



Public Notice of the Village of Cambridge, pursuant to Section 19.84, Wisconsin Statutes, is hereby given to the public and to the news media, that the following meeting may contain a quorum of the members of the Economic Development Committee who will be present to gather information related to their duties on the Committee; however, no official business will be conducted, and no action will be taken by the Committee.

ECONOMIC DEVELOPMENT COMMITTEE

DATE: TUESDAY, OCTOBER 6, 2026

TIME: 4:30 PM

LOCATION: AMUNDSON COMMUNITY CENTER
200 SPRING ST.
CAMBRIDGE, WI 53523

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PROOF OF POSTING**
- 4. PUBLIC COMMENTS (LIMIT OF 3 MINUTES PER PERSON)**
- 5. APPROVAL OF MINUTES – September 9, 2026**
- 6. UNFINISHED BUSINESS – ACTION REQUIRED**
 - a. Discussion and Possible Action on 2027 grant opportunities
 - b. Discussion and Possible Action regarding zoning districts and first floor storage
 - c. Discussion regarding sign ordinance; Chapter 17.80
 - d. Discussion regarding WEDC Training
- 7. NEW BUSINESS – ACTION REQUIRED**
 - a. Discuss Economic Development Plan
 - b. Discussion and Possible Action on draft mural ordinance
 - c. Discussion and Possible Action on Downtown Parking Spaces
- 8. QUESTIONS, STAFF REFERRALS, AND FUTURE AGENDA TOPICS**
- 9. ADJOURNMENT**

Posted: October 1, 2026

NOTE:

Individuals who need special accommodations are encouraged to call (608) 423-3712 at least 24 hours before the meeting. A quorum of the Village Board may be present to gather information related to their duties as Village Trustees; however, no official business will be conducted, and no action will be taken by the Board at this meeting. For more detailed information about agenda items, please contact (608-423-3712.



MINUTES

ECONOMIC DEVELOPMENT COMMITTEE

AMUNDSON COMMUNITY CENTER
200 SPRING ST., CAMBRIDGE, WI 53523
WEDNESDAY, SEPTEMBER 9, 2026, 4:30 PM

1. **CALL TO ORDER:** Trustee Busch called the meeting to order at 4:32 p.m.
2. **ROLL CALL:** Members Present – Trustee Betsy Busch, Scott Filter, Matt McFalls, and Kayla Papenfuss. Members Absent – Nadine Breunig.

Others Present – Village Clerk/Treasurer Brian Wilson.
3. **PROOF OF POSTING:** Confirmed - upper and lower levels of the Amundson Center, Cambridge Post Office, Badger Bank, Bank First, and the Village website.
4. **PUBLIC COMMENTS (LIMIT OF 3 MINUTES PER PERSON):** None
5. **APPROVAL OF MINUTES:** August 4, 2026

Motion by Kayla Papenfuss to approve the minutes of April 4, 2026. Second by Scott Filter. Motion carried by unanimous voice vote.
6. **UNFINISHED BUSINESS – NO ACTION REQUIRED:** None
7. **NEW BUSINESS – ACTION REQUIRED:**
 - a. Discussion and Possible Action on Village Board feedback
 - The Village Board retained the EDC but directed it to focus strictly on policy advising and policy making; no implementation by the committee. The board will make final policy decisions.
 - Committee feedback: prior goals drifted into implementation; direction felt vague; committee now reoriented toward policy. Concern that economic development may not be a board priority given budget constraints and that the committee had to defend its existence.
 - b. Discussion and Possible Action on prioritizing SMART Goals through year's end
 - Many prior SMART goals misaligned with the policy-only directive.
 - Policy-appropriate topics identified for board “gut check”:
 - Mural ordinance (revive prior draft).
 - Update to the Economic Development Plan (ED Plan).
 - Ground-floor storage restrictions and first-floor residential policies in the Main Street/TID 4 corridor.
 - Evaluation of vacant storefronts.
 - Ground-floor storage ordinance boundaries and definitions.
 - Room tax goal deemed unnecessary; staff tasked with implementation. State requires timely reporting of collected taxes.
 - Communication and Business Engagement
 - Persistent communication gaps between the village and businesses noted. “Wake Up” business meeting productive and helped justify economic development's importance, tying it to budget and growth beyond physical footprint.

