

**CITY OF WEST ALLIS  
ORDINANCE O-2023-0052**

**ORDINANCE TO AMEND ZONING REGULATIONS RELATED TO CHILD CARE  
CENTERS, NICOTINE SALES, AND MISCELLANEOUS PROVISIONS**

**AMENDING CH. 19**

**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** “19.16 Definitions” of the City Of West Allis Municipal Code is hereby *amended* as follows:

**AMENDMENT**

19.16 Definitions

The terms below shall have the following meanings within this chapter:

<b>Term</b>	<b>Definition</b>
Accessory Building	Any building other than the principal building
Accessory Dwelling Unit	A dwelling unit other than the principal dwelling unit
Accessory Structure	Any structure other than a principal building
Accessory Use	A subordinate use which is clearly and customarily incidental to the principal use on the lot
Adult Day Care Center	The use of a lot in the manner described in <a href="#">Wis. Stat. 49.45(47)(a)</a>

Adult-Oriented Entertainment	The use of a lot in the manner described in <a href="#">WAMC 9.59</a>
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.
Alcohol Beverage Sales	The retail sale of alcohol beverages in the manner described in <a href="#">Wis. Stat. 125.25</a> and <a href="#">125.51(2)</a>
Ambulance Services	The use of a lot in the manner described under <a href="#">Wis. Stat. 256.01(2)</a>
Animal Boarding	The boarding, breeding, or training of animals for compensation
Automobile Part Sales	The retail sale of automobile components or accessories
Bed and Breakfast	The use of a lot in the manner described in <a href="#">Wis. Stat. 97.01(1g)</a>
Bicycle Parking Space (indoor)	An area measuring at least 2 feet wide and 6 feet long located inside a building and properly designated for the parking of 1 bicycle
Bicycle Parking Space (outdoor)	An area measuring at least 2 feet wide and 6 feet long located outside a building that includes an anchored structure designed to allow 1 bicycle to be locked to it using common bicycle locks
Bicycle Rack	A structure used to provide bicycle parking space
Building	A structure that shields persons or property from the elements
Building Height	The vertical distance measured from the average established grade at the front lot line to the highest point of a building, including all appurtenances
Building Area	The total area of a building bounded by its exterior walls
Building Coverage	The sum of all building areas on a lot
Car Wash Service	The washing and cleaning of motor vehicles for compensation
Child Care Center	The use of a lot in the manner described in <a href="#">Wis. Stat. 49.136(1)(ad)</a>
Class 1 Collocation of Mobile Service Facility	The use of a lot in the manner described in <a href="#">Wis. Stat. 66.0404(1)(d)</a>
Class 2 Collocation of Mobile Service Facility	The use of a lot in the manner described in <a href="#">Wis. Stat. 66.0404(1)(e)</a>
Civic Institution	Unless more specifically defined, the use of a lot by a governmental entity
Commercial Light Industrial Flex	The light industrial use of a lot to distribute goods that are also sold in an on-site retail space

Community Living Arrangement	The use of a lot in the manner described in <a href="#">Wis. Stat. 46.03(22)</a> , <a href="#">48.743(1)</a> , <a href="#">48.02(6)</a> , or <a href="#">50.01(1)</a>
Conditional Use	A use that is allowed upon meeting all conditions specified in the code and those imposed by the common council
Crematory	The use of a lot in the manner described in <a href="#">Wis. Stat. 440.70(8)</a>
Donation Center	The receiving of donated goods from the public for redistribution to the public at no cost
Drive-Through Service	The delivery of products or services to customers while the customer is inside a vehicle
Dry Cleaning	The use of a lot in the manner described in <a href="#">Wis. Stat. 77.996(2)</a>
Dwelling Unit	A structure or that part of a structure which is used or intended to be used as a home, residence or sleeping place by one or more persons maintaining a common household, to the exclusion of all others
Electric Vehicle Charging	The use of a lot to supply electrical power in excess of 120 volts to charge fully integrated batteries that set vehicles into motion
Employment Agency	The use of a lot in the manner described in <a href="#">Wis. Stat. 111.32(7)</a>
Event Space	The use of a lot for the gathering of individuals at a specific time for direct or indirect compensation
Family Child Care Home	The use of a lot in the manner described in <a href="#">Wis. Stat. 66.1017(1)(a)</a>
Floor Area Ratio	The numerical value obtained through dividing the gross floor area by the total area of the lot ( <a href="#">diagram</a> )
Food Production	The use of a lot in the manner described in <a href="#">Wis. Stat. 97.29(1)(g)</a> where processed food is available to be sold or distributed directly to a consumer
Fuel Sales	The retail sale of vehicle fuel
Funeral Establishment	The use of a lot in the manner described in <a href="#">Wis. Stat. 445.01(6)</a>
General Retail	Unless more specifically defined, the retail sale of goods within a building that has a gross floor area of 8,000 square feet or greater
General Service	Unless more specifically defined, the sale of services within a building that has a gross floor area of 8,000 square feet or greater
Gross Floor Area	The sum of all areas within a building designed to carry a vertical load, excluding any area used exclusively for off-street parking or equipment that provides utilities or climate control to the building
<a href="#">Group Child Care Center</a>	<a href="#">The use of a lot in the manner described in Wis. Stat. 49.136(1)(k)</a>

