

**CITY OF WEST ALLIS
ORDINANCE O-2020-0024**

**ORDINANCE TO CONVERT TAVERNS, COCKTAIL LOUNGES, AND ALCOHOL
SALES FROM SPECIAL USES TO PERMITTED USES**

CREATING SECTION 9.025 AND AMENDING SECTIONS 12.40, 12.41, AND 12.43

WHEREAS, the common council has the discretion to grant retail alcohol licenses; and

WHEREAS, the common council retains all the same discretion to grant or deny a retail alcohol license with or without requiring a special use permit; and

WHEREAS, the common council desires to simplify the application process for alcohol licensee applicants to promote business development and save city resources;

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

SECTION 1: **ADOPTION** “9.025 New License Hearings” of the City Of West Allis Municipal Code is hereby *added* as follows:

ADOPTION

9.025 Public Hearings For Licenses(*Added*)

1. Applicability. Except where prohibited by law, the common council may hold a public hearing on any license or permit application prior to granting or denying that application.
2. Public Hearing. If the common council orders a public hearing under this section, the city clerk shall schedule the hearing to occur no sooner than 7 days after the date upon which the council ordered the public hearing. During the public hearing, the common council may receive comments from any person regarding the license application that is the subject of the hearing.
3. Notice. If the common council directs the city clerk to send notice under this section, the clerk shall send notice as follows, unless otherwise directed by the common council:
 - a. The notice shall go to occupants of property located within 250 feet of the tax parcel upon which the proposed licensed premises is located.
 - b. The method of notice shall be by mail, email, physical delivery, or any other method of direct notice, at the clerk's discretion.
 - c. The content of the notice shall include a copy of the license application, the date, time, and location of the public hearing, a statement that any person may appear at the public hearing to comment on the application, and any other information the clerk deems relevant.

SECTION 2: AMENDMENT “12.40 C-1 Central Business District” of the City Of West Allis Municipal Code is hereby *amended* as follows:

AMENDMENT

12.40 C-1 Central Business District

The C-1 Central Business District is intended to accommodate those retail and office uses which are characteristic of the unique shopping streets of the "downtown" area of the City, and discourage uses which detract from, or are incompatible with, pedestrian, shopping and service oriented traffic, such as manufacturing or wholesale distribution uses.

1. Permitted Uses.

- a. Barbers and beauty shops.
- b. Books and stationary stores.
- c. Bridal and wedding salons.
- d. Camera stores and photographic equipment sales and services.
- e. Clothing stores.
- f. Computer and computer software sales and service.
- g. Costume rental stores.
- h. Curtains and draperies sales.
- i. Drug stores.
- j. Electronic equipment sales and service.
- k. Employment agencies and offices conditioned upon the following: **[Ord. O-2005-0022, 5/17/2005]**
 - i. Transportation for temporary employees shall not be provided by, or on behalf of, the employment agency from the agency or office to the work site.
 - ii. Employees shall not report to the employment agency or office for work assignments. The employees shall report directly to the work site assigned. Applicants for employment shall not be allowed to use public property as a waiting area.
 - iii. Restroom facilities adequate for applicants shall be provided on site.
- l. Financial institutions without drive-through facilities, except check-cashing businesses as defined in Section 9.32. **[Ord. O-2006-0061, 10/17/2006]**
- m. Florist shops.
- n. Hardware stores.
- o. Hobby or gift stores.
- p. Home improvement, furnishings, appliances and accessory sales. **[Ord. O-2003-0028, 4/2/2003]**
- q. Jewelry stores.
- r. Keymaking and locksmithing stores.

- s. Laundry and dry cleaning — pick up only.
- t. Leather goods sales.
- u. Luggage stores.
- v. Millinery shops.
- w. Tattoo and/or body piercing establishments. **[Ord. O-2016-0020, 5/3/2016]**

Editor's Note: Former Subsection (1)(w), which set forth liquor stores as a permitted use, was repealed 5-20-2014 by Ord. O-2014-0022.