- Proposal to formalize business-owner feedback for board presentations; no person assigned yet to consolidate or schedule.
 - Ground-Floor Storage, Vacant Storefronts, and Zoning
 - Focus on mitigating vacant storefronts via policy:
 - Research from WEDC/Connect Communities and other communities: common approach restricts inactive ground-floor storage and first-floor residential in downtowns; distinguish active businesses with storage from inactive storage-only uses.
 - Service businesses by appointment (e.g., insurance, financial services) should remain allowable.
 - Consider grace periods for tenant turnover and enforcement mechanisms (fees/penalties); caution that flat fees may be absorbed as costs by some owners.
 - Explore models (e.g., Village of Argyle; a California example emphasizing active use to ease enforcement).
 - Map downtown zoning: mostly Central Business with five parcels in Residential Medium Density; Central Business references General Business use lists. Clarify permitted/conditional uses and exact geographic boundaries for any ordinance.
 - Evidence gathering on economic harm of vacancies planned; aim for a narrowly tailored ordinance supporting long-term downtown vitality, recognizing a timeline potentially exceeding a year.
 - ED Plan Update, Strategy, and Funding
 - Consensus on need for a 10–20 year roadmap to align stakeholders, justify investments, and grow the tax base to mitigate high property taxes. ED Plan seen as a gateway to justify funding for initiatives, including possibly a part-time regional/shared economic developer (with Deerfield, Oakland, Rockdale).
 - Recognized limits on budget; explore a community-driven plan leveraging business input via wake-ups, surveys, and sessions if professional plan funding (~\$20,000) is unavailable.
 - Post-mortem on prior plan necessary to understand why implementation failed; align with Cambridge 2045; build accountability and commitment mechanisms to ensure the plan is actionable.
- c. Discussion and Possible Action on 2027 grant opportunities
- 1) Dane County Block Grant
 - EV Charging Station:
 - The community was not among 35 selected for EV funding; no chargers between Monona and just before Milwaukee. Quick Trip did not install chargers, likely awaiting federal funding and focusing near interstates. Prior municipal install in Delavan cost ~ \$60,000 due to electrical work.
 - Original federal cycle halted; the state exploring alternatives. Application can be resubmitted when funding resumes. Consider researching grants and resubmission next round.
 - Deerfield reportedly received ~\$60,000 for zoning code updates; plan to meet Deerfield's administrator to assess applicability for ED planning/consultation and grant models.
 - 2) USDA Rural Small Business Development Grant
 - Cambridge is eligible; funds planning, market research, feasibility, strategic planning; awards \$10,000–\$500,000 with no cost-sharing required. Window closed June 30; likely opens around March. Plan to gather information now for next cycle; board approval required for application.
- d. Discussion and Possible Action on upcoming educational opportunities
- 1) WEDC Roundtable (Stoughton, September 15)
 - 2) Newberry Rural Vitality Retreat (Watertown, September 25)
 - WEDC membership fee is already budgeted.
 - Educational events: Members attending WEDC roundtables (Stoughton 9/15; Janesville 9/22); intent to report back and apply learnings.
 - Clarify the distinction between information gathering and “taking action” to stay within scope for EDC.

