



# City of Racine

City Hall  
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## Legislative Report

File Number: Ord.12-10

**Introduced:** 06/15/2010

**Version:** A

**Current Status:** In Committee

**Matter Type:** Ordinance

Alderman Holding

Ordinance No. 12-10

To amend Sec. 114-1, amend Secs. 114-328(1), 114-408(13), 114-428(4) and 114-448(9), amend Sec. 114-467(b), amend Sec. 114-468, and by amending Sec. 114-488 of the Municipal Code of the City of Racine, Wisconsin relating to Zoning.

The Common Council of the City of Racine do ordain as follows:

Part 1:

Sec. 114-1 of the Municipal Code of the City of Racine is hereby amended by inserting the following definition after the definition "*Coin-operated amusement device*:"

*"Commercial-type use:* For purposes of this Chapter, commercial-type uses are those which typically involve the sale of goods or services, usually intended for a wide spectrum of the consumers. These uses are typically open to the patrons for business transactions at least six days per week, at least six consecutive hours each day between the hours of 6:00 a.m. and 2:00 a.m., the following day. Examples of commercial-type uses include a bakery with walk-in retail sales, bank, bookstore, clothing store, grocery store, barber shop, night club, hotel, hardware store, movie theatre, restaurant, auto repair, or other similar uses."

Insert the following definition after the definition "*Navigable water*:"

*"Non-commercial-type use:* For purposes of this Chapter non-commercial-type uses are those which typically may not involve the sale of goods or services to a wide spectrum of the consumers. These uses typically offer limited hours where employees, patrons, members or guests are present at the premises, during very specific or limited hours either by design of the service being offered, or by blocks of time reserved for the use of employees, patrons, members or guests. Examples of non-commercial type uses may include a private club, meeting hall, place of worship, instructional or counseling facility.

Non-commercial-type uses may be permitted in the B-1 through B-5 zoning districts as a Class 1 or Class 2 non-commercial-type use as follows:

Class 1 Non-Commercial-type use are those having operational components that meet the definition of a commercial-type use, and may be permitted on the ground floor street level only by conditional use permit.

Class 2 Non-commercial-type uses are those having operational components that do not meet the definition of a commercial type use, and may only be permitted by right at levels above the ground floor street level.”

Part 2:

Sections 114-328(1), 114-408(13), 114-428(4) and 114-448(9) of the Municipal Code of the City of Racine are hereby amended by deleting the “.” at the end of the sentence and inserting the following after the word “center” or “centers” in each section:

“in compliance with the following standards:

- a. The subject location shall not be located closer than 250 feet to a signalized intersection, or at the intersection of major streets.
- b. All facilities such as offices, kitchens, playgrounds, activity areas, classrooms and parking shall be located on the same or directly adjacent property or zoning lot.
- c. All client drop-off and pick-up activities shall be conducted on the same or directly adjacent property or zoning lot.
- d. No other group daycare facility should be located within 1,000 feet of the main entrance of another group daycare facility.”

Part 3:

Sec. 114-467(b) of the Municipal Code of the City of Racine is hereby amended by deleting “(10), (27), (46) and (49)”, by renumbering the section, and by inserting the following at the end of the section:

“(48) Class 2 Non-commercial-type uses as defined in Sec. 114-1.”

Part 4:

Sec. 114-468 of the Municipal Code of the City of Racine is hereby amended by inserting the following at the end of the section:

“(29) Class 1 Non-commercial type uses as defined in Sec. 114-1.”

Part 5:

Sec. 114-488 of the Municipal Code of the City of Racine is hereby amended by deleting “(15)” and renumbering the remainder of the section.

Part 6:

This ordinance shall take effect upon passage and the day after publication.

Passed by the Common Council:

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Approved: \_\_\_\_\_

\_\_\_\_\_

Mayor

Attests:

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City Clerk

Fiscal Note:     N/A