Heavy Motor Vehicle Sales	The use of a lot in the manner described in <a href="#">Wis. Stat. 218.0101(23)</a> and offering any vehicles having a gross vehicle weight rating of 10,001 pounds or greater
Heavy Motor Vehicle Service	The maintenance, repair, or enhancement of motor vehicles having a gross vehicle weight rating of 10,001 pounds or greater for compensation
Home-Based Business	The use of a lot in the manner described in <a href="#">Wis. Adm. Code SPS 361.04(3m)</a> , except a home office
Home Office	The accessory use of a dwelling unit to carry on that occupation to carry on an occupation for which clients do not meet at the dwelling unit and no packages are sent from the dwelling unit
Hospital	The use of a lot in the manner described in <a href="#">Wis. Stat. 50.33(2)</a>
Hotel	The use of a lot in the manner described in <a href="#">Wis. Stat. 97.01(7)</a>
Industrial	Unless more specifically defined, the use of a lot for creating products by combining or connecting other materials
Instruction/Training	The use of a lot for teaching one particular skill or conducting a class on one subject
Large Retail Development	The use of a lot or combination of lots for retail sales with a display area of 50,000 square feet or more
Laundry (self-service)	The use of a display area laundry services performed by the customer through the use of self-service machines
Light Industrial	The use of a lot for creating products by combining or connecting other materials, but only if 1) no noise, vibration, or odor is reasonably detectible from off the lot, 2) no hazardous materials are stored or processed on the lot, 3) no industrial activities take place outside a building, and 4) no material is disbursed in the air from the lot
Light Motor Vehicle Sales	The use of a lot in the manner described in <a href="#">Wis. Stat. 218.0101(23)</a> and offering only vehicles having a gross vehicle weight rating of 10,000 pounds or less
Light Motor Vehicle Sales (indoor)	The use of a lot in the manner described in <a href="#">Wis. Stat. 218.0101(23)</a> and offering only vehicles having a gross vehicle weight rating of 10,000 pounds or less entirely within a building
Light Motor Vehicle Service	The maintenance, repair, or enhancement of motor vehicles having a gross vehicle weight rating of 10,000 pounds or less for compensation
Limited Use	A use that is allowed upon meeting all conditions specified in the code

Lodging House	Conducting the activities described in <a href="#">Wis. Stat. 779.43(1)(b)</a>
Lot	A distinct parcel, tract, or area of land established by plat, subdivision, or other instrument recorded in the office of the register of deeds
Lot Coverage	The percentage of the lot which is occupied by buildings ( <a href="#">diagram</a> )
Lot Line, Front	If one street borders a lot, the portion of a lot that borders that street. If multiple streets border a lot, the portion of a lot that borders the street deemed primary by the manager of planning and zoning
Lot Line, Rear	The portion of a lot that borders an alley. If no alley exists, the portion of a lot opposite a front lot line.
Lot Line, Side	The portion of a lot that is not a front or rear lot line
Lot Width	The shortest distance between side lot lines at a point midway between the front and rear lot lines
Massage Therapy	The use of a lot in a manner described in <a href="#">Wis. Stat. 460.01(4)</a> for compensation
Medical Clinic	The use of a lot for the provision of outpatient nursing, medical, podiatric, dental, chiropractic, or optometric care and treatment outside of a residence or a hospital
Medical Services	The use of a lot for blood or blood plasma donation, kidney dialysis, birth center services, or treatment of sexually transmitted diseases outside of a residence or a hospital
Mobile Service Support Structure	The use of a lot in a manner described in <a href="#">Wis. Stat. 66.0404(1)(n)</a>
Narcotic Treatment Service	The use of a lot in a manner described in <a href="#">Wis. Stat. 51.4224(1)(a)</a> outside of a hospital
Neighborhood Retail	Unless more specifically defined, the retail sale of goods within a building that has a gross floor area of less than 8,000 square feet
Neighborhood Service	Unless more specifically defined, the sale of services within a building that has a gross floor area of less than 8,000 square feet
Nicotine Sales	The use of <del>20</del> 10% or more of a gross floor area for the retail sale of <a href="#">any</a> cigarettes, tobacco products, nicotine products, <del>or</del> <a href="#">and</a> any device used to ingest cigarettes, tobacco products, or nicotine products
Nominal Price Retail	The retail sale of primarily inexpensive general merchandise at a price of \$10.00 per item or less

