

Date: August 4, 2022
To: Village of East Troy Plan Commission
From: Tim Schwecke, Zoning Administrator
Subject: Amend the zoning code with regard to driveway standards and off-street parking design requirements
Application: 2022-26; <https://s.zoninghub.com/U5HPGOP6ZK>
Meeting: August 8, 2022 Plan Commission meeting

Please find attached the ordinance as recommended at your meeting on June 13, 2022.

Review procedures The Plan Commission is advisory. The Village Board makes the final decision. The Village Board may approve the amendment as originally proposed, may approve the proposed amendment with modifications, or may deny approval of the proposed amendment. If the Village Board wishes to make significant changes as recommended by the Plan Commission, the procedure in s. 62.23(7)(d), Wis. Stats., must be followed prior to Village Board action.

Notice requirements A class II public hearing notice was published, a copy of which is attached.

Public comment As of this date, we have not received any written public comments.

Potential motion for approval:

Recommend to the Village Board the approval of the proposed ordinance as drafted (or as amended)

Attachments:

1. Public hearing notice
2. Proposed ordinance (Public hearing draft)

VILLAGE OF EAST TROY PLAN COMMISSION

NOTICE OF PUBLIC HEARING

The Village of East Troy Plan Commission will conduct a public hearing on Monday, August 8, 2022, to consider an ordinance to amend the Village's zoning regulations (Chapter 510) in regards to driveway standards and off-street parking design requirements.

The proposed amendment may affect allowable uses within the Village. The proposed amendments will not affect the zoning map. A copy of the proposed ordinance will be on file and open for public inspection in the office of the Village Clerk during normal office hours (and when open) for a period of two weeks prior to the public hearing.

The Plan Commission meeting starts at 6:30 pm and will be held at the Village Hall located at 2015 Energy Drive. The public hearing will be conducted in the order listed on the meeting agenda. For information regarding this public hearing, contact Tim Schwecke, Zoning Administrator, at 920-728-2814. All interested parties will be heard at the public hearing. Written comments may be submitted (1) online on the Village's zoning website <https://villageofeasttroy.zoninghub.com/home.aspx>; (2) to the Village Hall by Tuesday, August 2, 2022; or (3) during the public hearing.

Lorri Alexander, Village Clerk

Published in the *East Troy Times* on July 22 and 29, 2022

ORDINANCE 2022-__

- Public Hearing Draft -

AN ORDINANCE TO AMEND CHAPTER 510 OF THE VILLAGE OF EAST TROY MUNICIPAL CODE RELATING TO DRIVEWAY DESIGN AND TURNING MOVEMENTS IN PARKING LOTS

WHEREAS, the Village Board for the Village of East Troy adopted zoning regulations for the Village of East Troy and has amended such regulations from time to time; and

WHEREAS, the zoning regulations, as amended, are codified as Chapter 510 of the Village of East Troy municipal code, which is titled “Zoning;” and

WHEREAS, the Plan Commission for the Village of East Troy determined it would be appropriate to revise driveway standards and the design of parking lots; and

WHEREAS, the Plan Commission prepared a draft ordinance to address the aforementioned changes, and recommended approval of the same at its meeting on **June 13, 2022**; and

WHEREAS, upon due notice as required by the zoning code, the Plan Commission conducted a public hearing on **August 8, 2022**; and

WHEREAS, within a reasonable time after the public hearing, the Plan Commission reported its recommendation to the Village Board; and

WHEREAS, the Village Board considered the Plan Commission’s recommendation at its meeting on **August 15, 2022**; and

WHEREAS, the Village Board accepted the Plan Commission’s recommended text amendment **without revision OR with minor revision**.

WHEREAS, the Village Board finds that the recommended revisions to the Village’s zoning regulations could potentially be interpreted to be a down zoning ordinance because it may decrease the development density of land or reduce the permitted uses of land, and therefore the super majority requirement in s. 66.10015, Wis. Stats, applies to this ordinance, requiring a vote in favor by two-thirds of the members-elect of the Village Board for passage and adoption; and

WHEREAS, the Village Board for the Village of East Troy, after careful review and upon consideration of the recommendation of the Plan Commission of the Village of East Troy and having given the matter due consideration having determined that all procedural requirements and notice requirements have been satisfied, and having based its determination on the effect of the adoption of the ordinance on the health, safety and welfare of the community and the preservation and enhancement of property values in the community, and having given due consideration to the municipal problems involved hereby determine that the ordinance amendment will serve the public health, safety and general welfare of the Village of East Troy, will enhance property values in the Village and will not be hazardous, harmful, noxious, offensive or a nuisance, and will not unduly limit or restrict the use of property in the Village or for any other reason cause a substantial adverse effect on the property values and general desirability of the Village.