Scott Filter left the meeting at 5:25 p.m.

e. Discussion and Possible Action regarding zoning districts and first floor storage

- Hotel Tax Enforcement and Communications
 - Discussed enforcement and mailing procedures to reach non-cooperative hotel owners: use adult signature restricted mail (~\$10 per letter), covered by village postage meter, not EDC budget.
 - Draft hotel tax letters prepared; to be formatted on letterhead and circulated.
- Parking, Traffic, and Pedestrian Safety
 - Downtown parking spot removal proposals near Main and Spring/Springwater raised safety and economic concerns:
 - Poor sightlines due to parked cars; drivers pulling into crosswalks; additional visibility issues from signs and hanging baskets.
 - Heavy vehicles (grain/semi trucks) using Springwater Alley, which is not designed for such loads.
 - Prior actions included repainting yellow lines near Water Street to deter misuse as a turn lane.
 - Community feedback often seeks more parking, not less; prior petitions denied due to parking concerns, yet a 3-year CUP allowed first-floor residential with parking contingencies; CUP compliance questions raised.
 - Agreement to take a holistic, engineer-led approach before removing spots:
 - Engage municipal engineer; consider a focused traffic study covering visibility, turn radii, stop sign proximity, truck routing, and pedestrian crossings.
 - Identify most-used pedestrian crossing and evaluate flashing beacons; currently beacons are at less-used crossings.
 - Develop criteria and objective safety/visibility metrics to select any parking removals, and plan replacement or alternative parking strategies to align with economic goals.

f. Discussion regarding sign ordinance; Chapter 17.80

- 111 Jefferson Street: code enforcement notice issued for temporary banners/signs; some removed, two may remain.
- Additional fact-finding planned with this to return on a future agenda.

8. QUESTIONS, STAFF REFERRALS, AND FUTURE AGENDA TOPICS:

- a. Discuss Economic Development Plan
- b. Discuss first floor zoning
- c. Discuss sign ordinance
- d. Discuss grant opportunities

9. ADJOURNMENT:

Kayla Papenfuss made a motion to adjourn the meeting. Second by Matt McFalls. Motion carried by voice vote.

Meeting adjourned at 5:57 p.m.

Respectfully submitted by Brian Wilson, Clerk/Treasurer, Village of Cambridge

These minutes are not official until approved by the Economic Development Committee.

GROUND-FLOOR USE RESTRICTIONS IN DOWNTOWN COMMERCIAL DISTRICTS

A Comparative Analysis of Community Ordinances

Prohibiting Residential and Storage Uses on the Ground Floor

Prepared for the Village of Cambridge Economic Development Committee

October 2026

This document is a planning and policy research aid. It is not a legal opinion. Ordinance excerpts should be verified against current, official code sources and reviewed by the Village Attorney before any drafting proceeds.

Introduction & Purpose

The Village of Cambridge Economic Development Committee (EDC) is evaluating whether to recommend an ordinance prohibiting residential and storage uses on the ground floor of buildings within the downtown commercial district. Because Cambridge's downtown building stock is largely built out, any such ordinance would necessarily reach existing buildings and tenants — meaning it would function retroactively unless paired with careful nonconforming-use ("grandfathering") provisions.

This document has two purposes. First, it surveys how five peer communities — four in Wisconsin, plus Pleasanton, California and Berkeley, California — have approached ground-floor activation, and highlights the specific mechanics, nuances, and trade-offs of each approach. Second, it lays out the pros, cons, and potential unintended consequences of this type of ordinance in general, so the EDC can weigh the concept on its merits before any drafting begins.

Section I — Comparative Survey of Ordinances

1. City of Milwaukee, Wisconsin — Zoning Code Ch. 295, Subch. 7 (Downtown Districts)

Milwaukee regulates its eight downtown subdistricts (C9A–C9H) through a detailed use table (Table 295-703-1) that classifies every land use as Permitted, Limited, Special, or prohibited, district by district. Rather than a single blanket ban, Milwaukee layers several distinct tools that, together, discourage inactive ground floors:

- Storage is tightly constrained, not simply banned. Under s. 295-703-2-u, an indoor or self-service storage facility may only occupy a building constructed before March 20, 2015 — new construction cannot introduce storage as a use at all. Even in a qualifying older building, an indoor storage facility cannot be located on the first floor, and a self-storage use is confined to the basement. If a building can't meet those three conditions, storage is prohibited outright.
- Ground-floor residential is restricted by street classification, not banned citywide. Single-family, two-family, and multi-family dwellings are only “Limited” uses in most downtown subdistricts, and s. 295-703-2-a specifically prohibits a dwelling unit at street level along a principal or minor arterial street — but permits it on collector and local streets. A separate carve-out exempts buildings where the first floor sits more than 30 inches above grade.
- A “mixed-use anchor” requirement functions as a subtler activation tool: several ground-floor-appropriate commercial uses (general retail, personal service, dry cleaning, health clubs, restaurants, cultural institutions, banks) are only a Limited use unless the building also contains at least one other principal use that is independently permitted — discouraging single-tenant, single-use buildings without dictating exactly what that second use must be (s. 295-703-2-g).