Outdoor Dining	The use of a lot for consumption of food outside of a building on the premises of a restaurant
Outdoor Display	The presentation outside of a building of goods offered for retail sale or examples of goods offered for retail sale
Outdoor Storage	Except for outdoor displays, the placement of any items outside a building for the purpose of storing the items for more than 24 consecutive hours
Parking Lot	A structure that is not a building which is built at grade and used to facilitate the ingress, egress, and parking of motor vehicles
Parking Structure	A building used to facilitate the ingress, egress, and parking of motor vehicles
Pawnbroker	The purchasing and selling of articles or jewelry in a manner described in <a href="#">Wis. Stat. 134.71(1)(e)</a>
Payday Lender	The use of a lot in a manner described in <a href="#">Wis. Stat. 62.23(7)(hi)1.b.</a>
Permitted Use	A use that is allowed without any specified conditions
Principal Building	The building on a lot in which a principal use is primarily conducted
Principal Dwelling Unit	The dwelling unit or units located within the principal building
Principal Use	A primary or predominant use of a premises
Production/Repair	The accessory use of a lot to produce or service items similar to those sold on-site at retail as a principal use
Public Park	A lot that is primarily used for recreational activity and open to the public at no cost
Public Utility Service Structure	A structure that is exclusively used to provide public utilities
Recreation	The use of a lot for conducting live sports, activities, or games of skill for the entertainment of participants
Recreation (indoor)	The use of a lot for conducting live sports, activities, or games of skill for the entertainment of participants entirely within a building
Religious Institution	The use of a lot for the assembly of persons for religious purposes and related use for religious ceremonies, purposes, and events
Research Laboratory	The use of a lot for testing, investigation, development, or verification of scientific processes to advance technology
Residential Care Service	The use of a lot as a nursing home as described in <a href="#">Wis. Stat. 50.01(3)</a> , a hospice as described in <a href="#">Wis. Stat. 50.90(1)</a> , or a

	residential care apartment complex as described in <a href="#">Wis. Stat. 50.034</a>
Restaurant	The use of a lot in the manner described in <a href="#">Wis. Stat. 97.01(14g)</a>
Restricted Manufacturing	The preparation, processing, assembling, or packing of a product that may be lawfully advertised as blind-made under <a href="#">Wis. Stat. 47.03(3)(a)</a>
School	The use of a lot for teaching more than one skill or conducting classes on more than one subject
Secondhand Article or Jewelry Sales	The purchasing and selling of articles or jewelry in the manner described in <a href="#">Wis. Stat. 134.71(1)(g)</a> or <a href="#">(h)</a>
Self-Service Storage	A type of light industrial use of a lot in a manner described in <a href="#">Wis. Stat. 704.90(1)(g)</a>
Setback	The distance between a lot line and a building or structure
Short-Term Rental	The use of a lot in a manner described in <a href="#">Wis. Stat. 66.0615(1)(dk)</a>
Site Plan	A document or set of documents that show the physical layout of a lot, landscaping arrangement and description, and architectural drawings of any structures located on the lot
Sport Shooting Range	The use of a lot in the manner described in <a href="#">Wis. Stat. 66.0409(1)(c)</a>
State Fair Use	The use of a lot in a manner authorized under <a href="#">Wis. Stat. 42.01</a>
Structure	Any object that is affixed to the ground and not created by nature
Substation	A structure used for the transmission or distribution of electrical power, light, heat, water, gas, sewer, telegraph or telecommunication services
Tavern	The retail sale of alcohol beverages in the manner described in <a href="#">Wis. Stat. 125.26</a> and <a href="#">125.51(3)</a>
Theater	The use of a lot for the exhibition of a motion picture or performing arts to the public
Thrift Retail	The receiving of donated goods from the public for on-site sale of those goods to the public
Use	A constant, occasional, or isolated act taking place with or without the knowledge of any person occupying a lot
Utility Pole	A structure described in <a href="#">Wis. Stat. 66.0414(1)(x)</a> or any structure designed solely for the collocation of small wireless facilities
Veterinary Services	The use of a lot for the practice of veterinary medicine under <a href="#">Wis. Stat. 89.02(6)</a>

