

request for a variance or special exception only in cases where it makes a specific finding that this ordinance constitutes the minimum practicable regulation necessary to protect the health, safety and welfare of the public and to avoid creating adverse aesthetic impacts on the neighborhood.

- (h) **EXISTING ANTENNAS AND TOWERS GRANDFATHERED.** All antenna and tower systems that exist at the time of adoption of this ordinance shall be considered to be "grandfathered in" and therefore not subject to the regulations of this ordinance. Such existing systems may be taken down for repair if set up again within a sixty (60) day period, but may not be replaced by a similar non-complying system without approval of the Board of Appeals. A permit shall be required for the re-installation but no fee shall be charged for the permit.

## **SECTION 21.13 TRAFFIC VISIBILITY, PARKING, AND LOADING**

### **(1) Vision Clearance Triangle.**

- (a) At all street intersections where there is no traffic light control, no fence, wall, parking, vegetation, hedge, planting or structure shall be erected, placed, planted or allowed to grow in such a manner as to obstruct vision between a height of two and one-half (2½) feet and ten (10) feet above the grade of the sidewalk adjacent to the intersecting streets in the area bounded by the street lines of such corner lots and a line joining the points along said street lines twenty (20) feet from the point of intersection.
- (b) Allowable installations within the vision clearance triangle are: utility and street light poles when no safer alternative is available; trees with growth characteristics which develop no significant foliage which will obstruct view in the clearance area; official signs and signals; signs in accordance with Section 21.14; and on street parking when traffic controls exist which permit decreased sight lines.

### **(2) Highway Access.**

- (a) No direct private access shall be permitted to the existing or proposed right-of-way of expressways, nor to any controlled access arterial street without permission of the highway agency that has access control jurisdiction. No direct public or private access shall be permitted to the existing or proposed right-of-way of freeways, interstate highways and their interchanges or turning lanes nor to intersecting or interchanging streets within 1,500 feet of the most remote end of the taper of the turning lanes (such as exit and entrance ramps). No driveway openings shall be permitted within one hundred (100) feet of the intersection of an arterial street right-of-way line.
- (b) Access barriers, such as curbing, fencing, ditching, landscaping or other topographic barriers shall be erected to prevent unauthorized vehicular ingress or egress to the above specified streets or highways.
- (c) Temporary access to the above right-of-way may be granted by the Zoning Administrator after review and recommendation by the highway agencies having jurisdiction. Such access permit shall be temporary, revocable and subject to any conditions required and shall be issued for a period not to exceed twelve (12) months.

### **(3) General Parking and Loading Regulations.**

- (a) **SCOPE OF REGULATIONS.** The off-street parking and off-street loading provisions of this Ordinance shall apply as follows:
1. Accessory off-street parking and off-street loading facilities shall be provided as required by the regulations of this Section of all buildings and structures. However, where a building permit has been issued prior to the effective date of this Section, as it may be amended, and provided that construction is begun within six (6) months of such effective date and diligently prosecuted to completion, parking and loading facilities in the amounts required for the issuance of said building permit may be provided in lieu of any additional amounts that may be required by this Section.
  2. When the intensity of use of any building, structure, or premises shall be increased through the addition of dwelling units, gross floor area, seating capacity, or other units of measurement, such additional parking and loading facilities as required by this Section shall also be provided.
  3. Whenever the existing use of a building or structure shall hereafter be changed to a new use which requires more off-street parking or loading than would have previously been required, additional parking and loading shall be provided in an amount equal to the difference between the uses.
  4. Except as provided in Subsection 3 above, if a building or structure was erected prior to the effective date of this Ordinance, additional parking or loading facilities are mandatory only in the event the floor area of the building or structure is increased and then only to the extent required by such added floor area.
- (b) **EXISTING PARKING FACILITIES.** Off-street parking facilities in existence on the effective date of this Ordinance, and located on the same lot as the building or use served shall not hereafter be reduced below the requirements for a similar new building or use under the provisions of this Section.
- (c) **PERMISSIVE PARKING AND LOADING FACILITIES.** Nothing in this Ordinance shall be deemed to prevent the voluntary establishment of off-street parking and loading facilities to serve any use of the land or buildings, provided that all regulations herein governing the design and operation of such facilities are observed.
- (d) **DAMAGE OR DESTRUCTION.** When a building or use, which is nonconforming in terms of the parking and loading requirements of this Section, is destroyed or damaged by any cause, restoration or reconstruction of such building or use shall include sufficient off-street parking and loading to bring it into compliance. The Board of Appeals may waive this provision entirely or reduce the parking and loading requirements as appropriate.
- (e) **CONTROL OF OFF-SITE PARKING FACILITIES.** Where all or part of require parking facilities are to be provided on private land, other than the lot on which is located the building or use to be served, the Zoning Administrator shall approve the use of such off-site parking only when written assurance is made that the said private off-site parking will continue to be available to the building or use it is intended to serve.