- x. Office supply stores.
- y. Offices; business, professional and governmental. **[Ord. O-2015-0001, 1/20/2015]**
- z. Medical clinics. **[Ord. O-2015-0001, 1/20/2015]**
- aa. Photography studios and film developing.
- ab. Post offices.
- ac. Printing services; blueprinting and photocopying.
- ad. Restricted productions and repair, limited to the following: artwork; clothing custom manufacturing and alterations, for retail only; hearing aid devices; jewelry from precious metals; watches; dentures; and optical lenses.
- ae. Sewing machine sales and service.
- af. Shoe sales and repair stores.
- ag. Small appliance sales and service.
- ah. Specialty stores including arts and crafts and related uses.
- ai. Sporting goods stores.
- aj. Tobacco retailers. **[Ord. 6279, 12/17/1996; Ord. O-2016-0032, 7/5/2016]**
 - i. No tobacco retailer shall be located within one thousand (1,000) feet of parcels occupied by the following uses:
 - (1) A public or private kindergarten, elementary, junior high or high school;
 - (2) Libraries;
 - (3) Zoned parkland; or
 - (4) Another tobacco retailer or establishment licensed to sell any tobacco product or tobacco paraphernalia as defined within Section 12.06.
- ak. Trophy and award sales.
- al. Resale stores. **[Ord. O-2007-0026, 8/7/2007 (repeal and recreate); Ord. O-2015-0029, 5/7/2015]**
- am. Videotape sales and rental.
- an. Places of assembly including clubs, lodges, meeting halls and theaters, limited to a maximum of up to five thousand (5,000) square feet of building area and subject to the provisions of Sec. 9.28 of the Revised Municipal Code. **[Ord. 6415, 1/5/1999; Ord. O-2007-0027, 8/7/2007 repeal; Ord. O-2011-0083, 1/3/2012 add; Ord. O-2013-0013, 3/5/2013]**
- ao. Day-care facilities. **[Ord. 6618, 6/18/2002]**
- ap. Tanning and toning salons. **[Ord. O-2005-022, 5/17/2005]**

- aq. Public utility service structures not larger than six (6) feet tall and twenty-five (25) square feet in surface area, conditioned upon the following: **[Ord. O-2008-0006, 2/5/2008; Ord. O-2008-0031, 7/1/2008]**
 - i. Site, landscaping and screening, and architectural review of the public utility service structure and the immediate area surrounding the structure, by the Department of Development staff. Public utility service structures shall be effectively screened from any abutting lot(s) and City right-of-way by landscaping or other means, as necessary, as approved by the Department of Development staff; and
 - (1) If the staff and applicant are unable to come to an agreement on the proposed location and screening, the applicant may file a request for a variance with the Plan Commission by submitting a written request to the Department of Development not less than twenty (20) days before the next regularly scheduled Plan Commission meeting. At the time that a request for a variance is made, the applicant shall pay the required fee in accordance with development review fees in Chapter 12 of the Revised Municipal Code.
 - ii. Public utility service structures shall not be located within any front yard or corner side yard on private property.
- ar. Grocery stores. **[Ord. O-2015-0002, 1/6/2015]**
- as. Instruction and/or training facility, small. **[Ord. O-2017-0007, 2/23/2017]**
- at. Art galleries. **[Ord. O-2017-0050, 11/21/2017]**
- au. Tourist Rooming House, conditioned upon the following:
 - i. The structure is a single or two-family residence, or a mixed-use or multifamily containing not more than 4 dwelling units.
- av. Taverns and cocktail lounges.

2. Special Uses.

- a. Any permitted use with drive-through facilities, except check-cashing businesses as defined in Section 9.32. **[Ord. O-2006-0061, 10/17/2006]**
- b. Food production, limited. **[Ord. O-2015-0002, 1/6/2015]**
- c. Massage Therapy. **[Ord. O-2017-0044, 10/17/2017]**

Editor's Note: Former Subsection (2)(c), Candy and ice cream stores, was repealed 1/6/2015 by Ord. O-2015-0002.