Warehousing, Private	A type of light industrial use of a lot for the storage of property owned by the operator and intended for wholesale or retail distribution
Warehousing, Public	A type of light industrial use of a lot in the manner described in <a href="#">Wis. Stat. 99.01(3)</a>
Waste Services	The use of a lot as a solid waste facility under <a href="#">Wis. Stat. 289.01(35)</a> , pyrolysis facility under <a href="#">Wis. Stat. 289.01(27m)</a> , or gasification facility under <a href="#">Wis. Stat. 289.01(9m)</a>
Wireless Support Structure	A structure described in <a href="#">Wis. Stat. 66.0414(1)(zp)</a> that actually used to support small wireless facilities
Yard	Any part of a lot that is not within a building
Yard, Front	The part of a lot from the front lot line to the principal building and any adjacent land (see image)
Yard, Rear	The part of a lot from the rear lot line to the principal building and any adjacent land (see image)
Yard, Side	The part of a lot that is not a rear or front yard

**SECTION 2:** **AMENDMENT** “19.32 Principal Uses” of the City Of West Allis Municipal Code is hereby *amended* as follows:

**AMENDMENT**

19.32 Principal Uses

The following table identifies the principal uses allowed in each zoning district. Each use is given one of the following designations: P (Permitted Use), L (Limited Use), or C (Conditional Use). Uses without a designation are not permitted.

Light Motor Vehicle Sales

<b>Residential &amp; Lodging</b>	<b>RA-1</b>	<b>RA-2</b>	<b>RA-3</b>	<b>RB</b>	<b>R-C</b>	<b>C-1</b>	<b>C-2</b>	<b>C-3</b>	<b>C-4</b>	<b>I-1</b>	<b>I-2</b>	<b>P</b>	<b>SF</b>
1-Unit Dwelling	P	P	P	P	P	L	L	L	L				



2-Unit Dwelling	L	L	P	P	P	L	L	L	L				
3- to 4-Unit Dwelling				P	P	P	P	P	P				
Dwelling with 5+ Units				C	P	C	C	C	C				
Bed and Breakfast	C	C	C	C	C								
Community Living Arrangement (8 or fewer persons)	P	P	P	P	P		P	P	P				
Community Living Arrangement (9 or more persons)				C	C		C	C	C				
Hotel						C	C	C	C	C	C		
Lodging House					C								
Residential Care Service	C	C	C	C	C		C	C	C	C	C		
Short-Term Rental	P	P	P	L	L	L	L	L	L	L			
<b>Retail</b>	<b>RA-1</b>	<b>RA-2</b>	<b>RA-3</b>	<b>RB</b>	<b>R C</b>	<b>C-1</b>	<b>C-2</b>	<b>C-3</b>	<b>C-4</b>	<b>I-1</b>	<b>I-2</b>	<b>P</b>	<b>SF</b>
Neighborhood Retail						P	P	P	P	P	P		
General Retail								P	P	P	P		
Large Retail Development								C	C	C	C		
Alcohol Beverage Sales							P	P	P	P	P		
Nicotine Sales								L	L	L	L		
Nominal Price Retail									L				
Pawnbroker Sales									C				
Secondhand Jewelry Sales									C				
Thrift Retail									C				
<b>Service</b>	<b>RA-1</b>	<b>RA-2</b>	<b>RA-3</b>	<b>RB</b>	<b>R C</b>	<b>C-1</b>	<b>C-2</b>	<b>C-3</b>	<b>C-4</b>	<b>I-1</b>	<b>I-2</b>	<b>P</b>	<b>SF</b>
Neighborhood Service						P	P	P	P	P	P		
General Service								P	P	P	P		
Tavern						P	P	P	P	P	P		
Restaurant (limited)						L	L	L	L	L	L		