Nuance for Cambridge: Milwaukee's approach shows that a storage ban does not have to be absolute — it can be phased through a construction-date cutoff (only pre-existing buildings retain any storage rights) combined with a location restriction (basement-only) rather than a flat prohibition. This softens the retroactivity problem considerably.

2. City of West Allis, Wisconsin

West Allis requires that all first-floor commercial spaces in its regulated commercial corridor contain either on-site retail or a service establishment that deals directly with consumers. The ordinance affirmatively excludes certain uses from qualifying for ground-floor space — specifically cash-for-gold/currency-exchange type “cash stores,” resale shops, and liquor-related uses.

This is a narrower, use-exclusion model rather than a broad definitional standard: instead of defining what makes a use “active” (as Pleasanton does, below), West Allis names the categories of business it does not want fronting the street,

on top of a baseline retail/consumer-service requirement. A closely related model appears in Madison's C1/C2 general commercial district standards, which similarly require that ground-floor businesses be “retail or service establishments which deal directly with the customers” and that goods produced on the premises be sold at retail on-site — useful supplemental language if the EDC wants to see how another Dane County-area community has phrased comparable requirements.

3. Pleasanton, California — Active Ground-Floor Overlay District (Municipal Code Ch. 18.81)

Pleasanton's ordinance is widely cited as a model because it regulates by function rather than by an enumerated list of specific uses. Instead of naming “retail” or banning “storage” directly, the code defines a performance standard — “active ground-floor uses” — and requires that standard to be met within a defined street-frontage zone.

Definition (BMC 18.08.017)

“Active ground-floor uses” are defined as those that “promote an active pedestrian environment on the ground floor of a commercial building and attract walk-in customers.” The code lists illustrative categories — retail establishments, restaurants, bars and brewpubs, and art/craft studios — and then gives the Community Development Director discretion to approve other uses found “substantially similar” or to have “unique characteristics” that meet the district's objectives. Notably, the definition expressly excludes personal services (e.g., salons, dry cleaners) from counting as “active,” even though those uses are otherwise commercial in nature.

Applicability (18.81.020)

The overlay is deliberately narrow in its geographic reach: it applies only to tenant spaces whose primary storefront access is from Main Street or another specifically designated street. In a multi-tenant building, only the tenant spaces that actually front the designated street are subject to the requirement — back-of-building or side-street tenants are not swept in. If a single tenant space houses more than one use, every use within it must independently qualify as “active.”

Verification procedure (18.81.040)

Rather than relying solely on a business's stated use category, the Director of Community Development may request a written narrative from the business owner describing hours of operation and basic business operations — including confirmation of a cash register or point-of-sale system — plus a dimensioned floor plan showing leased square footage for each use in a multi-use tenant space. This gives the Village a concrete, evidentiary way to police the line between (for example) a genuine walk-in retail storefront and a space that is nominally retail but functions as showroom-and-storage.

Exceptions (18.81.050) — the safety valve

This is the section that most directly addresses the retroactivity and vacancy risk inherent in any hard ground-floor mandate. The Director may grant an exception allowing a non-active use in a specific tenant space on any of three grounds:

- Documented extended vacancy: the prior active use has been vacant for at least six months, with evidence of good-faith marketing efforts — posted advertisements or an active listing, dated photographs of “for lease” signage, and correspondence with prospective tenants.
- Narrow storefront: the tenant space has less than 10 feet of frontage on a designated active street, as determined by the Director.
- Purpose-built bank buildings: the tenant is located in an existing building constructed specifically for a bank or financial institution as its primary occupant.

