

Exhibit B

Chapter 12.45 Industrial Districts.

- (1) **Purposes.** Industrial zoning districts are intended to accommodate and promote a full range of industrial, manufacturing and employment generating uses, and to govern their operations in a manner that will not have a deleterious effect on residential and business areas consistent with the objectives of the City's Comprehensive and Strategic Plan.

Industrial Districts will be delineated upon the Official West Allis Zoning Map and the Zoning Ordinance will include permitted and special uses (including associated use standards) with a Light Industrial District and a Heavy Industrial District classification to provide adequate provisions for the expansion of industry, both those existing today and for attracting a diversification of new industry. Industrial sites and expansion will create growth and development of the City's economic and tax base and provide a variety of employment options for its labor force.

- (a) **Purpose of the M-1, Light Industrial District.** The M-1 Light Industrial District is intended to provide sites primarily for a variety of light manufacturing, fabricating, processing, assembly, repair, wholesale distribution, warehousing uses. Unless otherwise noted, commercial uses and open storage of materials are permitted. Design and development standards are applicable to assure protection of the public interest and surrounding property and persons. Typically uses within the district are low-intensity, non-nuisance light fabrication, production and assembly manufacturing and also research and development facilities which may be located in proximity to residential and commercial districts. Trucking, deliveries and loading may be an accessory of such land use, but is not the principal land use.
- (b) **Purpose of the M-2, Heavy Industrial District.** The M-2 Heavy Industry District is primarily intended to provide areas for manufacturing and other industrial activities that may constitute substantial adverse land use or environmental impacts or hazards. The district is intended to provide a range of uses for industrial and manufacturing operations with the appropriate design and development standards to assure protection of the public interest and surrounding property and persons. Heavy Industrial uses are high-intensity manufacturing, production, freight, trucking, mechanical and/or equipment operations. Such land uses are situated in locations that will not cause adverse impacts on residential uses or in areas where the relationship to surrounding land use would create fewer problems of compatibility such as smoke, noise, glare or vibration.
- (2) **Use Regulations.** Principal uses of land listed as permitted and special uses under Table 12.45(3) are allowed in Industrial Districts:
- (a) *Permitted Uses.* Uses identified with a "P" indicate a permitted use. This use is permitted as a matter of right in the subject zoning district, and subject to compliance with any use standards identified within the final column of table 12.45(3) and with other applicable regulations of this zoning code. In some cases, site changes or exterior building alterations to such permitted uses shall require compliance with the site, landscaping and architectural design review standards and guidelines per section 12.13 (Site, Landscaping and Architectural Review Procedures) and 12.19 (Off-street Parking, Loading and Other Site Improvement Regulations) of the Revised Municipal Code.
- (b) *Special Uses.* Uses identified with an "S" indicate a special use. This use is permitted and subject to compliance with any use standards identified within the final column of table 12.45(3) and with other applicable regulations of this zoning code. Specifically, a special use permit pursuant to section 12.16 of the Revised Municipal Code, shall require compliance with the site, landscaping and architectural design review standards and guidelines in accordance with the standards and guidelines per section 12.13 (Site, Landscaping and Architectural Review Procedures) and 12.19 (Off-street Parking, Loading and Other Site Improvement Regulations) of the Revised Municipal Code.
- (c) *Prohibited Uses.* The absence of the use from the table, and that cannot be reasonably interpreted (per section 12.45(4)) to fall within any defined use category are prohibited uses within a given district.
- (d) *Use Standards.* The "Use standards" column of the table 12.45(3) identifies additional regulations that apply to some uses. Unless otherwise stated, compliance with the use standards regulations is required in addition to section 12.13 (Site, Landscaping and Architectural Review