Restaurant						C	C	C	C	C	C		
Animal Boarding										C	P		
Dry Cleaning								C	C	C	C		
Employment Agency						L	L	L	L	P	P		
Food Production (limited)						L	L	L	L	L	L		
Food Production						C	C	C	C	P	P		
Laundry (self-service)						C	P	P	P	P	P		
Massage Therapy						C	C	C	C	C	C		
Payday Lender									C	C	C		
<b>Civic &amp; Institutional</b>													
	<b>RA -1</b>	<b>RA -2</b>	<b>RA -3</b>	<b>RB</b>	<b>R C</b>	<b>C- 1</b>	<b>C- 2</b>	<b>C- 3</b>	<b>C- 4</b>	<b>I-1</b>	<b>I-2</b>	<b>P</b>	<b>SF</b>
Adult Day Care Center	C	C	C	C	C		P	P	P	P	P	C	
Child Care Center (8 or fewer children)	PE	PE	PE	PE	PE		PE	PE	PE	PE	PE	PE	
Civic Institution					C	C	C	C	C	C	C		
Event Space or Theater (less than 5,000 sq. ft.)					C	P	P	P	P	P	P		
Event Space or Theater (5,000 or more sq. ft.)						C	C	C	C	P	P		
Funeral Establishment							C	C	C	C	C		
<u>Group Child Care Center</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>		<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	
Religious Institution	C	C	C	C	C		C	C	C	P	P	C	
School	C	C	C	C	C		C	C	C	C	C	C	
<b>Parks &amp; Recreation</b>													
	<b>RA -1</b>	<b>RA -2</b>	<b>RA -3</b>	<b>RB</b>	<b>R C</b>	<b>C- 1</b>	<b>C- 2</b>	<b>C- 3</b>	<b>C- 4</b>	<b>I-1</b>	<b>I-2</b>	<b>P</b>	<b>SF</b>
Public Park	C	C	C	C	C	C	C	C	C	C	C	P	
Instruction/Training (30 or fewer persons at one time)						P	P	P	P	P	P		
Instruction/Training (31 or more persons at one time)						C	C	C	C	C	C		
Recreation (indoor)						C	C	C	C	P	P	P	

Recreation											C	P	P	
Sport Shooting Range									P	P	P			
<b>Industrial</b>	<b>RA -1</b>	<b>RA -2</b>	<b>RA -3</b>	<b>RB</b>	<b>R C</b>	<b>C- 1</b>	<b>C- 2</b>	<b>C- 3</b>	<b>C- 4</b>	<b>I-1</b>	<b>I-2</b>	<b>P</b>	<b>SF</b>	
Advanced Manufacturing								C	C	P	P			
Commercial Light Industrial Flex								C	C	C	P			
Light Industrial										L	L			
Heavy Industrial											C			
Restricted Manufacturing								C	C	C	C			
<b>Medical</b>	<b>RA -1</b>	<b>RA -2</b>	<b>RA -3</b>	<b>RB</b>	<b>R C</b>	<b>C- 1</b>	<b>C- 2</b>	<b>C- 3</b>	<b>C- 4</b>	<b>I-1</b>	<b>I-2</b>	<b>P</b>	<b>SF</b>	
Ambulance Services										C	P			
Hospital					C			C	C	C	C			
Medical Clinic						P	P	P	P	P	P			
Medical Service							P	P	P	P	P			
Narcotic Treatment Service									L	L	L			
Veterinary Services						C	C	C	C	P	P			
<b>Automotive</b>	<b>RA -1</b>	<b>RA -2</b>	<b>RA -3</b>	<b>RB</b>	<b>R C</b>	<b>C- 1</b>	<b>C- 2</b>	<b>C- 3</b>	<b>C- 4</b>	<b>I-1</b>	<b>I-2</b>	<b>P</b>	<b>SF</b>	
Automobile Parts Sales								P	P	P	P			
Car Wash Service									C	C	L			
Fuel Sales							C	C	C	C	C			
Heavy Motor Vehicle Sales										C	P			
Heavy Motor Vehicle Service											C			
Light Motor Vehicle Sales (indoor)								C	C	C	P			
Light Motor Vehicle Sales									C	C	P			
Light Motor Vehicle Service							C	C	C	C	C			

