

4.0 Zoning Ordinance Review and Recommendations

The physical improvements to Downtown Oshkosh can be enhanced and encouraged with a zoning ordinance that is clear, direct, and conducive to the development recommended in this Plan. The review process for development should also be development-friendly to encourage development in the downtown. The following is a review of the existing zoning ordinance and recommendations for changes that would encourage the proper siting, quality, and appearance of development.

This review and subsequent recommendations are the result of a “quick look” at the ordinance and do not represent an in-depth or comprehensive analysis. The primary objective is to highlight aspects of the existing regulations that may warrant enhancement, amendment or reconsideration as related to development in the Downtown Oshkosh. The focus is on highlighting desirable changes that will further the Oshkosh Partnership Committee’s objectives of improving the Downtown Oshkosh’s prosperity as well as its appearance.

4.1 Residential Uses

- Residential is not allowed on properties zoned “industrial” (M-1, M-2, M-3)
- Residential is allowed, however, in M districts with a Downtown Overlay “DO” District:
 - C-3 allows all R-5 uses and C-2 uses
 - R-5 is a multi-family zoning district, but it allows single-family as long as the single family conforms to the zoning bulk regulations used in the relevant zoning district (e.g., single family detached must meet R-1 bulk regulations)
 - C-3 also has a “mixed commercial residential” conditional use
 - Residential is allowed only on upper floors but no “separate” residential structures are permitted
 - Residential units must be a minimum 400 square feet

Recommendation: Create incentives for the development of projects that incorporate residential uses.

(Note: Appendix: 30/1A has table of all allowed/conditional uses by Zoning District)

4.2 Overlay Districts

In the Planned Development District, density bonuses are offered for developments in return for more city review of development and open space plans. Also, the C3DO removes the height limitations from the bulk requirements.