- d. Department stores.
- e. Hotels and motels.
- f. Laundries and dry cleaners.
- g. Mixed residential and commercial uses.
- h. Multiple family developments.
- i. Restaurants.
- j. Retirement homes and communities.
- k. Instruction and/or training facility. **[Ord. O-2017-0007, 2/23/2017]**
- l. ~~Taverns and cocktail lounges.~~ [Reserved]

- m. Community living arrangements as licensed under Sec. 46.22 of Wisconsin Statutes [**Ord. 6501, amend, 2/15/2000**]
 - n. Printing, commercial. [**Ord. 6522, amend, 6/6/2000**]
 - o. Outdoor dining areas for "food establishments" under Section 7.04(1)(c). [**Ord. 6568, 5/15/2000**]
 - p. Indoor recreation facilities including the following: [**Ord. O-2003-0040, 6/17/2003**]
 - i. Indoor driving range and batting cages.
 - ii. Indoor volleyball courts.
 - iii. Indoor basketball courts.
 - iv. Indoor bowling alleys.
 - v. Game centers and tournament facilities (not arcades as regulated in Section 9.10 of the Revised Municipal Code).
 - q. Radio and television stations. [**Ord. O-2003-0044, 6/17/2003**]
 - r. Athletic, health clubs. [**Ord. O-2005-0022, 5/17/2005; Ord. O-2015-0001, 1/20/2015**]
 - s. Museums. [**Ord. O-2008-0023, 5/20/2008**]
 - t. Places of assembly including clubs, lodges, meeting halls and theaters, greater than five thousand (5,000) square feet of building area and subject to the provisions of Sec. 9.28 of the Revised Municipal Code. [**Ord. O-2011-0083, 1/3/2012; Ord. O-2013-0013, 3/5/2013**]
 - u. Collocation/attachment of telecommunication equipment to existing structures. [**Ord. O-2012-0036, 9/18/2012**]
 - v. Animal grooming. [**Ord. O-2015-0016, 3/3/2015**]
 - w. Pet shops. [**Ord. O-2015-0016, 3/3/2015**]
 - x. Veterinary clinics. [**Ord. O-2015-0016, 3/3/2015**]
3. Required Conditions.
- a. Dwelling units are not permitted below the second floor.
 - b. All businesses, servicing or processing, storage or merchandise display, except off-street parking or off-street loading, shall be conducted within completely enclosed buildings.
 - c. Establishments of the "drive-in" type, offering goods or services directly to customers waiting in parked motor vehicles, are not permitted unless specifically authorized herein.
 - d. Multi-family dwellings will comply with the bulk regulations of the RC-2 District.
 - e. Outdoor Storage. Outdoor storage, display or repair shall not be permitted. [**Ord. O-2003-0028, 4/2/2003**]
 - f. Commercial Vehicles. A maximum of two commercial vehicles may be associated with a use. Open vehicles, utility trucks, trailers and similar vehicles shall not be permitted. [**Ord. O-2003-0028, 4/2/2003**]
 - g. Interior Storage Spaces. A maximum of 25% of a businesses interior floor area may be used for general wholesale, warehousing and storage. Such areas shall not be visible from the exterior of the building. [**Ord. O-2003-0028, 4/2/2003**]

- h. Interior Spaces. Interior walls parallel to window glazing shall be not less than 6 feet from the plane of the window glazing. [Ord. O-2003-0028, 4/2/2003]
 - i. Display Racks and Fixtures. Display racks within 4 feet of a window shall be open-backed and shall not obscure more than 50% of the glazing area. [Ord. O-2003-0028, 4/2/2003]
 - j. Window Coverings. Operable interior window coverings may be used. Such coverings include, but are not limited to, blinds and draperies. No window covering may be permanently affixed or adhered to the window such that the window becomes permanently opaque. [Ord. O-2003-0028, 4/2/2003]
 - k. Site Plan. A site, landscaping and screening plan in accordance with Section 12.13 of the Revised Municipal Code shall be required when commercial vehicles are associated with a use. [Ord. O-2003-0028, 4/2/2003]
 - l. All business establishments shall contain on-site retail or be service establishments dealing directly with consumers. [Ord. O-2015-0002, 1/6/2015]
 - m. Outdoor animal holding areas shall not be allowed. [Ord. O-2015-0016, 3/3/2015]
4. Floor Area Ratio. The floor area ratio shall not exceed 2.0.
 5. Yard Requirements. The C-1 District shall have no yard requirements.
 6. Off-Street Parking and Loading Requirements. Off-street parking and loading facilities shall be provided in accordance with Section 12.19 of this subchapter. Credit shall be given to day-care uses for use of public off-street parking spaces located within the C-1 Central Business District. [Ord. 6618, 6/18/2002]

