

Common Council
City of Waukesha, Wisconsin
Ordinance No. 2023 - _____

**An Ordinance to Rezone Certain Property and to Amend the
Zoning Map of the City of Waukesha, Wisconsin**

Whereas City staff requests an amendment to Chapter 22.35 and Chapter 22.37 of the zoning code to make auto sales and dealerships a conditional use permit; and

Whereas on June 28th 2023, the Plan Commission passed a resolution by which the proposed zoning amendment changes were recommended to the Common Council; and

Whereas a notice of a public hearing of the proposed zoning amendment to be held on July 18th, 2023, was published as a Class 2 notice pursuant to Chapter 985 of the Wisconsin Statutes on July 5th, 2023, and July 11th, 2023; and

Whereas a public hearing of the proposed zoning amendment was held at the regular Common Council meeting on August 1st, 2023; and

Whereas the Common Council, at its August 1st, 2023, regular meeting considered the Plan Commission's recommendation, the supporting materials, the statements given during the public hearing, and the statements of City staff; and

Whereas the Common Council had full debate on the proposed re-zoning and found that the proposed zoning amendment is in the best interests of the City; and

Whereas a motion to adopt the recommendation of the Plan Commission and to approve the zoning amendment was made, seconded and carried by the affirmative vote of a majority of the Common Council members present and voting;

Now, therefore, the Common Council of the City of Waukesha do ordain as follows:

Section 1. Auto sales and dealerships in zoning code section 22.35, B-3 General Business Districts was removed as a permitted principal use and added as a conditional use, which states, Automotive Sales, but not within one hundred (100) feet of a residential district,

Section 2. Auto sales and dealerships in zoning code section 22.37, B-5 Community Business District was removed as a permitted principal use and added as a conditional use which states, Automotive Sales, provided that all gas tanks and service bays are set back a minimum of fifty (50) feet from all lot lines,

Passed the 1st day of August, 2023.

Shawn N. Reilly, Mayor

Gina L. Kozlik, City Clerk-Treasurer