NOW, THEREFORE, the Village Board of the Village of East Troy, Walworth County, Wisconsin, do ordain as follows:

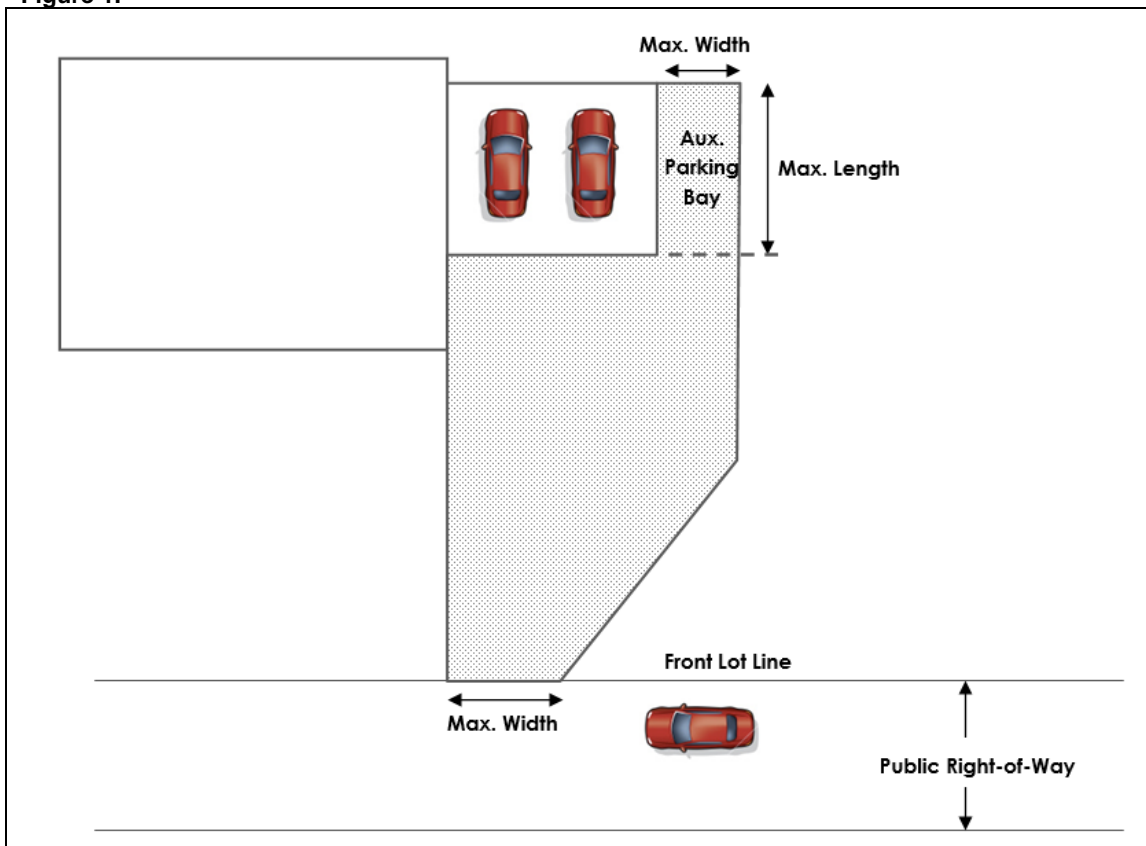
Section 1. Repeal and recreate subsection 510-91.1 (E) to read as revised below.

E. Maximum width and side tapers.

- (1) ~~Where the garage doors are more than 40 feet from the right-of-way line, the maximum width of a driveway at the right-of-way line is 12 feet. Where the garage doors are less than 40 feet from the right-of-way line, the maximum width of a driveway at the right-of-way line is 24 feet.~~
- (2) ~~The width of a driveway directly in front of the garage door(s) must not exceed the width of the garage on that side. Where the width of the driveway directly in front of the garage doors exceeds the width of the driveway at the right-of-way line, there must be a taper starting at least eight feet from the right-of-way line.~~
- (3) ~~The width of a driveway for a single-family residence without a garage (if existing or otherwise allowed) must not exceed 12 feet. The width of a driveway for a duplex without a garage (if existing or otherwise allowed) must not exceed 24 feet.~~
- (4) ~~In the event the driveway accesses an arterial street, the Plan Commission may authorize a driveway turnaround on the property so vehicles do not need to back out into potentially heavy traffic.~~
- (1) The maximum width of the driveway at the right-of-way line is 24 feet.
- (2) A driveway may include a taper starting at the front lot line provided the angle of the taper does not exceed 135 degrees.

