



**STAFF REPORT
WEST ALLIS PLAN COMMISSION
Wednesday, August 24, 2022
6:00 PM
City Hall – Room 128**

Watch: <https://www.youtube.com/user/westalliscitychannel>

7. Ordinance to amend Chapter 19 zoning ordinance for house cleaning edits.

Overview

Since adopting the new zoning code May 6, 2022, Planning and Zoning staff has collaborated with the City Attorney's office to identify small errors in the zoning code and make certain adjustments and additions.

Small Changes

- **19.14(2)(b):** "special use" to "conditional use"
- **19.21:** "1-unit" changed to "detached" dwellings in the intention statement for RA-1, RA-2, and RA-3 districts.
- **19.32:** allow Hotels as a Conditional Use in C-2
- **Secondhand Article vs. Jewelry:** split Secondhand Article from Secondhand Jewelry sales. Define each in 19.16. Allow Secondhand Article as Permitted in Commercial Districts. Only allow Secondhand Jewelry as a Conditional Use in C-4.
- **19.41:** rename "Structure Size and Location" to "Building Size and Location" to describe regulations more accurately.
- **19.42:** rename "Residential Accessory Structures" to "Residential Accessory Building" to describe regulations more accurately.
- **19.43:** add 5. Fences are allowed in front yards of commercial and industrial districts in accordance with an approved site plan.
- **19.44(3):** add caps to the minimum bicycle parking requirements (minimum required shall not exceed) for Retail, Service, Civic & Institutional, Medical, and Automobile Parts Sale uses.
- **19.44(5):** add "Private Road" language. Clarify restricted locations of vehicle parking in residential yards. Specify that no lot may contain more than 1 garage, no attached garage may exceed 1,000 sq. ft.

Industrial Districts

Background: When reviewing the zoning code, staff recognized inconsistencies with the application of the terms "Industrial" and "Manufacturing." The term "Industrial" is more heavily used in the code because it is broader than the term "Manufacturing." Industrial uses include manufacturing, but the term manufacturing does not necessarily encompass all industrial uses. For example, warehousing is a type of industrial use, but is not a manufacturing use.

In the May 6 update, the term "Manufacturing" was used to describe the zoning districts intended for industrial uses. The term "Industrial" is more appropriate and the zoning code should be updated to reflect this.

Proposed Changes:

- Rename “Manufacturing Districts” “Industrial Districts”
- Change “M-1” and “M-2” district titles to “I-1” and “I-2”

Adult Day Care Center

Background: In the May 6 update, Adult Day Care Centers were inadvertently folded in with Neighborhood or General Service and only allowed in Commercial Districts as a permitted use. The previous code and intent of the update was to treat Adult Day Care Centers more similar to Child Care Centers, allowing them in all zoning districts (except C-1) as a Conditional Use.

Proposed Changes:

- **19.16 Definitions:** add new definition for Adult Day Care Centers, referring to Wis. State Statutes.
- **19.32 Principal Uses:** add new category for Adult Day Care Center, allow as Conditional Use in all Residential Districts and the P district, allow as Permitted Use in C-2, C-3, C-4, I-2, and I-2.

Advanced Manufacturing

Background: Over the past year, Economic Development and Planning staff identified a problem with the city’s treatment of certain industrial users. The code is carefully restrictive of industrial uses, which is valuable to protect the health, safety, and general welfare of the public. However, technological advancements have allowed certain desirable, job-dense industries to operate without the negative impacts typical of manufacturing. To better accommodate these industries, staff is proposing a new use category “Advanced Manufacturing.”

Proposed Changes:

- **19.16 Definitions:** Advanced Manufacturing = the act of converting raw materials into finished products by using manual or mechanized transformational techniques in a manner that does not produce any vibration, odor, emission, or noise outside of a building.
- **19.32 Principal Uses:** add to table, allow as Conditional Use in C-3, C-4, allow as Permitted Use in I-1, I-2*
- **19.34 Conditional Use Criteria:** Add criteria for Advanced Manufacturing, in C-3 may not have outdoor storage of materials

Antennas/Wireless Facilities

Background: The City Attorney’s office identified several regulations in the zoning code that do not align with recent case law or state regulations regarding antennas and other wireless facilities.

Proposed Changes:

- **19.16 Definitions:** new definitions added for Class 1 and Class 2 Collocation of Mobile Service Facility, Mobile Service Support Structure
- **19.32 Principal Uses:** create new category for Class 1 Collocation of Mobile Service Facility, allow as Conditional Use in all districts. Create new category for Class 2

Collocation of Mobile Service Facility, allow as Permitted Use in all districts. Create new category for Mobile Service Support Structure, allow as Conditional Use in all districts.

- **19.35 Accessory Uses:** create new category for Class 1 Collocation of Mobile Service Facility, allow as Conditional Use in all districts. Create new category for Class 2 Collocation of Mobile Service Facility, allow as Permitted Use in all districts. Create new category for Mobile Service Support Structure, allow as Conditional Use in all districts.
- **19.37 Other Use Regulations:** add 5. Mobile Tower Siting to describe application process and regulations.

3-4 Unit Dwellings

Background: One goal of the May 6 update was to allow more choice in housing for West Allis residents by better accommodating a variety of housing types in the zoning code. Since the May 6 update, staff identified a change that would improve how small apartment buildings and mixed-use buildings are regulated.

3-4 Unit Dwellings are often found in the city's Commercial Districts and are an appropriate and desirable addition to these areas. Currently, 3-4 Unit Dwellings are a Conditional Use in Commercial Districts. This use does not cause significant impacts on Commercial Districts and should be encouraged. To better promote this use, staff recommends making 3-4 Unit Dwellings a Permitted Use in Commercial Districts.

Proposed changes:

- **19.32 Principal Uses:** change the use classification for 3-4 Unit Dwellings from Conditional to Permitted in C-1, C-2, C-3, and C-4.