Every exception decision is reported to the Planning Commission and City Council and is appealable under the city's standard appeals chapter — preserving public accountability even though the Director acts administratively.

Why this model is praised: Pleasanton's ordinance avoids two of the most common failure modes of a rigid ground-floor use ban. First, by defining “active” functionally rather than as a closed list, the code can absorb new or unanticipated business types without constant amendment. Second, the extended-vacancy exception directly acknowledges that Pleasanton's own experience — like that of many small downtowns — showed that an absolute active-use requirement can leave storefronts sitting empty for years if no qualifying tenant can be found, which is precisely the outcome a vibrancy ordinance is meant to prevent.

4. City of Minneapolis, Minnesota

Minneapolis illustrates a materially different regulatory strategy than an enumerated permitted-use table: rather than listing which uses are and are not allowed on the ground floor citywide, it combines a targeted downtown mandate with a lighter-touch, citywide overlay tool.

- Downtown Service (DT2) District — mandatory ground-floor commercial. The zoning code requires that “the first floor of all new developments in the DT2 District shall provide commercial uses.” For mixed-use buildings that include a residential component, the required commercial/production use area must meet at least two of three specific thresholds — for example, occupying at least 15% of the first-floor area, and being no smaller than 1,000 square feet (capped at a 10,000-square-foot maximum requirement) — which prevents a token, pro-forma commercial storefront from satisfying the rule.
- Pedestrian Oriented (PO) Overlay District — citywide, corridor-by-corridor tool (Code §§ 551.60–551.110). Minneapolis has designated more than twenty separate PO Overlay corridors across the city. Rather than requiring a specific active use, the PO Overlay prohibits a short, targeted list of high-impact and automobile-oriented uses — drive-through facilities, automobile service uses, and transportation uses — and separately imposes building-placement and design standards: buildings must be located within 8 feet of the front lot line, at least one principal entrance must face the public street, and nonresidential ground-floor uses must maintain street-facing entrances and windows.

Nuance for Cambridge: Minneapolis achieves street-level activation largely through what it excludes and how it regulates building form and entrances, rather than through an affirmative list of what must be there. Storage is not named in the PO Overlay's short prohibited-use list, meaning Minneapolis relies on district-specific use tables elsewhere in the code (and on the DT2-style commercial mandate downtown) rather than a single citywide storage ban. This is a useful contrast: a village could achieve some of the same street-activation goals through entrance/frontage/transparency design standards without necessarily needing an outright use prohibition.

5. City of Berkeley, California — Ground-Floor Use Charts (Municipal Code Ch. 23.204 and 23.202)

Berkeley regulates ground-floor uses through a system of cross-referenced use tables and district-specific charts, which is the most granular, block-by-block model among the communities surveyed.

Street-segment-level ground floor chart

In the Adeline Corridor Commercial (C-AC) district, Table 23.204-42 (“C-AC Permitted Ground Floor Uses”) assigns a different ground-floor use standard to different street segments within the same district — for example, one block of Shattuck Avenue is designated for general “Commercial Uses” while a different block of the same street, and other named segments, are designated for the stricter “Active Commercial Uses” category. The first 30 feet of ground-floor depth from the qualifying street frontage is reserved for the designated use; tenant spaces fronting streets not named in the table may be used for any use otherwise permitted in the district.

“Active Commercial Uses” is itself a defined term covering retail, personal and household services, food and alcohol service, lodging, entertainment and assembly uses, banks and financial services, and vehicle parts stores — broader than Pleasanton's definition (which excludes personal services), illustrating that “active use” is not a single national standard but something each community calibrates to its own downtown.

Administrative and permit-based exceptions, not a flat ban

Rather than an absolute prohibition, Berkeley layers permit thresholds: small office uses (2,500 square feet or less, 50 feet or less of frontage) are allowed on an Active Commercial ground floor with a simple Zoning Certificate; larger office uses or an art/craft studio require an Administrative Use Permit (AUP), with the Zoning Officer required to find that the use still “supports the development of a strong retail commercial, pedestrian-oriented environment.” Affordable housing projects (at least 50% affordable units) may also be permitted on the ground floor with an AUP even in an otherwise commercial-designated area.