Section 2. Repeal and recreate Figure 1 in Section 510.91.1 as depicted below.

Figure 1.

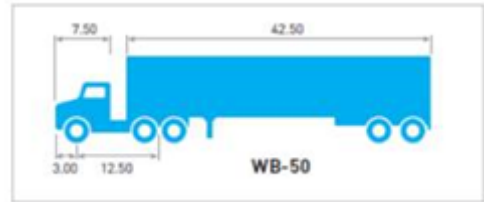


Section 3. Repeal and recreate subsection 510-93(F) to read as revised below.

(F) Off-street parking and traffic circulation standards.

- (1) Circulation. The site shall be designed to provide for the safe and efficient movement of all traffic entering, exiting, and circulating on the site. Circulation patterns shall conform to the general rules of the road. All traffic control measures shall meet the requirements of the Manual on Uniform Traffic Control Devices.
- (2) Surfacing and marking. All off-street parking and traffic circulation areas (including all residential driveways except those in the RH-35 District) shall be paved with a hard, all-weather or other surface that advances the goals of the Comprehensive Plan or other adopted plan, policy, or regulation of the Village to the satisfaction of the Director of Public Works. Said surfaces intended for six or more parking stalls shall be marked in a manner which clearly indicates required parking spaces.
- (3) Curbing. All off-street parking areas designed to have head-in parking within 6.5 feet of any lot line shall provide a tire bumper or curb of adequate height and properly located to ensure that no part of any vehicle will project beyond the required setbacks of this chapter.
- (4) Access. Each off-street parking space shall open directly upon an aisle or driveway that is wide enough and designed to provide a safe and efficient means of vehicular access to the parking space without directly backing or maneuvering a vehicle into a public right-of-way exceeding 82.5 feet in width. All off-street parking and traffic circulation facilities shall be designed with an appropriate means of vehicular access to a street or alley, in a manner which least interferes with traffic movements. No driveway across public property, or requiring a curb cut, shall exceed a width of 40 feet for commercial and industrial land uses or 25 feet for residential land uses (see Figure 510-93A). Off-street parking spaces for residential uses may be stacked or in front of one another for the same building unit. Parking spaces located behind an enclosed garage and located directly off a through aisle shall be a minimum of 30 feet deep.
- (5) Snow storage. Required off-street parking and traffic circulation areas shall not be used for snow storage.
- (6) Lighting. All off-street parking and traffic circulation areas serving six or more cars shall be lit so as to ensure the safe and efficient use of said areas during the hours of use. An illumination level of between 0.4 and 1.0 footcandle is recommended for said areas, and said illumination level shall not exceed the standards of § 510-95.
- (7) Signage. All signage located within, or related to, required off-street parking or traffic circulation shall comply with the requirements of Article XV.
- (8) Landscaping. Parking lot landscaping shall comply with the requirements of the paved area landscaping requirements in Article XIV.
- (9) Parking space design standards. Other than handicapped parking, each off-street parking space shall comply with the minimum requirements of Figure 510-93A. The minimum required length of parking spaces shall be 16 feet. All parking spaces shall have a minimum vertical clearance of at least seven feet.
- (10) Handicapped parking spaces. Handicapped parking shall be provided at a size, number, location, and with signage as specified by state and federal regulations.

- (11) Parking lot design standards. Horizontal widths for parking rows, aisles, and modules shall be provided at widths no less than listed in Figure 510-93A. Additional design standards apply to group developments (see § 510-108) and large developments (see § 510-109).
- (12) Partial development of required parking spaces. Any development may seek permission to not install a portion of its required parking at time of site plan review; however, the site plan shall depict the minimum number of required parking spaces.
- (13) Limit on the maximum number of required parking spaces. No site plan may be approved for a multifamily or nonresidential use which contains more than 120% of the development's minimum number of required parking spaces, except as granted through a conditional use permit.
- (14) Turning radius. In addition to all of the specific design requirements in this and other sections, loading births, driveways, and access aisles must be designed to accommodate a turning template for a WB-50 truck, which corresponds to the turning radius of the Village's largest fire truck. Upon petition, the fire chief for the village may with cause waive this requirement in whole or in part on a case-by-case basis when such access for fire protection is not required for a proposed building or addition.



Section 4. This ordinance shall become effective upon passage and posting or publication as provided by law.

Section 5. The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful, or unenforceable, such decision shall apply only to the specific Section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections, or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

Adopted by a vote in favor by two-thirds of the members-elect of the Village Board, or more, this 15th day of August, 2022

Scott Seager, President

ATTEST:

Lorri Alexander, Village Clerk