**(4) Off-Street Parking.**

- (a) **REQUIRED SPACES.** The minimum number of off-street parking spaces required for land uses or activities permitted by this Ordinance shall be as set forth in Schedule 21.13 which Schedule is hereby adopted and made a part of this Ordinance. Notwithstanding the above, in the (B-1) District off-street parking space shall not be required, except for buildings containing dwelling units or lodging rooms hereafter erected, enlarged or structurally altered or converted.
- (b) **USE.** Off-street parking facilities provided in accordance with the requirements of Schedule 21.13 shall be used solely for the parking of automobiles of patrons, occupants or employees.
- (c) **EXEMPTION.** When application of the provisions of Schedule 21.13 results in a requirement of three (3) or less spaces on a single lot in (B-1) Districts, such parking spaces need not be provided if approved by the Board of Appeals. However, where two (2) or more uses are located on a single lot only one of these uses shall be eligible for the above exemption. This parking exemption shall not apply to dwelling units in commercial zones.
- (d) **COMBINED FACILITIES.** Off-street parking facilities for separate uses may be combined if the total number of spaces so provided is not less than the sum of the separate requirements for each such use and provided that all regulations governing such location of the side parking spaces, in relation to the use served, are adhered to. Further, no parking spaces or portion thereof shall serve as a required space for more than one use unless otherwise authorized by the Board of Appeals.
- (e) **AREA AND ACCESS.** Each required off-street parking space shall have a size of not less than 9 x 18 feet, exclusive of access drives or aisles, and shall be provided with appropriate means of vehicular access to a street or alley. Up to 25 percent of the required parking spaces may be sized for small cars with a size of 8 x 16. Off-street parking shall include handicapped parking spaces per state code.
- (f) **YARDS.** Off-street parking space, open to the sky, may be located in a yard except that:
  - 1. In residential districts, drives shall be no wider than 20 feet in single-family districts and 24 feet in multi-family districts. No parking shall be permitted in any front yard.
  - 2. In a (B-1) District no parking shall be permitted in any required front yard but access drives in a front yard are permitted.
  - 3. In a (B-1) District no parking shall be permitted closer than five (5) feet from any street right-of-way line.
- (g) **DESIGN AND MAINTENANCE.**
  - 1. **Drainage.** All parking lots must be constructed in accordance with an approved drainage plan.

2. Screening and Landscaping. Off-street parking areas shall be screened on all sides except when a side of rear yard abuts another parking lot. Screening shall consist of a dense hedge not less than five (5) feet high, planted in a buffer strip a minimum of five (5) feet wide. When a side or rear yard abuts another parking lot the five (5) strip shall contain trees a maximum of 40 feet apart. Any parking area accommodating more than 60 vehicles shall provide landscape islands containing trees and shrubs at the beginning and end of each row. Any double row having more than 50 cars or single row having more than 25 cars shall be broken up by a planting island containing two (2) trees for a double row or one (1) tree for a single row. Islands shall be the approximate size of a parking stall per tree, curbed or railroad tied, and trees shall be a minimum two (2) inch caliper.
  3. Wheelstops. Wheelstops of masonry, steel, or timber, or similar stopping device shall be used to prevent vehicles from parking closer to a street line than permitted by this Ordinance.
  4. Lighting. Illumination of an off-street parking area shall be 0.5 watts per SF maximum and arranged so as not to reflect direct rays of light into adjacent residential districts and streets.
  5. Repair and Service. No motor vehicle repair work of any kind shall be permitted in any required off-street parking area. No gasoline or motor oil shall be sold in conjunction with any off-street parking area or facility unless such operation has been designed to be part of said area or facility and the site plan has been approved by the Department Public Works.
- (h) LOCATION. All required off-street parking spaces in Residential Districts shall be located on the same lot as the building or use to be served. In other districts required off-street parking spaces may be provided in a private or public parking facility located within 500 feet walking distance from the building or use they are intended to serve.
- (I) EXTENSION INTO ADJACENT DISTRICTS. Other provisions of this Ordinance to the contrary notwithstanding, a commercial parking area located in a (B-1) or (B-2) District may extend into an adjacent Residential District by a distance of 300 feet if a plan for such extension is approved by special use permit. The periphery of such extension shall be heavily landscaped to provide visual screening from the Residential District.

#### **(5) Off-Street Loading.**

There shall be provided off-street loading berths not less than the minimum requirements specified in this Section in connection with any building or structure which is to be erected or enlarged, and which requires the receipt or distribution of materials or merchandise by trucks or similar vehicles.

- (a) LOCATION. All required off-street loading berths shall be located on the same lot as the use to be served, and no portion of the vehicle shall project into a street or alley. No permitted or required loading berth shall be located less than 25 feet from the nearest point of intersection of any two (2) streets, nor shall it be located in a required front yard or side yard adjoining a street.