Acceptable second-floor and upper-story uses

Berkeley's mixed-use standard is narrower than a blanket “no residential below the top floor” rule: it requires only that all stories above the second story be used for residential purposes. The second floor itself is not restricted to residential use, giving a building two full non-residential floors (ground and second) before the residential requirement kicks in — directly responsive to Cambridge's interest in what upper floors are treated as acceptable for uses other than residential.

Design standards tied to the use requirement

Berkeley pairs its use chart with physical design standards scaled to the intensity of activation required: ground floors in “Active Commercial” segments must have a minimum 15-foot floor-to-floor height and at least 75% window transparency between 3 and 10 feet above grade, versus a 65% transparency standard for the broader “commercial” designation and a baseline 30% for other new buildings citywide. This shows a technique the EDC could borrow even apart from a use ban: pairing (or substituting) a storefront-transparency and blank-wall standard with any use requirement, since it is often easier to enforce and harder to game.

Section I(b) — Side-by-Side Comparison

The table below summarizes the mechanics described in Section I for quick reference. It is a comparison aid, not a substitute for the full underlying codes.

Jurisdiction	Legal Mechanism	Ground-Floor Storage	Ground-Floor Residential	Flexibility / Exception Valve
Milwaukee, WI	Enumerated use table by subdistrict (Ch. 295-703)	Allowed only in pre-2015 buildings; first floor barred; self-storage basement-only	Barred at street level on arterial streets; allowed on collector/local streets	Special-use permit pathway (“S”) in several subdistricts
West Allis, WI	Affirmative use requirement + named exclusions	Not addressed directly in description provided; excluded categories: cash stores, resale shops, liquor	Not addressed in description provided — verify with West Allis code	Not established in available material
Pleasanton, CA	Performance-based overlay district (BMC Ch. 18.81)	Not an “active use” by definition; excluded from qualifying storefronts	Not addressed by this overlay (governed by underlying district)	Director-level exceptions: 6-mo. documented vacancy, <10 ft. frontage, purpose-built bank
Minneapolis, MN	Mandatory commercial floor (DT2) + citywide PO Overlay excluding specific uses (§551.60 et seq.)	Not named in PO Overlay prohibited-use list; governed by underlying district tables	Not addressed by PO Overlay; DT2 requires commercial, not residential, on floor 1	Achieved via building-placement/entrance/window design standards rather than use exceptions
Berkeley, CA	Street-segment-level use charts (Table 23.204-42 and related)	Not listed as Active Commercial or Commercial in ground-floor charts	Allowed on ground floor only via AUP for ≥50% affordable	Zoning Certificate / AUP tiers for small and large office

Jurisdiction	Legal Mechanism	Ground-Floor Storage	Ground-Floor Residential	Flexibility / Exception Valve
			projects; otherwise stories above 2nd must be residential	uses; art/craft studio via AUP

Section II — Pros and Cons of a Ground-Floor Use Ordinance

Potential Benefits

- Street-level vibrancy and foot traffic. Requiring active, walk-in uses at grade is the most direct lever a village has for keeping a compact downtown feeling occupied and lively, particularly during evening and weekend hours when offices and back-of-house storage generate no visible activity.
- Protects the visual and economic “first impression” of downtown. Ground-floor storefronts and vacant-feeling residential facades read very differently to a visitor or prospective business than active retail or dining windows — relevant to Cambridge's broader economic development and tourism goals.
- Supports property values and the tax base indirectly. Communities that have studied this (including several cited above) link consistent street-level activation to stronger perceived investment potential and lease rates for upper floors, since ground-floor vacancy or inactivity tends to depress a whole building's marketability.
- Predictability for investors and developers. A clear, published standard — especially one written functionally, as in Pleasanton — gives anyone considering a downtown purchase or build-out a known target to design toward, rather than negotiating use expectations informally.
- Prevents underutilization of the most valuable square footage in the district. Ground-floor space along a Main Street corridor is disproportionately valuable for public-facing use compared with upper floors or back rooms; storage and standard residential do not require that visibility or accessibility to function.

