



**STAFF REPORT
WEST ALLIS PLAN COMMISSION
Thursday, December 14, 2023
5:00 PM**

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7. Ordinance to Amend Section 19 of the West Allis Revised Municipal Code, relative to allowing certain animal services as limited uses and defining rummage sales.

Overview

Since adopting the last minor zoning code updates October 3, 2023, Planning and Zoning staff identified several items that require revisions to allow for better implementation and alignment with the goals of the zoning code.

Animal Services

Increasingly, pets are being humanized in our society. More and more households are owning pets, particularly the young households and families which the city is trying to attract. Households that do have pets are also treating them differently. Demand for pet services is on the rise, and people want these services to be accessible. Ultimately, these changes are influencing the way in which animal services are regulated across the country.

In the proposed zoning code update, staff recommends several changes to better regulate animal services and allow for more animal services to be located closer to where people live. This primarily includes allowing certain uses to be allowed in commercial districts rather than solely in industrial districts. Proposed changes include:

- The broad use of “Animal Boarding” should be broken up and redefined. Several new uses should be specifically defined which were previously included in the same definition:
 - Animal Boarding = The use of a lot to shelter, feed, and care for animals for compensation but not within the practice of veterinary medicine under Wis. Stat. 97.02(6)
 - Animal Breeding = The use of a lot to allow animals to copulate for compensation; or birth the offspring of an animal for compensation
 - Animal Training = The use of a lot to teach animals, for compensation, to react in specific manners to a person’s commands
- The uses should be expanded to new districts as Limited Uses.

Service	RA-1	RA-2	RA-3	RB	RC	C-1	C-2	C-3	C-4	I-1	I-2	P	SF
Animal Boarding and Animal Breeding								L	L	L	P		
Animal Training						L	L	L	L	L	P		

- Limited Use criteria should be created which restricts activity to ensure activity is not detrimental to residential neighbors’ enjoyment of their property.
 - Commercial and I-1 Districts: Permitted if all activity takes place indoors and no noise from the activity is audible from a lot used for residential purposes

Rummage Sales

In recent months, certain examples of rummage type sales on non-residential properties have cropped up and exposed a gap in the code. To close this gap and regulate rummage sales as intended, staff recommends the following changes which would clearly define rummage sales and prevent these sales on non-residentially used lots:

- Define rummage sales in alignment with state statutes
 - Rummage Sales = The sale of tangible goods from a lot used for residential purposes only if, in a calendar year, the seller's total revenue from all sales on that lot does not exceed \$2,000 and goods are offered for sale not more than 5 days
- Add rummage sales to the accessory use table

Accessory Use	RA-1	RA-2	RA-3	RB	RC	C-1	C-2	C-3	C-4	I-1	I-2	P	SF
Rummage Sales	P	P	P	P	P	P	P	P	P	P	P		

Recommendation: Approve the Ordinance to Amend Section 19 of the West Allis Revised Municipal Code, relative to allowing certain animal services as limited uses and defining rummage sales subject to the following conditions Common Council approval.