- (b) **SIZE.** Unless otherwise specified in this Ordinance, a required off-street loading berth shall be at least ten (10) feet in width by at least 65 feet in length, exclusive of aisle and maneuvering space, and shall have a vertical clearance of at least fifteen (15) feet.
- (c) **ACCESS.** Each required off-street loading berth shall be provided with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movements and shall be subject to approval of the Director of Public Works.
- (d) **SURFACING.** After January 1, 1996, all open off-street loading berths that have entrances and/or exits from an improved street shall be improved with a compacted base and asphaltic or concrete surface which complies with Wisconsin Highway Department standards and recommendations for the anticipated traffic classification subject to approval by the Director of Public Works.
- (e) **REPAIR AND SERVICE.** No storage nor motor vehicle repair/service work of any kind shall be permitted within any required loading berth area.
- (f) **SPACE ALLOCATION.** Space allocated to any off-street loading berth shall not, while so allocated, be used to satisfy the space requirements for any off-street parking facilities or portions thereof.
- (g) **SPACE REQUIREMENTS.**

1. The minimum number of off-street loading spaces required for non-residential uses in all but Industrial Districts shall be: One (1) loading space for buildings containing 10,000 to 100,000 square feet of gross floor area, plus one (1) additional loading space for each additional 100,000 square feet of gross floor area or major fraction thereof.
2. The minimum number and size of off-street loading spaces in manufacturing districts shall be in accordance with the following schedule:

Floor Area of Establishments	Required Number	Minimum Size	Minimum Vertical Clearance
5,000 to 25,000	1	10' x 35'	12 feet
25,000 to 50,000	2	10' x 35' ea.	12 feet
50,000 to 100,000	3	12' x 50' ea.	15 feet
100,000 to 150,000	4	12' x 65' ea.	15 feet

For each additional 100,000 square feet of gross floor area, or major fraction thereof over 150,000, one additional loading space shall be provided. Such additional loading space shall be at least 12 feet in width by 65 feet in length, and have a vertical clearance of not less than 15 feet.

**(6) Schedule 21.13: Minimum Off-Street Parking Requirements**

Land Use or Activity	* Spaces Required
1. Dwelling, one and two family: for each dwelling unit.	2.0
2. Dwelling, town house; for each dwelling unit.	2.0
3. Dwelling, multiple family: for each dwelling unit	2.0 **
4. Boarding and rooming house, apartment hotel: for each structure.	1.0
5. Hotel and motel: for each room or suite. Plus: for each lodging room, or suite, and each dwelling unit.	1.0 1.0
6. School, auditorium, church: for each 5 seats or for each 90 lineal inches of seating space in the main auditorium for assembly hall.	1.0
7. Colleges, junior colleges, universities: for each 3 students based on the design capacity of the institution.	1.0
8. * Gymnasium, grandstand, meeting hall and similar places of public assembly: for each 5 seats or 90 lineal inches of seating space. (See note a)	1.0
9. Hospital: for each bed.	1.1
10. Library: for each 500 square feet of gross floor area.	1.0
11. Museum, art gallery and similar uses: for each 500 square feet of gross floor area.	1.0
12. Nursing home and similar type of establishment: for each 5 beds, 2 lodging accommodations, and each full-time employee.	1.0
13. Private club and lodge: for each such structure and each 5 seats based on the design seating capacity of the main meeting room.	1.0
14. School - commercial or trade, music, dance or business: for each two employees and for each 7 students based on the design capacity of the facility.	1.0

15. School - high: for each faculty member and each 4 students based on the design capacity of the facility.	1.0
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- \* When totals indicate that a partial space is required, a full space shall be provided.
- \*\* Enclosed garages that are not included as part of the basic apartment rent will not count toward the required spaces.

Land Use or Activity	Spaces Required
16. School - nursery, elementary, or junior high: for each faculty member and each full-time, nonfaculty employee.	1.0
17. Bowling alley: for each lane plus: for any ancillary uses such as restaurants.	7.0
18. Health salon, swimming pool, skating rink, dance hall: for each 3 persons based on maximum design capacity of the facility and for each employee.	1.0
19. Park, recreation area, community center: for each employee and spaces to serve the public as determined by the Plan Commission.	.5
20. * Car wash: for each employee. (See note b)	.75
21. Automobile service station: for each pumping island and for each service stall.	1.0
22. Bank: for each 300 square feet of gross floor area.	1.0
23. Beauty parlor: for each 200 square feet of gross floor area.	1.0
24. Office: for each 300 square feet of gross floor area.	1.0
25. Restaurant, bar, night club: for each 100 square feet of gross floor area.	1.0
26. Furniture and appliance sales and repair: for each 400 square feet of gross floor area and one per employee.	1.0
27. Motor vehicle sales: for each 400 square feet of gross floor area.	1.0
28. Medical and dental clinic: for each 50 square feet of gross floor area in any waiting or reception room. Plus for each treatment room, examination room and doctor's office.	1.0 1.5
29. Manufacturing, fabricating, cleaning, testing, assembling, repairing or servicing establishments: For each 800 square feet of gross floor area or for each two employees, whichever is greater.	1.0
30. Theater: for each 4 seats, up to 400 seats and for each 6 seats over 400.	1.0
31. * Theater (drive-in): (see note c)	0
32. Funeral Parlor: for each 100 square feet of gross floor area.	1.0

