

CONDITIONAL USE PERMIT

Conditional Use permits are required for such uses as an eating establishment, a drinking establishment, and a gas station.

APPROVAL PROCESS

The approval process consists of three meetings as illustrated below and usually takes about three months from the time of application to the decision, unless there are approval delays:

1. Public Hearing before Common Council, typically 6:30 p.m.* - check final agenda for meeting time.
2. Plan Commission recommendation, 6:00 p.m.*
3. Common Council decision, typically 6:30 p.m. - check final agenda for meeting time.

***You or your representative are required to attend at the Plan Commission meeting. You or your representative are also encouraged to attend the Common Council public hearing regarding the item. Attendance at the Common Council decision meeting is not required unless you are specifically informed to attend by City staff.**

PRE-APPLICATION REQUIREMENTS

Contact Planning staff to schedule a pre-application meeting with development review staff. The meeting must be held at least 30 days before the application deadline. After the first meeting, there is a \$150 fee for each additional meeting if needed. When the meeting is requested, staff will send you an invoice that must be paid in order to schedule the meeting.

COST

The Conditional Use application fee is \$550. The Approval Extension application fee is \$250. Fees are nonrefundable.

APPLY

Complete applications, including payment of application fees, must be submitted by an application deadline thru the [Wauwatosa Self Service portal](https://services.wauwatosa.net/EnerGov_prod/SelfService#/home) (https://services.wauwatosa.net/EnerGov_prod/SelfService#/home). Please see the Zoning Permits [website](https://www.wauwatosa.net/government/departments/planning-zoning/zoning-permits) (<https://www.wauwatosa.net/government/departments/planning-zoning/zoning-permits>) for meeting dates and deadlines. Planning staff will confirm meeting dates after reviewing the application materials for completeness.

Applying through the portal requires registering for an account and paying by credit card. Please see the [Permits](https://www.wauwatosa.net/permits) website ([Wauwatosa.net/permits](https://www.wauwatosa.net/permits)) for additional information about the portal including registration instructions. Contact Planning staff if you cannot apply thru the portal or pay by credit card.

You should discuss your application with the proper departments well before an application deadline to confirm your application is complete. Application deadlines are necessary to meet applicable legal publication and notification requirements. **Late or incomplete applications will not be placed on an agenda.**

SUBMITTAL REQUIREMENTS

Applications must include:

- o A project description including, but not limited to, hours of operation, number of employees, general description of the nature of the business.

- Development plans including, but not limited to, site plan, floor plan, grading plan, utility plan, landscape plan, fire access plan and building elevations. See attached descriptions.
- Non-refundable application fee.
- If applicable, related zoning applications (CSM, Lot Line Adjustment, Zoning Amendment).
- If required, a complete [Site Plan Review Application](#) with required fee submitted to the Engineering Division via the portal. This, along with the escrow, must be submitted in order to proceed with the Conditional Use application.
- Property owner signature authorization if not the applicant.

Submit documents as non-protected PDF files in a reduced file size, if possible.

AFTER APPLYING

Development staff review applications for completeness after the deadline and will inform you of comments or concerns. The City mails public hearing notification letters to properties within 200 feet of the subject property and publishes the public hearing notice in the local newspaper. Public comment at the Plan Commission meeting is also permitted.

You are required to post a sign at the project site at least 10 days prior to the scheduled public hearing and provide proof to Planning staff. An example and instructions are on later pages of this handout.

OTHER NECESSARY PERMITS AND LICENSES

In addition to zoning, the proposed use may require additional City approvals. You should contact other City departments (including but not limited to City Clerk, Health, Building, Engineering, Fire Inspection) to determine if other licenses and permits are required. Most licenses and permits will not be issued until the zoning is approved.

City Clerk: 479-8917

Health: 479-8936

Fire Inspection: 471-8490

Building & Safety: 479-8907

Engineering: 479-8927

PLAN COMMISSION

The Plan Commission is a seven-member board that includes the Mayor, two alderpersons, and four citizen members. They review development proposals and make recommendations to the Common Council. Meetings occur at 6:00 p.m. on the Monday following the first Tuesday of each month, except in August when no meeting is held. Staff reports are posted on the [meeting portal](#) (<https://wauwatosacitywi.legistar.com/Calendar.aspx>) by Friday the week before the meeting.

QUESTIONS

Please contact Planning staff. You are also welcome to discuss your proposal in person Monday - Friday from 8 a.m. to 4:30 p.m. Please call ahead to confirm staff availability.

