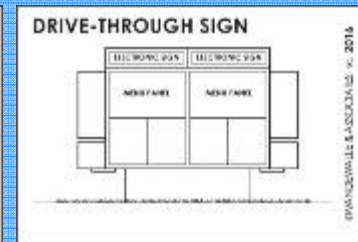
## Freestanding Sign Category



## On-Building Sign Category



## Daily Notice Sign Category



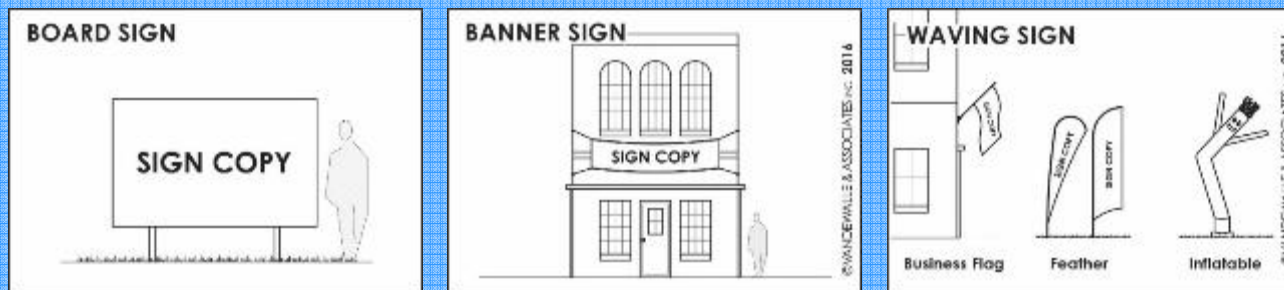




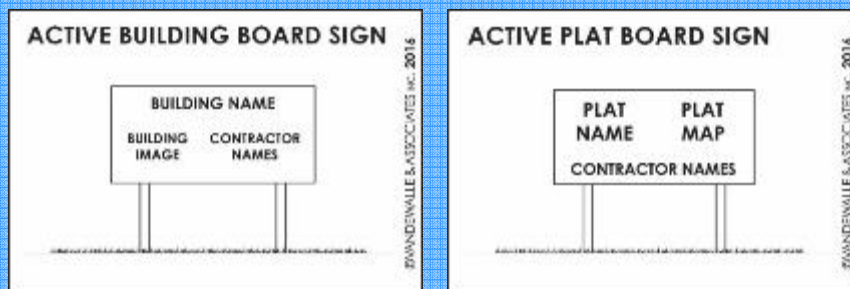
# Temporary Business Signs

**Temporary**, on-site sign used in association with an Agricultural, Institutional, Commercial, Multiple Use Buildings, Industrial, Storage, Transportation, or Extraction & Disposal land use.  
\*Typically used to promote temporary activities\*

## Temporary Board & Banner Sign Category



## Temporary Development Sign Category





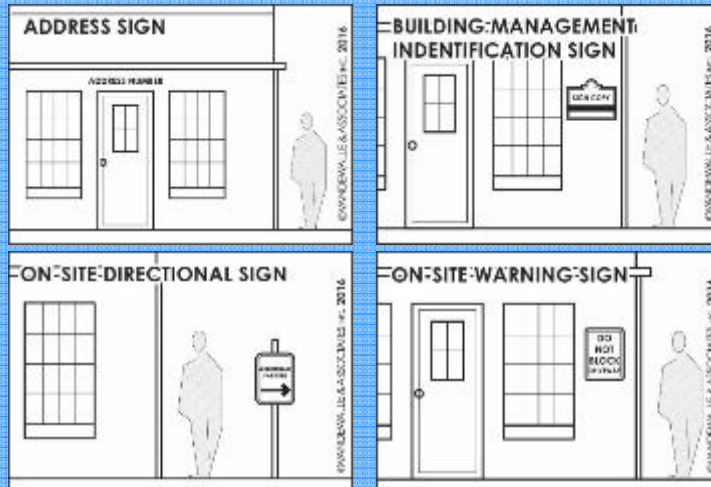


# Permanent Miscellaneous Signs & Yard Signs

## Permanent Miscellaneous Signs Group

**Permanent**, sign that is available to all sites in the City regardless of land use, with the exception of the Institutional Information Sign, which is only permitted in the Institutional Zoning District.