SECTION 3: AMENDMENT “12.41 C-2 Neighborhood Commercial District” of the City Of West Allis Municipal Code is hereby *amended* as follows:

A M E N D M E N T

12.41 C-2 Neighborhood Commercial District

The C-2 Neighborhood Commercial District is intended to provide convenience shopping in close proximity for persons residing in nearby residential areas, by allowing only such uses as are necessary to satisfy basic shopping needs which occur daily or frequently. Normally these uses attract little vehicular traffic and are compatible with residential areas.

1. Permitted Uses.
 - a. Single and two (2) family residences on lots platted or recorded prior to the adoption of this ordinance and meeting the minimum requirements of the RB-2 Residence District.
 - b. Assembly and repair of products accessory to permitted office uses. Assembly and repair area limited to five thousand (5,000) square feet of floor area.
 - c. Barber/beauty shops.
 - d. Bicycle sales, rental and repair shops.

- e. Book and stationery stores.
- f. Clothing stores.
- g. Custom dressmaking shops.
- h. Drug stores.
- i. Dry cleaning and laundry receiving stations, processing to be done elsewhere.
- j. Electronic equipment sales and service.
- k. Fabric stores.
- l. Financial institutions except check cashing businesses as defined in Section 9.32. **[Ord. 6380, 4/21/1999; Ord. O-2006-0061, 10/17/2006]**
- m. Florist shops.
- n. Grocery stores. **[Ord. O-2015-0002, 1/6/2015]**
- o. Furniture upholstery, refinishing and repair shops.
- p. Gift shops.
- q. Gun ranges, indoor.
- r. Hardware stores.
- s. Hobby and gift stores.
- t. Laundromats, automatic self-service only (or hand laundry).
- u. Printing, commercial. **[Ord. O-2017-0043, 10/3/2017]**

Editor's Note: Former Subsection (1)(u), which set forth liquor stores (packaged liquor) as a permitted use, was repealed 3-21-2017 by Ord. O-2017-0016.

- v. Offices; business, professional and governmental. **[Ord. O-2015-0001, 1/20/2015]**
- w. Office supply stores.
- x. Medical clinics. **[Ord. O-2015-0001, 1/20/2015]**
- y. Pet shops. **[Ord. O-2015-0016, 3/3/2015]**
- z. Post Office.
- aa. Animal grooming. **[Ord. O-2005-0022, 5/17/2005; Ord. O-2015-0016, 3/3/2015]**
- ab. Shoe, clothing and hat repair.
- ac. Shoe stores.
- ad. Sporting goods shops.
- ae. Tailor shops.
- af. Resale stores. **[Ord. O-2007-0026, 8/7/2007 (repeal and recreate); Ord. O-2015-0029, 5/7/2015]**
- ag. Videotape sales and rental.
- ah. Tattoo and/or body piercing establishments. **[Ord. O-2016-0020, 5/3/2016]**

Editor's Note: Former Subsection (1)(hh), Catering establishments, added 2/4/1997 by Ord. 6288, was repealed 1/6/2015 by Ord. O-2015-0002.

- ai. Music stores, including instrument sales and service. **[Ord. 6301, 4/1/1997]**
- aj. Instruction and/or training facility, small. **[Ord. O-2017-0007, 2/23/2017]**

Editor's Note: Former Subsection (1)(jj), which set forth tattoo and/or body piercing establishments as permitted uses, added 1-5-1999 by Ord. 6415, was

repealed 8-7-2007 by O-2007-0027.

