



## PLAN COMMISSION REPORT

Proposal: Zoning Text Amendment – Permitted and Conditional Use Table, Conditional Use Permit Procedures, and Permitted Sign Types

Description: Review a proposal for various amendments to Chapter 17 – Zoning and Sign Ordinance related to Table 17.0304(c) Permitted and Conditional Use Table, Section 17.0804(e) Conditional Use Permit Procedures, and Table 17.0603 Permitted Sign Types.

Applicant(s): N/A

Address(es): N/A

**Suggested Motion:** That the Plan Commission recommends to the Common Council approval of an Ordinance to amend Table 17.0304(c) pertaining to various use restrictions, to amend Section 17.0804(e) pertaining to Conditional Use Permit procedures, and to amend Table 17.0603 of the Municipal Code pertaining to Permitted Sign Types.

Owner(s): N/A

Tax Key(s): N/A

Lot Size(s): N/A

Current Zoning District(s):

Overlay District(s): N/A

Wetlands:  Yes  No

Floodplain:  Yes  No

Comprehensive Plan: N/A

### Permitted and Conditional Use Table Background:

This item was before the Plan Commission at its December 10, 2024 meeting. At that meeting, the Commission expressed concern about beer, wine and liquor stores being completely removed from all commercially-zoned districts and suggested to add a square footage/store size restriction as an alternative. And there was also concern about completely eliminating car washes from the list of permitted/conditional uses. The Plan Commission expressed a desire to allow car washes if they were part of a gas

station/convenience store development, but generally agreed with staff’s recommendation to eliminate future car washes if the proposal was for a stand-alone car wash.

Staff has consulted with the City Attorney about the recommended modifications and has added a 5,000 sq. ft. threshold to the beer, wine and liquor store category, meaning new stores equal to or less than 5,000 sq. ft. would not be allowed, but stores larger than 5,000 sq. ft. would require a Conditional Use Permit in the B-3, B-4 and B-6 Zoning Districts (a reminder that the beer, wine and liquor store category does not exist in the Zoning Code today—they fall under general retail as a permitted use in all commercially-zoned properties).

Regarding the car wash modification, staff has adjusted the draft ordinance to clarify that future “stand-alone” car washes will not be allowed. As confirmed by the City Attorney, the addition of the words “stand-alone” in a prohibitive sense, would still allow for car washes as part of a more comprehensive development with, for example, a convenience store/gas station.

No other changes have been drafted/modified from the proposal that was reviewed at the December 10, 2024 meeting.

The new draft permitted/conditional and non-permitted use table is below:


Table 17.0304(c) Permitted and Conditional Uses, Nonresidential Districts											
Use	Additional Regulation	A-1	DTS	B-2	B-3	B-4	B-6	LM-1	M-1	I-1	P-1
<b>Retail Uses</b>											
Adult entertainment	§17.0405(a)								C		
Beer, wine and liquor stores less than or equal to 5,000 sq. ft. in area											
Beer, wine and liquor stores greater than 5,000 sq. ft. in area					C	C	C				
Tobacco, electronic cigarette, and other smoking supplies retailers											
Pawnbrokers											
<b>Service uses</b>											
Short-term, small-dollar and/or payday loan financial-type institutions											
<b>Vehicle related uses</b>											
Used vehicle sales and rental											
Car wash (stand-alone)											
<b>Industrial uses</b>											
Motor freight terminal											
Outdoor storage of logistics-related vehicles											

If the Plan Commission determines that the proposed amendments to the Zoning Code as presented are appropriate, a motion recommending Common Council approval has been provided for consideration. A public hearing may be scheduled as early as February 17, 2025.

**Options/Alternatives:** The Plan Commission has the discretion to recommend approval, denial or “as amended” of the proposed updates to Chapter 17. Approval would include recommendation of adoption by the Common Council at a public hearing. Disapproval would delay the consideration for adoption and require additional meetings to discuss revisions to address concerns.

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Respectfully prepared and submitted:



Kristi Laine  
Community Development Director

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Attachments:

Draft Ordinance (2 pages)



Outdoor storage of logistics-related vehicles											
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SECTION II. Subsection 17.0804(e)(4) of the Oak Creek Municipal Code is hereby amended to read:

(4) Review and recommendation by the Plan Commission. The Plan Commission shall review the conditional use permit application against the review criteria and all other provisions of this Zoning Ordinance and shall establish the conditions by which the conditional use permit shall be considered by the Common Council or recommend to the Common Council that the application be denied.

SECTION III. Subsection 17.0804(e)(5) is hereby repealed, with paragraphs (6) through (12) being renumbered as (5) through (11).

SECTION IV. Table 17.0603 Permitted Sign Types by District, of the Municipal Code is hereby amended to read, with all other listed uses remaining unaltered:

Table 17.0603 Permitted Sign Types by District											
Sign Type	Residential Districts	A-1	DTS	B-2	B-3	B-4	B-6	LM-1	M-1	I-1	P-1
<b>Temporary signs requiring a permit</b>											
Feather signs											
<b>Temporary signs not requiring a permit</b>											
Feather signs											

SECTION V. The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

SECTION VI. All ordinances or parts of ordinances contravening the provisions of this ordinance are hereby repealed.

SECTION VII. This ordinance shall take effect and be in force from and after its passage and publication.

PASSED AND ADOPTED by the Common Council of the City of Oak Creek on this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
President, Common Council

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2025.

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

VOTE: Ayes \_\_\_\_\_ Noes \_\_\_\_\_