Potential Drawbacks

- Village-scale retail demand may not support the requirement. Milwaukee, Minneapolis, Berkeley, and even Pleasanton and West Allis are drawing on a much larger and denser trade area than Cambridge's. A rule calibrated to a big-city or suburban-core retail market can produce chronic, unfillable vacancy in a village downtown where the pool of active-use tenants is inherently smaller — the exact problem Pleasanton's six-month vacancy exception was built to solve.
- Reduces flexibility for the kind of small, mixed live/work or trade businesses common on small-town main streets — for example, a contractor, tradesperson, or crafts business that stores inventory or materials on the ground floor while living or working out of the same building. This use pattern is far more common in a village of Cambridge's size than in Milwaukee's or Minneapolis's downtown cores.
- Administrative and enforcement burden. Pleasanton's and Berkeley's models work in part because they are backed by dedicated planning staff who review floor plans, verify vacancy documentation, and process AUPs. A small village government will need to decide who administers definitions, exceptions, and disputes over what counts as “storage” versus “retail with a stockroom.”
- Retroactive application creates real transition costs for existing occupants, discussed further in Section IV below — including possible legal exposure if the ordinance is not carefully aligned with Wisconsin's nonconforming-use statute.
- Definitional disputes are common in practice. Nearly every jurisdiction surveyed above has had to build out exceptions, use-categories, or administrative discretion precisely because a bright-line rule (no storage, no

residential) runs into edge cases almost immediately — a hybrid retail/storage business, a live-work unit, a bank building with no other viable tenant, and so on.

Section III — Potential Unintended Consequences

These are risks observed or anticipated in the peer communities above, several of which prompted the exception mechanisms already built into those codes.

- Storefront vacancy instead of storefront activity. If no qualifying active use can be found or afford the space, a strict rule can leave a space sitting empty and “for lease” rather than occupied by any use at all — the opposite of the ordinance's goal. This is precisely why Pleasanton added its documented-vacancy exception after experience with the stricter version of its own rule.
- Upward pressure on rents for the shrinking pool of compliant uses, which can price out long-standing local businesses in favor of tenants — often chains or higher-margin operators — that can afford ground-floor rents under a constrained supply of eligible space.
- Incentive toward demolition or major redevelopment rather than adaptive reuse, if bringing an older building's ground floor into compliance (converting storage or residential space to a storefront, adding entrances and transparency) is more expensive than starting over — which can work against the character-preservation goals a downtown ordinance is usually meant to support.
- Displacement of existing tenants with no relocation options in a small village, where there may be no comparable warehouse, storage, or ground-floor-residential space elsewhere downtown to absorb a displaced use.
- Legal exposure tied to retroactivity. Under Wisconsin's nonconforming-use statute (discussed in Section IV below), a lawful existing use generally cannot simply be extinguished by a new ordinance; missteps in how the ordinance treats existing occupants can expose the Village to legal challenge or complicate enforcement for years.
- Reduced housing flexibility. An outright ground-floor residential ban, without a carve-out like Milwaukee's collector/local-street exception, forecloses ground-floor accessible or ADA-friendly housing units — a consideration if the Village has any interest in aging-in-place or accessible housing downtown.
- Enforcement and definitional drift over time. Several of the codes above (Berkeley and Pleasanton especially) have been amended repeatedly to patch gaps — narrow-frontage exceptions, bank-building exceptions, transparency-percentage tiers — suggesting that a first-draft ordinance should expect to be revisited rather than treated as a one-time fix.

Section IV — Retroactivity: Wisconsin Nonconforming-Use Law

This section outlines the specific Wisconsin statutory framework that would govern how existing, currently-lawful storage and residential ground-floor uses could be treated going forward. This is general legal background, not legal advice — the Village Attorney should confirm application to Cambridge's specific situation before drafting.

