



**CITY OF WAUKESHA**

**Administration**

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<b>Committee:</b> Plan Commission	<b>Date:</b> 1/26/2021
<b>Item Number:</b> PC22-3371	<b>Date:</b> 1/26/2021
<b>Submitted By:</b> Doug Koehler, Principal Planner	<b>City Administrator Approval:</b> Kevin Lahner, City Administrator
<b>Finance Department Review:</b> Bridget Souffrant, Finance Director	<b>City Attorney's Office Review:</b> Brian Running, City Attorney
<b>Subject:</b> <b>Zoning Code Amendment: Proposed addition to the Conditional Uses for the B-1, B-4, M-3, P-1, and I-1 zoning districts.</b>	

**Details:** Most of Waukesha's commercial zoning districts have a Conditional Use for "Uses similar and reasonably related to permitted principal uses." This allows flexibility in cases where a proposed use doesn't quite fit into the list of Permitted Uses, either because it is a new type of use which didn't exist when the zoning code was adopted, or because it is too unique for the code to mention it specifically. It gives the Plan Commission discretion to determine what is and is not appropriate, and whether any conditions are necessary to ensure appropriateness.

The proposed change will add that provision for the B-1, B-4, M-3, P-1, and I-1 zoning districts, which currently do not have it. It was originally intended to happen as part of the changes that were approved in 2020 but was unintentionally omitted.

All of these districts have specific purposes and relatively limited lists of Permitted Uses. However, despite their limited purposes, potentially appropriate uses exist for all of them which are not listed. This has led to confusion and difficulties for business owners looking to relocate. Adding this clause as a Conditional Use will allow the Plan Commission to approve appropriate uses. Staff is confident that it will not result in approvals of uses that are inappropriate or in any loss of the districts' integrity.

**Options & Alternatives:**

**Financial Remarks:**

**Staff Recommendation:**  
 Staff recommends approval for the proposed addition to the Conditional Use for the B-1, B-4, M-3, P-1, and I-1 zoning districts.