<b>Infrastructure</b>	<b>RA -1</b>	<b>RA -2</b>	<b>RA -3</b>	<b>RB</b>	<b>R C</b>	<b>C- 1</b>	<b>C- 2</b>	<b>C- 3</b>	<b>C- 4</b>	<b>I-1</b>	<b>I-2</b>	<b>P</b>	<b>SF</b>
Class 1 Collocation of Mobile Service Facility	C	C	C	C	C	C	C	C	C	C	C	C	C
Class 2 Collocation of Mobile Service Facility	P	P	P	P	P	P	P	P	P	P	P	P	P
Mobile Service Support Structure	C	C	C	C	C	C	C	C	C	C	C	C	C
Parking Lot										L	L		
Parking Structure										L	L		
Public Utility Service Structure (at least 25 sq. ft. or at least 6 feet above grade) (less than 25 sq. ft. and less than 6 feet above grade)	P	P	P	P	P	P	P	P	P	P	P	C	
Public Utility Service Structure	C	C	C	C	C	C	C	C	C	C	C	C	
Substation										C	P	C	
Utility Pole										C	C		
<b>Other</b>	<b>RA -1</b>	<b>RA -2</b>	<b>RA -3</b>	<b>RB</b>	<b>R C</b>	<b>C- 1</b>	<b>C- 2</b>	<b>C- 3</b>	<b>C- 4</b>	<b>I-1</b>	<b>I-2</b>	<b>P</b>	<b>SF</b>
Adult-Oriented Entertainment								C	C	C	C		
Donation Center								C	C	C	C		
Research Laboratory								C	C	C	P		
State Fair Use													P

**SECTION 3:            AMENDMENT** “19.33 Limited Use Criteria” of the City Of West Allis Municipal Code is hereby *amended* as follows:

AMENDMENT

19.33 Limited Use Criteria

The following limited uses shall be permitted as principal uses upon satisfying the criteria below.

1. Residential & Lodging

<b>Principal Use</b>	<b>District(s)</b>	<b>Criteria</b>
1-Unit Dwelling	C-1	Permitted if located above the grade-level floor
1-Unit Dwelling	C-2, C-3, C-4	Permitted if located on a lot platted or recorded prior to the adoption of this ordinance which meets the <del>lot</del> <u>building size and location</u> requirements of <u>the RB district under WAMC 19.41</u>
1-Unit Dwelling	C-2, C-3, C-4	Permitted if located on a lot that has another principal use
2-Unit Dwelling	RA-1, RA-2	Permitted on lots with a side or rear lot line adjacent to or separated by an alley from a lot in a commercial or industrial district. Common Council may grant exceptions for lots that share a side lot line with a lot adjacent to a commercial or industrial district
2-Unit Dwelling	C-1	Permitted if located above the grade-level floor
2-Unit Dwelling	C-2, C-3, C-4	Permitted if located on a lot platted or recorded prior to the adoption of this ordinance which meets the <del>lot</del> <u>building size and location</u> requirements of <u>the RB district under WAMC 19.41</u>
2-Unit Dwelling	C-2, C-3, C-4	Permitted if located on a lot that has another principal use
Short-Term Rental	RB, RC, C-1, C-2, C-3, C-4	Permitted if structure is a 1-Unit, 2-Unit, or 3-4 Unit Dwelling

2. Retail

Principal Use	District(s)	Criteria
Nicotine Sales	C-3, C-4, I-1, I-2	Permitted if the lot is located at least <del>1,000</del> 2,000 feet from any lot where the following are located: <del>lots zoned P</del> arks, <del>S</del> schools, <del>L</del> ibraries, or any lot for which a cigarette and tobacco products retailer license has been issued
Nominal Price Retail	C-4	Permitted if the lot is located more than 1,000 feet from any lot where another Nominal Price Retail use is located

3. Service

Principal Use	District(s)	Criteria
Employment Agency	C-1, C-2, C-3, C-4	Permitted if not providing transportation for temporary employees to work sites
Food Production (limited)	C-1, C-2, C-3, C-4, I-1, I-2	Permitted if: - gross floor area is less than 2,000 square feet, - premises are closed between 12 a.m. and 6 a.m. at all times, and - premises are closed after 10 p.m. Sunday through Thursday
Restaurant (limited)	C-1, C-2, C-3, C-4, I-1, I-2	Permitted if: - gross floor area is less than 2,000 square feet, - premises are closed between 12 a.m. and 6 a.m. at all times, and - premises are closed after 10 p.m. Sunday through Thursday