- Statutory authority. Village zoning authority is established under Wis. Stat. § 61.35, which extends the city zoning enabling statute, Wis. Stat. § 62.23, to villages — meaning Cambridge's zoning ordinance, including any nonconforming-use provisions, operates under the same framework as a city's would.
- Existing lawful uses generally continue. Under Wis. Stat. § 62.23(7)(h), the lawful nonconforming use of a building or premises existing at the time a new zoning provision takes effect is not prohibited outright, even though it no longer conforms to the new rule. In practice, this means an existing storage business or ground-floor residential unit that is lawful today would not have to close the day a new ordinance takes effect — it would become a legal nonconforming use.

- But nonconforming uses cannot be extended or substantially expanded, and total structural repairs or alterations to a nonconforming building may not exceed 50% of its assessed value during its life unless the building is permanently converted to a conforming use.
- Discontinuance triggers loss of nonconforming status. If a nonconforming use is discontinued for a period of 12 months, Wis. Stat. § 62.23(7)(h) provides that any future use of the building must conform to the ordinance — meaning a storage tenant who vacates and stays vacant for a year would lose the right to resume that use, and the space would revert to whatever the new ordinance requires.
- Forced removal via amortization is restricted. Following 2005 Wisconsin Act 81, Wis. Stat. § 62.23(7)(hg) limits a municipality's ability to force the discontinuation of an existing nonconforming use or structure through an “amortization ordinance” (a provision requiring an existing use to end after a set phase-out period without compensation), subject to statutory exceptions. This is a meaningful constraint on how aggressively Cambridge could require existing storage or residential ground-floor uses to wind down on a fixed timetable.
- Damage/destruction rules. Separately, Wis. Stat. § 62.23(7)(hc) allows a nonconforming structure damaged or destroyed by violent wind, vandalism, fire, flood, ice, snow, mold, or infestation to be restored to its prior size, location, and use, without cost limits — relevant if an existing nonconforming building downtown were ever damaged.

Practical implication for drafting: given this framework, the ordinance options actually available to Cambridge are closer to the Milwaukee model (existing uses continue under defined, narrowing conditions, with new construction held to the new standard) than to a Cincinnati-style flat prohibition applied retroactively without qualification. Any draft ordinance should explicitly define how existing storage and ground-floor residential uses are grandfathered, what triggers loss of that status, and how repairs/alterations to those buildings are treated — mirroring the kind of nonconforming-use article most of the peer codes above maintain separately from their use tables.

Section V — Questions for the EDC's Discussion

These are not recommendations for a particular outcome, but drafting and policy questions the peer survey above suggests the EDC will need to resolve regardless of which way it leans:

- Definitional model: an enumerated list of permitted/prohibited uses (Milwaukee, Cincinnati, West Allis) versus a functional “active use” performance standard (Pleasanton, Berkeley)? The functional model is more adaptable but requires more staff judgment to administer.
- Geographic scope: should the requirement apply uniformly across the whole downtown commercial district, or vary by street/segment as in Berkeley — recognizing that not every block of a Cambridge downtown carries the same pedestrian volume or retail viability?
- Storage treatment: an outright ban, or a Milwaukee-style conditional allowance for existing buildings (basement-only, no new construction)?
- Residential treatment: an outright ground-floor ban, or a street-type or building-configuration carve-out along the lines of Milwaukee's collector/local-street exception or Berkeley's above-second-story rule?
- Exception/relief mechanism: will Cambridge build in a documented-vacancy exception (Pleasanton), narrow-frontage exception, or administrative permit tier (Berkeley) to prevent the ordinance from producing empty storefronts rather than active ones?
- Nonconforming-use provisions: how will the ordinance define grandfathering, discontinuance, and repair/alteration limits for existing tenants, consistent with Wis. Stat. § 62.23(7)(h) and related provisions?
- Administration and enforcement capacity: who on Village staff would verify compliance, process exceptions, and handle disputes — a role filled by dedicated planning departments in every larger city surveyed above?