(3) Use Table

Permitted and Special Uses			
USE CATERGORY	M-1	M-2	Use Standards
Subcategory (if listed)			
Specific Use			
RESIDENTIAL USE			
Mixed use	P	P	12.45(6)(e)
COMMERCIAL USE			
C-4 uses (unless otherwise noted below)	P / SU	P / SU	Any use permitted or special use in C-4
			unless otherwise noted below
Animal Services			12.45(6)(a)
Kennel (boarding, rescue or shelter)	SU	P	
Grooming	P	P	
Veterinary (Hospital/Clinic)	P	P	
Assembly and Entertainment			
Indoor commercial amusement	P	P	
Indoor recreation & fitness	P	P	
Broadcast or Recording Studio	P	P	
Employment Agency w/ transport	SU	P	
Food Production, limited	P	P	
Lodging			
Hotel/motel	SU	-	
Pawn Shops and/or Secondhand jewelry per 9.15	-	-	
Printing, Commercial	P	P	
Printing, Manufacturing	SU	P	
Thrift	-	-	
Vehicle Sales and Rental			12.45(6)(g)
Commercial Vehicle Sales and/or Rentals	SU	P	
Passenger Vehicle Sales and/or Rentals	SU	P	
Vehicle, Equipment and Supply Sales and/or Rentals	SU	P	
Vehicle Service and storage			12.45(6)(h)
Body and Paint Finishing Shop	SU	P	
Commercial Vehicle Repair	SU	SU	
Fueling Station (for Personal, Consumer Vehicles)	SU	SU	
Parking Lot, Non-accessory	SU	P	
Parking Structure, Non-accessory	SU	P	
Passenger Vehicle Repair and Maintenance	SU	SU	
MANUFACTURING & INDUSTRIAL USE			12.45(6)(c)
Batch Plant (asphalt, cement, concrete, stone processing and/or mixing)	-	SU	12.45(6)(b)
Bottling & Canning Works	SU	P	
Brewery or Distillery, Micro	SU	P	
Brewery or Distillery, Large	-	SU	
Chemicals	-	SU	
Contractor Yards	SU	P	

Crematoriums	-	SU	
Food Production	SU	P	
Foundry	-	SU	
Jute, hemp, sisal and oakum products	P	P	
Machinery, heavy manufacturing and repair, including electrical, construction, mining and agriculture	-	SU	
Manufacturing, Artisan	P	P	
Manufacturing, Light	P	P	
Manufacturing, Heavy	-	SU	
Metal finishing, plating, treatment, processing, reduction, stamping	SU	P	
Mining or Mineral Processing	-	SU	
Motor Testing	SU	P	
Manufacturing laboratory facilities	SU	P	
Petroleum products	-	SU	
Rubber processing or manufacturing	-	SU	
Safety Services	SU	P	
Steel Products	-	SU	
Textiles	P	P	
Wood and Lumber bulk processing and woodworking	SU	P	
WHOLESALE, DISTRIBUTION & STORAGE			12.45(6)(i)
Equipment and Material Storage yards, Outdoor	SU	P	
Indoor general wholesale, warehousing and storage	P	P	
Landscaping Services with outdoor storage	SU	P	
Outdoor Storage	P	P	
Parking Lot, Non-accessory	P		12.45(6)(h)
Parking Structure, Non-accessory	P		12.45(6)(h)
Public Storage Facility	P		12.45(6)(f)
Trucking and Transportation Terminal	-	SU	
Warehouse and Distribution facilities	SU	P	
Waste, Explosives, Grain, Soil, Manure, Peat, and Petroleum Products		SU	
WASTE & RECYCLING			12.45(6)(i)
Composting facility	-	SU	
Construction and Demolition Debris Recycling facility	-	SU	
Junk or Salvage Yards	-	SU	
Waste Transfer Station	-	SU	
Waste Water Treatment facility	-	SU	
PUBLIC - INSTITUTIONAL USE			12.45(6)(i)
Public Works and Safety Facilities	SU	P	
UTILITY & ENERGY			
Wireless Communication Facility			
Freestanding tower	SU	SU	
Collocation	P	P	
Pump Stations	P	P	
Electrical Substations	SU	P	
Solar & Wind Farms	P	P	