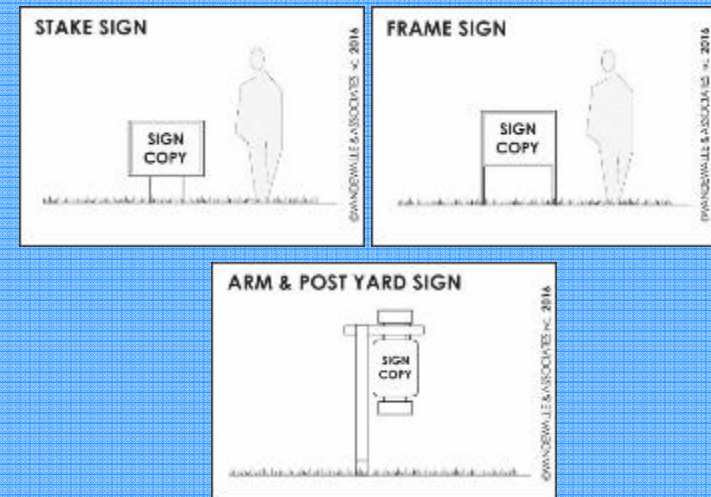
### Identification & Safety Sign Category



### Optional Miscellaneous Sign Category



### Yard Signs Group







# Nonconforming Signs

- Signs that do not meet the new sign code rules are nonconforming signs.
- **Nonconforming signs can still be used** in their current configuration and they can be maintained and repaired.
- They must be brought into compliance only if they are:
  - Reconstructed
  - Altered (meaning a change to the exterior appearance of the sign frame, supporting structure, or height of the sign)
  - Moved to a new location





# Landscaping

- Point-based system provides predictability and flexible requirements
- Landscaping requirements for
  - Building foundations
  - Yard areas
  - Street frontages
  - Paved areas
  - Bufferyards between different zoning districts
- Does not apply to single and two family uses





# Landscaping Points

**Figure 30-253g: Landscaping Points**

Plant Category	Landscaping Points Per Plant	Minimum Permitted Installation Size
Shade Tree	50	1 1/4" diameter
Tall Deciduous Tree	30	1 1/4" diameter
Medium Deciduous Tree	15	1 1/4" diameter
Low Deciduous Tree	10	1 1/4" diameter
Tall Evergreen Tree	40	4' Tall
Medium Evergreen Tree	20	4' Tall
Low Evergreen Tree	12	4' Tall
Tall Deciduous Shrub	5	12" Tall
Medium Deciduous Shrub	3	12" Tall
Low Deciduous Shrub	1	12" Tall
Medium Evergreen Shrub	5	12" Tall/Wide
Low Evergreen Shrub	3	12" Tall/Wide
Non-contributory Plants	0	N/A

Source: A Guide to Selecting Landscape Plants for Wisconsin, E. R. Hasselkus, UW-Extension Publication: A2865





