

**CITY OF WEST ALLIS
ORDINANCE O-2024-0042**

**ORDINANCE TO CREATE AND AMEND CONDITIONAL USE CRITERIA FOR
CERTAIN AUTOMOTIVE USES**

AMENDING SECTION 19.34

WHEREAS, pursuant to Wis. Stat. 62.23(7)(am), the council may regulate and restrict by ordinance the height, number of stories and size of buildings and other structures, the percentage of lot that may be occupied, the size of yards, courts and other open spaces, the density of population, and the location and use of buildings, structures and land for trade, industry, mining, residence or other purposes; and

WHEREAS, the common council may adopt amendments to an existing zoning ordinance after first submitting the proposed amendments to the city plan commission for recommendation and report and after providing a class 2 notice of the proposed amendments and hearings thereon; and

WHEREAS, a hearing was held on the proposed amendments by the common council;

NOW THEREFORE, the common council of the City of West Allis do ordain as follows:

SECTION 1: **AMENDMENT** “19.34 Conditional Use Criteria” of the City Of West Allis Municipal Code is hereby *amended* as follows:

AMENDMENT

19.34 Conditional Use Criteria

No conditional use permit may be issued unless the principal use satisfies the criteria below.

1. Residential & Lodging

Principal Use	District(s)	Criteria

2. Retail

Principal Use	District(s)	Criteria
Pawnbroker		No conditional use permit may be issued if the lot is

Sales	C-4	located within 3,500 feet from any other lot used for pawnbroker sales or secondhand jewelry sales
Secondhand Jewelry Sales	C-4	No conditional use permit may be issued if the lot is located within 3,500 feet from any other lot used for pawnbroker sales or secondhand

3. Service

Principal Use	District(s)	Criteria
Animal Shelter	I-1, I-2	
Payday Lender	C-4, I-1, I-2	No conditional use permit may be issued unless a condition of the permit is that noise from the activity may not be audible from a lot used for residential purposes No conditional use permit may be issued if the lot is located within 3,500 feet from any other lot used for payday lender

4. Civic & Institutional

Principal Use	District(s)	Criteria

5. Parks & Recreation

Principal Use	District(s)	Criteria

6. Industrial

Principal Use	District(s)	Criteria
Advanced Manufacturing	C-3	No conditional use permit may be issued to allow outdoor storage of materials
Commercial Light Industrial Flex	C-3	No conditional use permit may be issued unless at least 30% of the gross floor area is accessible to the public
Commercial Light Industrial Flex	C-4	No conditional use permit may be issued unless at least 20% of the gross floor area is accessible to the public
Heavy Industrial	I-2	No conditional use permit may be issued for asphalt, cement, or stone processing, mixing, or crushing unless at least 20% of the lot is landscaped and no lot used for nonindustrial purposes is located within 500 feet of the lot

Heavy Industrial	I-2	No conditional use permit may be issued for waster services unless at least 20% of the lot is landscaped and no lot used or zoned for residential purposes is located within 500 feet of the lot
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7. Medical

Principal Use	District(s)	Criteria

8. Automotive

Principal Use	District(s)	Criteria
Car Wash Service	C-4, I-1	No conditional use permit may be issued unless no lot zoned for residential purposes is located when adjacent to the a lot <u>zoned residential or used as residential</u>
<u>Fuel Sales</u>	<u>C-2, C-3, C-4, I-1, I-2</u>	<u>No conditional use permit may be issued when adjacent to a lot zoned residential or used as residential</u>
Heavy Motor Vehicle Sales	I-1	No conditional use permit may be issued unless at least 20% of the lot is landscaped and the lot is at least 1 acre
<u>Heavy Motor Vehicle Service</u>	<u>I-2</u>	<u>No conditional use permit may be issued when adjacent to a lot zoned residential or used as residential</u>
Light Motor Vehicle Sales	C-4, I-1	No conditional use permit may be issued unless at least 20% of the lot is landscaped and the lot is at least 1 acre
Light Motor Vehicle Service	C-2, C-3, C-4, I-1, I-2	No conditional use permit may be issued unless no lot zoned for residential purposes is located when adjacent to the a lot <u>zoned residential or used as residential</u>

9. Infrastructure

Principal Use	District(s)	Criteria
		See Wis.

Class 1 Collocation of Mobile Service Facility	All	Stat. 66.04(4)
Mobile Service Support Structure	All	See Wis. Stat. 66.04(4)
		No conditional use permit may be issued if the structure

Public Utility Service Structure	All	tu re is lo ca te d wi thi n a fr on t ya rd of an y lot or a si de ya rd of a co rn er lot
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10. Other

Principal Use	District(s)	Criteria

SECTION 2: **EFFECTIVE DATE** This Ordinance shall be in full force and effect on and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE CITY OF WEST ALLIS COUNCIL NOVEMBER 12, 2024.

	AYE	NAY	ABSENT	ABSTAIN
Ald. Ray Turner	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Ald. Kimberlee Grob	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Ald. Chad Halvorsen	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Ald. Marissa Nowling	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Ald. Suzzette Grisham	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Ald. Danna Kuehn	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Ald. Dan Roadt	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Ald. Patty Novak	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Ald. Kevin Haass	<u> X </u>	<u> </u>	<u> </u>	<u> </u>
Ald. Marty Weigel	<u> X </u>	<u> </u>	<u> </u>	<u> </u>

Attest

Presiding Officer

Rebecca Grill, City Clerk, City Of West Allis

Dan Devine, Mayor, City Of West Allis