4. Civic & Institutional

Principal Use	District(s)	Criteria

5. Parks & Recreation

Principal Use	District(s)	Criteria

6. Industrial

<b>Principal Use</b>	<b>District(s)</b>	<b>Criteria</b>
Light Industrial	I-1, I-2	Self-storage is permitted only if lot is at least 2 acres and at least 20% of the lot is landscaped
Light Industrial	I-1, I-2	Public warehousing is permitted only if at least 20% of the lot is landscaped
Light Industrial	I-1, I-2	Private warehousing is permitted only if at least 20% of the lot is landscaped

7. Medical

<b>Principal Use</b>	<b>District(s)</b>	<b>Criteria</b>
Narcotic Treatment Service	C-4, I-1, I-2	Permitted if the lot is located at least 250 feet from any lot where the following are located: lots in a Residential District or developed for residential use, lots zoned P, Schools, or another Narcotic Treatment Service use

8. Automotive

<b>Principal Use</b>	<b>District(s)</b>	<b>Criteria</b>
Car Wash Service	I-2	Permitted if not located on a lot which shares a lot line with a lot zoned residential

9. Infrastructure

<b>Principal Use</b>	<b>District(s)</b>	<b>Criteria</b>
Parking Lot	I-1, I-2	Permitted only if at least 20% of the lot is landscaped (See Subch. V) Permitted only if at least 20% of the lot is landscaped (See Subch. V)
Parking Structure	I-1, I-2	

10. Other

Principal Use	District(s)	Criteria

**SECTION 4:** **AMENDMENT** “19.35 Accessory Uses” of the City Of West Allis Municipal Code is hereby *amended* as follows:

AMENDMENT

19.35 Accessory Uses

The following table identifies the accessory uses allowed in each zoning district. Each use is given one of the following designations: P (Permitted Use), L (Limited Use), or C (Conditional Use). Uses without a designation are not permitted.



Accessory Use	RA -1	RA -2	RA -3	RB	R C	C- 1	C- 2	C- 3	C- 4	I-1	I-2	P	SF
Accessory Dwelling Unit	L	L	L	L	L		L	L	L				
Animal Boarding						C	C	L	L	L	L		
Class 1 Collocation of Mobile Service Facility	C	C	C	C	C	C	C	C	C	C	C	C	C
Class 2 Collocation of Mobile Service Facility	P	P	P	P	P	P	P	P	P	P	P	P	P
Drive-Through Service						C	C	C	C	C	C		
Electric Vehicle Charging	L	L	L	L	L	L	L	L	L	L	L	L	L
<u>Family Child Care Home</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>								
Home-Based Business	L	L	L	L	L	L	L	L	L	L			
Home Office	P	P	P	P	P	P	P	P	P	P			
Instruction/Training (15 or fewer persons at one time)						P	P	P	P	P	P		
Instruction/Training (16 or more persons at one time)						C	C	C	C	C	C		
Outdoor Dining						L	L	L	L	L	L		
Outdoor Sales/Displays						C	C	C	C	C	C		
Outdoor Storage (including vehicles)								C	C	L	L		
Mobile Service Support Structure	C	C	C	C	C	C	C	C	C	C	C	C	C
Parking Lot/Structure					P	P	P	P	P	P	P	P	P
Production/Repair (less than 5,000 sq. ft.)						P	P	P	P	P	P		
Solar Energy System	P	P	P	P	P	P	P	P	P	P	P	P	P
Wind Energy System	C	C	C	C	C	C	C	C	C	C	C	C	C
Wireless Support Structure	L	L	L	L	C	C	C	C	P	P	P	C	P

**SECTION 5: 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

\_\_\_\_\_.

	<b>AYE</b>	<b>NAY</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
Ald. Vince Vitale	_____	_____	_____	_____
Ald. Ray Turner	_____	_____	_____	_____
Ald. Tracy Stefanski	_____	_____	_____	_____
Ald. Marty Weigel	_____	_____	_____	_____
Ald. Suzzette Grisham	_____	_____	_____	_____
Ald. Danna Kuehn	_____	_____	_____	_____
Ald. Thomas Lajsic	_____	_____	_____	_____
Ald. Dan Roadt	_____	_____	_____	_____
Ald. Rosalie Reinke	_____	_____	_____	_____
Ald. Kevin Haass	_____	_____	_____	_____

Attest

Presiding Officer

\_\_\_\_\_  
Rebecca Grill, City Clerk, City Of  
West Allis

\_\_\_\_\_  
Dan Devine, Mayor, City Of West  
Allis