- ak. Jewelry stores. **[Ord. 6471, 10/19/1999]**
 - al. Home improvement contractors (electrical, plumbing, tile/flooring, HVAC, carpentry and related activities). **[Ord. 6586, 9/18/2001]**
 - am. Tanning and toning salons. **[Ord. O-2005-0022, 5/17/2005]**
 - an. Employment agencies and offices conditioned upon the following: **[Ord. O-2005-0022, 5/17/2005]**
 - i. Transportation for temporary employees shall not be provided by, or on behalf of, the employment agency from the agency or office to the work site.
 - ii. Employees shall not report to the employment agency or office for work assignments. The employees shall report directly to the work site assigned. Applicants for employment shall not be allowed to use public property as a waiting area.
 - iii. Restroom facilities adequate for applicants shall be provided on site.
 - ao. Photography studios and film developing. **[Ord. O-2005-0022, 5/17/2005]**
 - ap. Public utility service structures not larger than six (6) feet tall and twenty-five (25) square feet in surface area, conditioned upon the following: **[Ord. O-2008-0006, 2/5/2008; Ord. O-2008-0031, 7/1/2008]**
 - i. Site, landscaping and screening, and architectural review of the public utility service structure and the immediate area surrounding the structure, by the Department of Development staff. Public utility service structures shall be effectively screened from any abutting lot(s) and City right-of-way by landscaping or other means, as necessary, as approved by the Department of Development staff; and
 - (1) If the staff and applicant are unable to come to an agreement on the proposed location and screening, the applicant may file a request for a variance with the Plan Commission by submitting a written request to the Department of Development not less than twenty (20) days before the next regularly scheduled Plan Commission meeting. At the time that a request for a variance is made, the applicant shall pay the required fee in accordance with development review fees in Chapter 12 of the Revised Municipal Code.
 - ii. Public utility service structures shall not be located within any front yard or corner side yard on private property.
 - aq. Art galleries. **[Ord. O-2017-0050, 11/21/2017]**
 - ar. Tourist Rooming House, conditioned upon the following:
 - i. The structure is a single or two-family residence, or a mixed-use or multifamily containing not more than 4 dwelling units.
 - as. Taverns and cocktail lounges.
 - at. Alcohol beverage sales.
2. Special Uses. **[Ord. 6380, 4/21/1998]**
- a. Automobile convenience stores and gas stations. **[Ord. O-2006-0012, 3/21/2006]**

- b. Automobile repairs (including automobile body shops). **[Ord. 6615, [repeal 1241(2)(c)], 6/4/2002]**
- c. Automobile service stations.
- d. Food production, limited. **[Ord. O-2015-0002, 1/6/2015]**
- e. Massage therapy. **[Ord. O-2017-0044, 10/17/2017]**

Editor's Note: Former Subsection (2)(f), Candy and ice cream stores (confectionery), was repealed 1/6/2015 by Ord. O-2015-0002.

- f. Day care centers and senior day care centers licensed under the provisions of the Wisconsin Statutes.
- g. Drive-in or drive-thru facilities for permitted uses. **[Ord. 6380, 4/21/1998]**
- h. Family day care homes as licensed under sec. 48.65 of the Wisconsin Statutes.
- i. Mixed residential and commercial uses.
- j. Multi-family dwellings.
- k. Parking lots and structures for the storage of private passenger automobiles.
- l. Parks, libraries and other public uses.
- m. Planned developments, business or commercial.
- n. Public and private educational institutions including the following:
 - i. Elementary schools.
 - ii. Junior and senior high schools.
 - iii. Vocational and/or trade schools.
 - iv. Colleges and Universities.
- o. Public utility service structures larger than six (6) feet tall and twenty-five (25) square feet in surface area (excluding antenna towers for radio, TV and television, and telephone transmission), electric substations, water pumping stations and other similar uses. **[Ord. O-2008-0006, 2/5/2008]**
- p. Radio towers and transmission stations.
- q. Religious institutions including the following:
 - i. Churches, chapels, temples of worship, and synagogues.
 - ii. Seminaries, monasteries and religious retreat centers.
 - iii. Rectories, convents and parish houses.
- r. Restaurants.
- s. Seasonal outdoor sales and display of nursery stock and related garden equipment, provided such display is limited to not more than five hundred (500) square feet when such outdoor display is accessory to a principal use. When such outdoor sales and display is an extension of the principal use, there shall be no limitation on such outdoor sales and display.
- t. ~~Faverns and cocktail lounge.~~ **(Reserved)**
- u. Instruction and/or training facility. **[Ord. 6471, 10/19/1999; Ord. O-2017-0007, 2/23/2017]**
- v. Homes for the aged and nursing, rest or convalescent homes which are not intended to serve as treatment centers for contagious diseases or for drug or alcohol abuse. **[Ord. 6500, amend, 2/15/2000]**
- w. Entertainment clubs as defined in Section 9.31 of the Revised Municipal Code.