# Landscaping Requirements for New Development

Does not apply to single and two family uses

Figure 30-253d: Landscaping Requirements for Regular Development\*

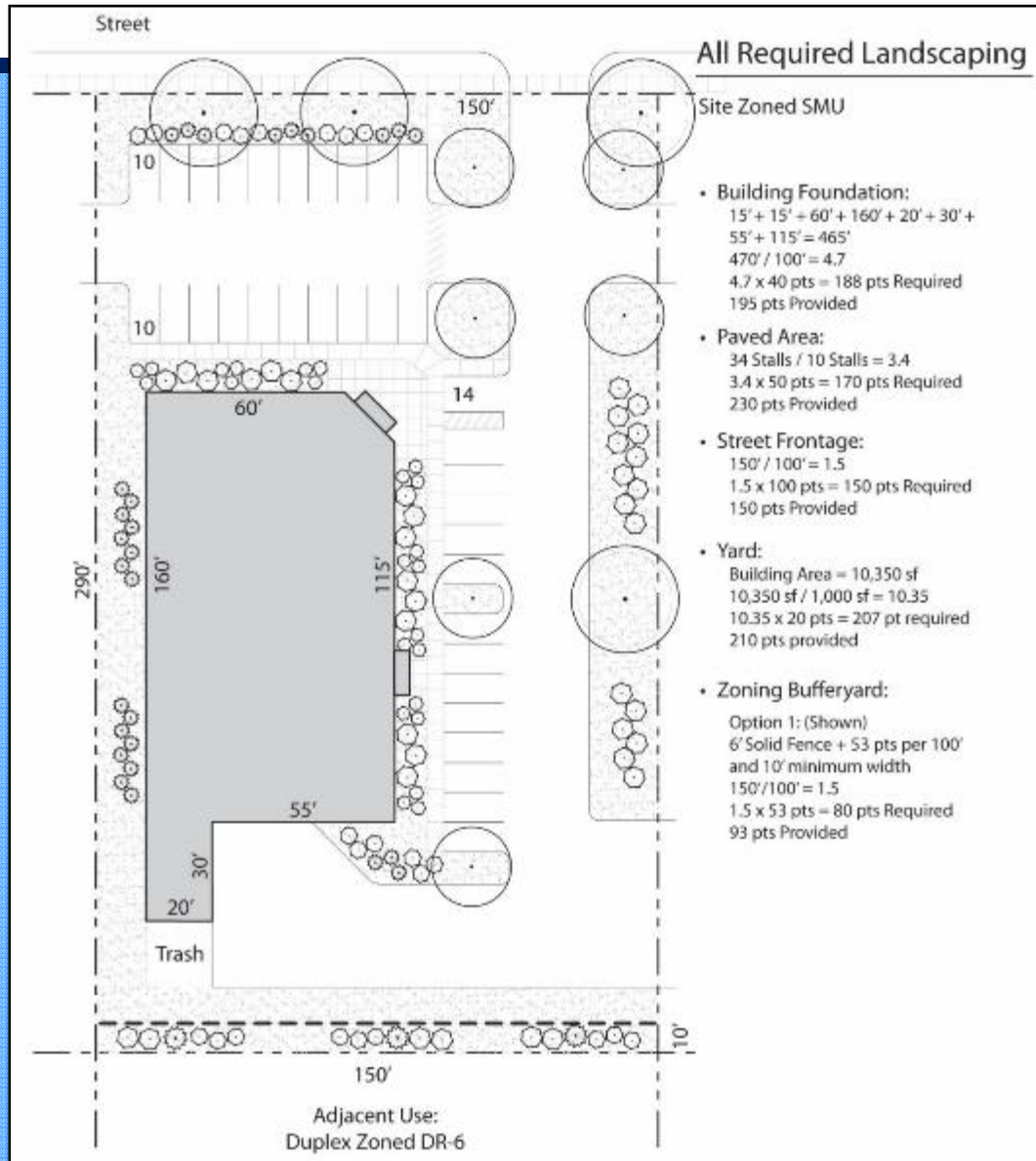
	Landscaping Component				
	Building Foundation	Paved Areas	Street Frontages	Yards	Bufferyards
<b>Type of Landscaping:</b>	A minimum of 50% of points on side of main entrance. Shade Trees and Tall Trees not allowed.	A minimum of 30% of points devoted to Tall Trees and 40% to Shrubs.	A minimum of 50% of points devoted to Tall Trees & 30% to Medium Trees.	Any type allowed.	See types "Appropriate for Screening" in Figure 30-253b
<b>Placement of Landscaping:</b>	Within 10 feet of building foundation.	Within 10 feet of paved area or within paved area.	Within 10 feet of street right-of-way.	Any location.	Within bufferyard, per Figure 30-253f
<b>Calculation of Landscaping Points:</b>	Points per 100 linear feet of building foundation	Greater of: points per 10 parking stalls or 10,000 square feet of paved area	Points per 100 feet of street right-of-way frontage	Points per 1,000 square feet of gross floor area for all principal and accessory buildings on lot	See Figure 30-253f
<b>Zoning Districts:</b>					
Rural Holding (RH-35)	20	20	20	10	
Single-Family Res. (SR-2)	40	50	100	20	
Single-Family Res. (SR-3)	40	50	100	20	
Single-Family Res. (SR-5)	40	50	100	20	
Single-Family Res. (SR-9)	40	50	100	20	
Duplex Res. (DR-6)	50	50	100	20	
Two Flat Res. (TR-10)	50	50	100	20	
Multi-Family Res. (MR-12)	60	50	100	20	Only required along certain zoning district boundaries.
Multi-Family Res. (MR-20)	70	50	100	20	
Multi-Family Res. (MR-36)	80	50	100	20	
Mobile Home Res. (MH-9)	40	50	100	20	See Figure 30-253b for requirements.
Institutional (I)	40	50	100	20	
Neighb. Mixed Use (NMLU)	40	50	100	20	
Suburban Mixed Use (SMU)	40	50	100	20	
Urban Mixed Use (UMU)	40	40	60	10	
Central Mixed Use (CMU)	0	50	0	0	
Riverfront Mixed Use (RMU)	80	50	100	20	
Business Park (BP)	40	50	100	20	
Urban Industrial (UI)	20	30	30	10	
Heavy Industrial (HI)	20	30	30	10	

\*Note: All single family, two family, and agricultural land uses are exempt from landscaping requirements.