DESCRIPTION OF REQUIRED PLANS

Submitted plans including, but not limited to, site plan, grading plan, utility plan, landscape plan, fire access plan and building elevations should include the following at a minimum*:

All Plan Sheets

- Title, date, north arrow, scale, tax key and address of the subject property
- Fully dimensioned plans

Site Plan (Code Section 24.11)

- Lot lines and easements, fully dimensioned
- Existing /proposed buildings and uses, dimensioned building footprint
- Existing/proposed building setbacks, building coverage calculation
- Existing street right-of-way labeled and dimensioned
- Dimensioned vehicle parking areas, showing total number of existing and proposed parking stalls
- Impervious/pervious area calculation
- Short term bicycle parking location and compliance chart
- Location of dumpsters, ground mechanicals and any outdoor storage or displays
- Site signage and lighting

Grading Plan (Code Section 24.13)

- Lot lines and easements fully dimensioned
- Existing and proposed contours (two-foot max. interval) shown on entire lot and 50 feet on adjacent properties or sufficient spot elevations and drainage direction arrows to convey runoff directions
- City datum
- Limits of disturbance
- Top of curb and sidewalk elevations
- First floor elevations
- Pedestrian and vehicle entrance elevations/grades
- 100-year overland flow path is shown
- Wetland boundary or any other environmental corridor is shown
- Erosion control details (including BMP's)
- Top of wall and bottom of wall elevations for any proposed retaining walls

Utility Plan (Code Sections 24.13.030, 13.30 & 14.20)

- Location of existing and proposed sanitary sewer, storm sewer and water laterals
- Stormwater management measures

Landscape Plan (Code Section 24.12)

- Site plan, site data table and grading plan details
- Existing trees including size, locations and species (include right-of-way)
- Proposed plantings and any other landscape materials
- Plant schedule identifying the symbol, quantity, name (botanical & common), height and size
- Planting and staking details
- A tabulation in chart form for interior/perimeter compliance
- Site amenities including fire hydrants, bicycle parking, benches, trash containers and lighting
- Location of wall, fences, walks and/or other screening materials (i.e., dumpster enclosure)
- Stormwater management measures (i.e., swales, berms and/or retention ponds)
- Location of snow storage areas

Fire Access Plan

- Lot lines and easements, fully dimensioned
- Fire lane location
- Fire hydrant locations (public and private)

Building Elevations

- Fully dimensioned elevations (all sides) drawn to a common architectural scale
- Building height and finished floor elevations
- Exterior materials and colors
- Roof-mounted mechanical equipment and screening

Construction Staging Plan

- Dumpster locations, materials storage, crane locations, haul routes and construction limits
- Impact on travel lanes, parking, etc. on adjacent streets for which a Street Occupancy permit will be required
- Contractor parking plan
- Preliminary private utility relocation and service plans (any impacts to sites not immediately adjacent to subject property)

Floor Plans

- Location of long-term bicycle parking per Code section 24.11 and compliance chart

Additional Plans (as determined by City staff)

- Related Zoning Applications such as CSM, Lot Line Combination, Zoning Amendment
- Planned Development Agreement
- Traffic Impact Analysis (TIA); WisDOT approval may be required
- Stormwater Management Plan
- Stormwater Maintenance Agreements
- Lighting Plan (photometric and cut-sheets)
- Shared Parking Agreements
- Cross-Access Easements
- Utility Easements
- Conservation Easements
- Development Agreement
- Signage Plan
- Certified Survey Map
- Elevation certificate if in floodplain or near river

Items listed above are not are required for all applications. Submittal materials are as determined by City staff.

NOTIFICATION SIGN EXAMPLE

Notice of Proposed Zoning Action

Request For: _____ (short project description)

Project Name: _____ (if applicable)

Date Posted: _____

Public Hearing date: _____

Plan Commission meeting date: _____

QUESTIONS?

CONTACT:

Applicant Name: _____

Phone: _____

Email: _____

For more information about the status of the application, visit the City of Wauwatosa website, www.wauwatosa.net and search for “meeting portal”.

Instructions:

- A Notice of Proposed Zoning Action sign must be posted in a prominent location on the project site for the duration of the approval process and shall be readable from the street.
- Sign shall be no smaller than 11” x 17” and no larger than 32 square feet.
- If an exterior sign, it must be affixed to a hardback, wood/solid surface with two posts and be weather proof. If the project is located within an existing building, the sign can be posted inside or outside on the door or window if readable from the street.
- Sign must be posted at least 10 business days prior to the scheduled public hearing as well as submitting a photo of the posted sign to the Planning Division. The photo can be mailed or emailed. The application will be removed from the agenda if the photo is not submitted in the stated timeframe.
- Please have the sign removed 15 days after final Common Council action.

PROPERTY OWNER AUTHORIZATION LETTER EXAMPLE

[INSERT DATE]

City of Wauwatosa
Development Department
7725 W. North Avenue
Wauwatosa, WI 53213

Re: Property Owner Authorization Letter – [INSERT PROJECT ADDRESS]

To whom it may concern,

I, [INSERT PROPERTY OWNER NAME], owner of the property located at [INSERT PROJECT ADDRESS], hereby grant permission for [INSERT APPLICANT NAME] to apply for a [INSERT PERMIT TYPE: I.e. Conditional Use Permit, etc.] for a [INSERT BRIEF DESCRIPTION: I.e. restaurant, child care facility, etc.] at the above-mentioned address.

Sincerely,

[INSERT PROPERTY OWNER NAME & SIGNATURE]