(4) Determination of Use Categories and Subcategories

- (a) The Planning and Zoning Manager has the authority to classify uses on the basis of the use category, subcategory and specific use type descriptions of this chapter.
- (b) When a use cannot be reasonably classified into a use category, subcategory or specific use type, or appears to fit into multiple categories, subcategories or specific use types, the Planning Manager is authorized to determine the most similar and thus most appropriate use category, subcategory or specific use type based on the actual or projected characteristics of the principal use or activity in relationship to the use category, subcategory and specific use type descriptions provided in this chapter. In making such determinations, the development administrator must consider:
 1. The types of activities that will occur in conjunction with the use;
 2. The types of equipment and processes to be used;
 3. The existence, number and frequency of residents, customers or employees;
 4. Parking and loading and site improvement demands associated with the use; and
 5. Other factors deemed relevant to a use determination.

(5) Bulk and Yard Regulations.

Lot and Building Standards	M-1	M-2
Minimum Building Setback (feet)		
Front	25	30
Side	0	10
Rear	10	25
Floor area ratio	1.5	1.5

- (6) Use Standards.** The “Use standards” column of the [table 12.45\(3\)](#) identifies additional regulations that apply to some uses. Unless otherwise stated, compliance with these regulations is required along with all other applicable regulations of the zoning code including section 12.13 (Site, Landscaping and Architectural Review Procedures) and section 12.19 (Off-street Parking, Loading and Other Site Improvement Regulations) of the Revised Municipal Code.

(a) Animal Services

1. Outdoor kennel and/or run areas shall be screened from the public right-of-way and any abutting lots by a solid wall or fence (including necessary solid gates) and/or a contiguous landscape buffer.

(b) Batch Plant (asphalt, cement, concrete, stone processing and/or mixing)

1. Batching facilities shall be set back a minimum of fifty (500) feet from any property developed for nonindustrial uses.
2. Shall be screened from the public right-of-way and any abutting lots by a solid wall or fence (including necessary solid gates) and/or a contiguous landscape buffer.
3. Outdoor storage pilings of stone, soil, mix or similar products may not exceed the height of the required screening wall or fence within 150 feet of the public right-of-way boundary required to be screened, except that storage racks designed for the stacking of equipment that exceed the height of the screening wall or fence, must be set back at least 25 feet from abutting public right-of-way, plus 2 additional feet of setback for every foot of rack height above 10 feet.
4. The use shall possess or submit evidence of application Air Emission Permits from the Wisconsin Department of Natural Resources (WDNR).
5. All reasonable precautions shall be taken to prevent particulate matter from becoming airborne. These precautions shall include but shall not be limited to the following:

- a. Use of water for control of dust during all site operations;
 - b. Paving areas of the site used for outdoor storage and vehicle traffic. Application of water upon paved surface areas, materials stockpiles, vehicles leaving the site and other surfaces which can give rise to airborne dusts;
 - c. Installation and use of dust collectors to enclose and vent the handling of dusty materials. Adequate containment methods shall be employed when necessary;
 - d. Open-bodied trucks transporting materials likely to give rise to airborne dust shall be covered at all times when in motion.
 - e. All reasonable precautions shall be taken to provide protection and mitigate impacts on surrounding properties and the neighborhood, particularly in regard to the use of any streets for access to the site.
 - f. All reasonable precautions shall be taken to prevent stormwater pollution runoff into surrounding streets and municipal storm sewer systems.
- (c) *Manufacturing & Industrial Uses.* Unless more specific use standards are further specified within this list, the Manufacturing and Industrial Use category is subject to the following standards:
 1. All outdoor storage shall be screened from the public right-of-way and any abutting lots by a solid wall or fence (including necessary solid gates) and/or a contiguous landscape buffer.
 2. In no case shall open storage exceed a greater height than the enclosed screening (except vehicles and associated equipment);
 3. Outdoor storage and/or display areas must comply with the minimum street setback requirements of the subject zoning district.
 4. All truck, trailer or commercial vehicles associated with the business shall be stored within the enclosed area, unless otherwise noted on a site plan, approved by the Plan Commission.
- (d) *Mining or Mineral Processing.* As part of the special use review and approval process for any mining or mineral processing use, the Planning Commission and Common Council must consider potential environmental impacts, such as noise, dust and vibration, and is authorized to establish conditions of approval (e.g., setbacks, screening, and methods of operation) to help control and mitigate any adverse land use or environmental impacts on surrounding areas.
- (e) *Mixed Use, Dwelling*
 1. Eligibility. Caretaker and employee housing may be established on the site of another use only as follows:
 - a. Caretaker Housing. Caretaker housing shall be allowed only where the principal use of the site involves operations, equipment or other resources that require twenty-four (24) hour oversight.
 - b. Employee Housing. Employee housing shall be allowed where the site would otherwise qualify for caretaker housing.
 2. Status of Occupants. At least one of the occupants of a caretaker or employee housing unit shall be a full-time employee of the business, operation or institution.
 3. Location of Housing Unit. An allowed caretaker or employee housing unit shall be located on the same lot as the principal use needing the housing, as follows:
 - a. Attached Unit. If the housing unit is to be established within a main building, it shall be located on the second floor or in the rear half of the building.
 - b. Detached Unit. A detached housing unit shall be located behind a main building, or on the rear half of the lot.
 4. Number of Housing Units Allowed. No more than one caretaker or employee housing unit shall be allowed for any principal use
- (f) *Public Storage Facility Uses*
 1. Minimum lot size shall be at least (2) acres;
 2. A screening fence or masonry wall is required along all lot lines that abut Residential zoned or developed lots. If buildings are masonry, the building wall can serve as the screening wall;
 3. A single dwelling unit may be integrated into the self-storage facility;
 4. No activities other than storage and pick-up and deposit of stored materials are allowed within the storage units.

(g) Vehicle Sales and/or Rental Uses

1. Minimum lot size shall be at least (1) acre;
2. Twenty percent (20%) landscaping site coverage;
3. Off-street parking in accordance with Section 12.19;
4. All sales, repair and display shall be conducted on site;
5. All vehicle display and parking stalls to be identified on a site plan;
6. All repair/stored (not sale) vehicles may sit idle for no longer than 45 days;
7. All vehicles shall be licensed and registered with the Wisconsin Department of Transportation;
8. All service repair/overhead doors shall remain closed during vehicle repair.

(h) Vehicle Service and/or Storage Uses

1. Twenty percent (20%) landscaping site coverage;
2. Off-street parking in accordance with Section 12.19;
3. All repair and display shall be conducted on site and within an enclosed building;
4. All vehicle display and parking stalls to be identified on a site plan;
5. Vehicle storage may sit idle for no longer than 45 days;
6. All vehicles shall be licensed and registered with the Wisconsin Department of Transportation;
7. All service repair/overhead doors shall remain closed during vehicle repair.

(i) Wholesale, Distribution & Storage Uses

1. All outdoor storage shall be screened from the public right-of-way and any abutting lots by a solid wall or fence (including necessary solid gates) and/or a contiguous landscape buffer.
2. In no case shall open storage exceed a greater height than the enclosed screening (except vehicles and associated equipment);
3. Outdoor storage and/or display areas must comply with the minimum street setback requirements of the subject zoning district.
4. All truck, trailer or commercial vehicles associated with the business shall be stored within the enclosed area, unless otherwise noted on a site plan, approved by the Plan Commission.

(j) Waste and Recycling Uses

1. Such establishment shall be located at least 500 feet from the property line of any residential district or residential use and such use is not a nonconforming use;
2. All containers, materials and waste-related vehicles shall be stored indoors;
3. Exterior parking of only private passenger vehicles for customers and or employees shall be permitted; and
4. No outdoor storage shall be permitted.
5. Shall be screened from the public right-of-way and any abutting lots by a solid wall or fence (including necessary solid gates) and/or a contiguous landscape buffer.