[Ord. 6531, create, 9/5/2000]

- x. Collocation/attachment of telecommunication equipment. **[Ord. 6538, 10/17/2000]**
- y. Outdoor dining areas for "food establishments" under Section 7.04(1)(c). **[Ord. 6568, 5/15/2001]**
- z. Veterinary clinics. **[Ord. 6572, 5/15/2001]**
- aa. Funeral homes. **[Ord. 6578, 7/2/2001]**
- ab. Athletic, health clubs. **[Ord. O-2005-0022, 5/17/2005; Ord. O-2015-0001, 1/20/2015]**
- ac. ~~Alcohol beverage sales (Class A License for original and/or transfer applications). **[Ord. O-2017-0016, 3/21/2017]**~~

~~Editor's Note: Former Subsection (2)(dd), which set forth secondhand article stores as special uses, added 5-7-2013 by Ord. O-2013-0033, was repealed 6-16-2015 by Ord. O-2015-0034 (Reserved).~~

- ad. (Reserved) **[Ord. O-2007-0026, 8/7/2007, Ord. O-2010-0051, 1/4/2011 (repealed)]**
- ae. (Reserved) **[Ord. O-2007-0026, 8/7/2007, Ord. O-2010-0051, 1/4/2011 (repealed)]**

3. Required Conditions. **[Ord. 6380, 4/21/1998]**

- a. All business, service, repair or processing, storage or merchandise display shall be conducted wholly within an enclosed building, except for off-street automobile parking and loading.
- b. No business permitted in this district shall occupy a building containing more than five thousand (5,000) square feet of gross floor area. **[Ord. 6586, 9/18/2001]**
- c. Processes and equipment employed and goods processed or sold shall be limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas, noise, vibration, refuse matter or water-carried waste.
- d. A site, landscaping and screening plan in accordance with Section 12.13 of the Revised Municipal Code shall be required when commercial vehicles are associated with a use. **[Ord. 6586, 9/18/2001]**
- e. All business establishments shall contain a minimum of 10% of storefront floor area to on-site retail or consumer service area. **[Ord. O-2006-0012, 3/21/2006; Ord. O-2015-0002, 1/6/2015; Ord. O-2017-0043, 10/3/2017]**

4. Floor Area Ratio. In the C-2 District, floor area ratio shall not exceed 1.0.

5. Yard Requirements. **[Ord. 6597, 11/20/2001]**

- a. Front. No required setback.
- b. Side and Rear. There shall be a ten-foot setback from any side or rear lot line that abuts a lot located in a residential zoning district or a lot in a commercial zoning district used for a single- or two- family dwelling and such use is not a nonconforming use.

6. Off-Street Parking and Loading Requirements. Off-street parking and loading facilities shall be provided in accordance with Section 12.19 of this Subchapter.

SECTION 4: AMENDMENT “12.43 C-4 Regional Commercial District” of the City Of West Allis Municipal Code is hereby *amended* as follows:

A M E N D M E N T

12.43 C-4 Regional Commercial District

The C-4 Regional Commercial District is intended to accommodate those commercial land uses which are generally larger scale and rely on heavy automobile traffic for support.