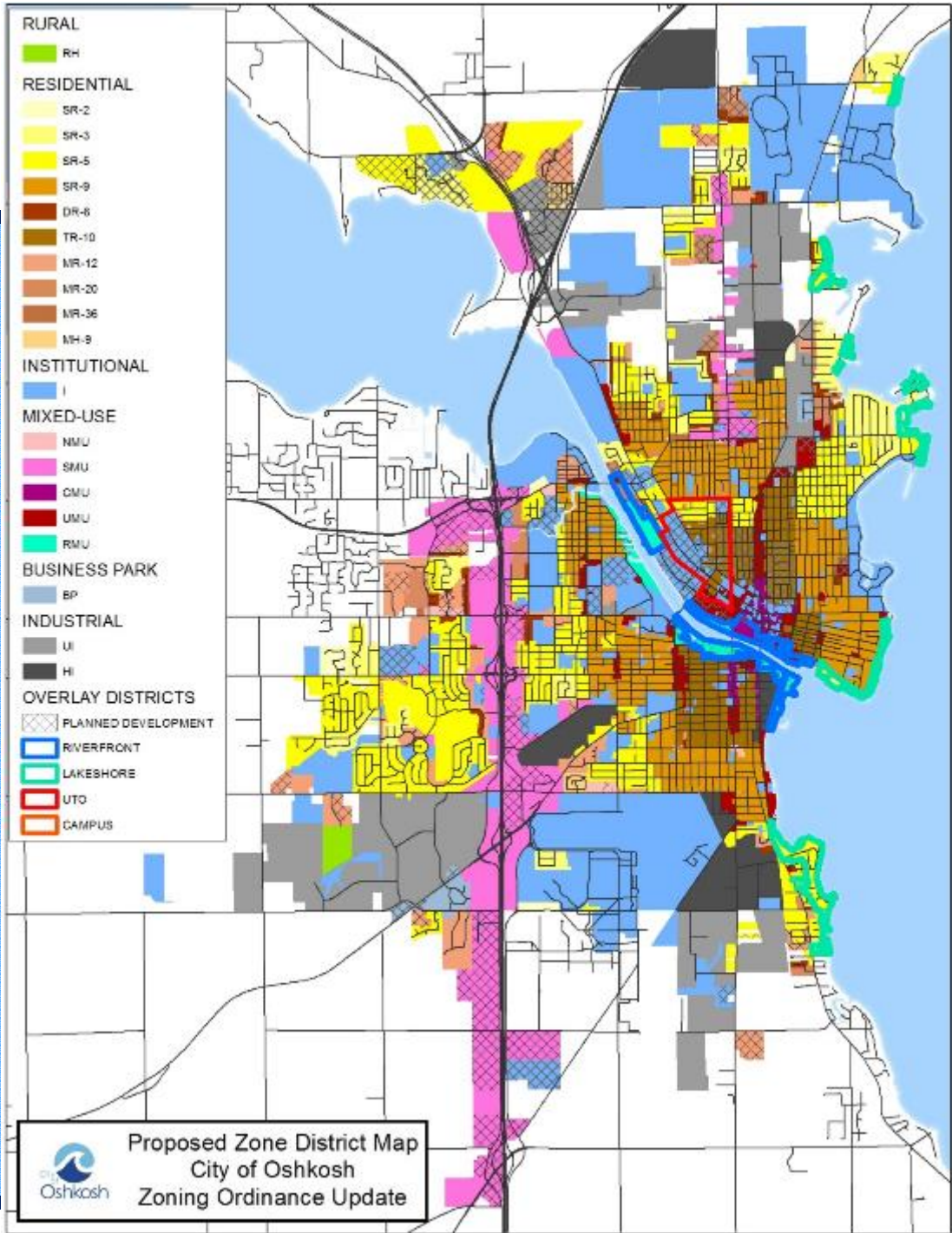




# Landscaping Example







# Draft Zoning Map





# Key Map Changes

- Rezoned several areas of single-family housing now zoned two-family to match use
- Rezoned several areas of single-family housing now zoned multi-family to match use
- Matched Central Mixed Use district to match locations of downtown character buildings
- Matched single-family districts to match actual lot sizes and widths
- Campus Overlay district enables evolving uses and buildings under a Campus Master Plan





**For questions regarding the new Zoning Ordinance, please contact the Planning Services Division at 920-236-5059 or by email at [planning@ci.oshkosh.wi.us](mailto:planning@ci.oshkosh.wi.us)**