1. Permitted Uses. **[Ord. O-2006-0012, 3/21/2006]**
 - a. Those uses permitted in the C-3 Commercial District except one- and two-family residence districts.
 - b. Photographic developing and processing.
 - c. Plumbing, heating and ventilating and electrical equipment showrooms and shops.
 - d. Nominal price retail stores and provided that no other similar establishment is located within 1,000 feet.
2. Special Uses. **[Ord. 6279, 12/17/1996]**
 - a. Those special uses permitted in the C-3 District.
 - b. Antenna towers for radio, TV and television and telephone transmission.
 - c. Arcades and pool halls licensed under Chapter 9 of the City Code.
 - d. Car wash facilities.
 - e. Commercial parking lots for private passenger vehicles.
 - f. Outdoor sales and display areas.
 - g. Recording or sound studios.
 - h. Shopping malls.
 - i. ~~Taverns, including live entertainment and dancing.~~ **[Reserved]**
 - j. Outdoor sales, rental or leasing of motor vehicles that are subject to motor vehicle registration and used for private personal use subject to the following: **[Ord. 6615, 6/4/2002; Ord. O-2009-0039, 12/15/2009; Ord. O-2013-0049, 11/5/2013]**
 - i. Minimum lot size: one (1) acre;
 - ii. Twenty percent (20%) landscaping site coverage;
 - iii. Off-street parking in accordance with Section 12.19;
 - iv. All sales, repair and display shall be conducted on site;
 - v. All vehicle display and parking stalls to be identified on a site plan;
 - vi. All repair/stored (not sale) vehicles may sit idle for no longer than 45 days;
 - vii. All vehicles shall be licensed and registered with the Wisconsin Department of Transportation; and
 - viii. All service repair/overhead doors shall remain closed during vehicle repair.

- k. Check-cashing, money order, payday, title for cash, convenient-cash, and cash loan/advance services and similar short-term credit establishments, provided that no other similar establishment as defined in Section 9.32 is located within 3,500 feet. **[Ord. O-2004-0040, 10/5/2004; Ord. O-2006-0040, 10/17/2006]**
- l. (Reserved)

Editor's Note: Former Subsection (2)(l), Tattoo and/or body piercing establishments, added 3-21-2006 by Ord. O-2006-0012, as amended, was repealed 5-3-2016 by Ord. No. O-2016-0020.

- m. Kennels. **[Ord. O-2015-0016, 3/3/2015]**
- n. Pawn shops, and secondhand jewelry dealers as defined in Section 9.15 of the Revised Municipal Code and provided that no other similar establishment is located within 3,500 feet and conditioned upon the following clarifications: **[Ord. O-2010-0051, 1/4/2011; Ord. O-2013-0022, 5/7/2013]**
 - i. Secondhand jewelry dealers primarily engaged, meaning when either twenty percent (20%) or more of the floor area for display space or business operations is devoted to secondhand transactions and/or the buying of jewelry or precious metals.
 - ii. General retail establishments, with less than the above-referenced of twenty-percent threshold, are considered permitted uses.
- o. Thrift stores. **[Ord. O-2015-0029, 5/7/2015]**

3. Floor Area Ratio. The floor area ratio on a lot shall not exceed 1.0.

4. Yard Requirements.

- a. Front and Corner Side Yard. There shall be provided on every lot a front yard and corner side yard of not less than ten (10) feet in depth.
- b. Rear Yard. Same as required in C-2 District.
- c. Transitional Yard. No building or structure in the C-4 District shall be located within one hundred (100) feet of a Residence District boundary line, unless such building or structure is effectively screened from such Residence District property by a wall, fence or densely planted compact hedge not less than five (5) feet or more than eight (8) feet in height. The Common Council may waive this requirement for the structure, use or building if already effectively screened by natural topography or existing screening comparable to the types mentioned.

5. Off-Street Parking and Loading Facilities. Off-street parking and loading facilities shall be provided in accordance with Section 12.19 of this Subchapter. **[Ord. O-2013-0022, 5/7/2013]**

SECTION 5: REPEALER CLAUSE For any property that has been issued a special use permit under the provisions affected by this ordinance, the conditions placed upon that special use permit shall become specific conditions upon the current licensee's alcohol license(s) pursuant to Section 9.02(12m) of this code.

SECTION 6: 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

_____.

	AYE	NAY	ABSENT	ABSTAIN
Ald. Grisham	_____	_____	_____	_____
Ald. Haass	_____	_____	_____	_____
Ald. Kuehn	_____	_____	_____	_____
Ald. Lajsic	_____	_____	_____	_____
Ald. Reinke	_____	_____	_____	_____
Ald. Roadt	_____	_____	_____	_____
Ald. Stefanski	_____	_____	_____	_____
Ald. Tenorio	_____	_____	_____	_____
Ald. Vitale	_____	_____	_____	_____
Ald. Weigel	_____	_____	_____	_____

Presiding Officer

Attest

Dan Devine, Mayor, City Of West
Allis

Rebecca Grill, City
Administrator/Clerk City Of West
Allis