

CHAPTER 8

Traffic Visibility, Loading, Parking and Access

SEC. 8-8-1 TRAFFIC VISIBILITY.

- (a) On a corner lot in all zoning districts, 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 (2-1/2) feet and ten (10) feet above the centerline grades of the intersecting streets in the area bounded by the edge of right-of-way street lines of such corner lots and a line joining the points along said street lines fifteen (15) feet from the joint of intersection.
(b) In the case of arterial streets intersecting with other arterial streets or railways, the corner cutoff distances establishing the triangular vision clearance space shall be increased to thirty (30) feet.
(c) This regulation shall not apply to the trunks of trees and posts not over six (6) inches square or in diameter.

SEC. 8-8-2 LOADING REQUIREMENTS.

- (a) Loading Space Requirements. On every lot on which a business or industrial use is hereafter established, space with access to a public street or alley shall be provided as indicated below for the loading and unloading of vehicles off the public right-of-way:

Table with 4 columns: Gross Floor Areas, No., Minimum Size, Min. Vert. Clearance. Rows include area ranges like 3,000 - 10,000 sq. ft. and corresponding minimum sizes and clearances.

For each additional one hundred thousand (100,000) square feet of gross floor area or fraction thereof over one hundred thousand (100,000) square feet, one (1) additional loading space shall be provided.

- (b) Multiple or Mixed Uses. Where a building is devoted to more than one (1) use or for different uses and where the floor area for each use is below the minimum required for a loading space but the aggregate floor area of such uses is above such a minimum, then off-street loading space shall be provided as if the entire building were devoted to that use in the building for which the most loading spaces are required.
(c) Location. Required off-street loading spaces shall be located on the same lot with the principal use requiring such space. No loading space shall be located within thirty (30) feet of the nearest point of intersection of two (2) streets or require any vehicle to back into a public street.
(d) Surfacing. All open off-street loading berths shall be improved with a compacted gravel base, not less than seven (7) inches thick, surfaced with not less than two (2) inches of asphalt or treated with some comparable all-weather dustless material.
(e) Repair and Service. No motor vehicle repair work or service of any kind shall be permitted in conjunction with loading facilities provided in any Residential District.
(f) Utilization. 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) Central Loading. Central loading facilities may be substituted for loading berths on the individual zoning lots provided the following conditions are fulfilled:
(1) Each zoning lot served shall have direct access to the Central Loading Area without crossing streets or alleys at grade.
(2) Total berths provided shall meet the requirements based on the sum of the several types of

uses served. (Areas of types of uses may be totaled before computing number of loading berths.)

- (3) No zoning lot served shall be more than three hundred (300) feet removed from the Central Loading Area.
- (4) The tunnel or ramp connecting the Central Loading Area with the zoning lot served shall be not less than seven (7) feet in width and have a clearance of not less than seven (7) feet.

### **SEC. 8-8-3 PARKING REQUIREMENTS.**

#### **(a) General Requirements.**

- (1) No building permit shall be issued for a new building or for substantial alternations or enlargements for any existing building unless there is included with the application and plans for such structure, alteration or enlargement a plot plan showing the off-street parking spaces and loading areas in accordance with this Section. Such plan shall address landscaping, drainage provisions and driveway locations. No occupancy or building permit shall be issued unless the required parking areas shall comply with the requirements of 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 herein shall be provided.
- (3) Whenever the existing use of a building or structure shall be changed to a new use, parking or loading facilities shall be provided as required for such new use. However, if the said building or structure was erected prior to the effective date of this Chapter, additional parking or loading facilities are mandatory only in the amount by which the requirements for the new use exceed those for the existing use.
- (4) The Plan Commission, upon review, may require any additional number of parking stalls than those listed in 8-8-3(h) for the purpose of ensuring that adequate facilities are provided to serve the intended use of the site.

(b) **Access.** Each required off-street parking stall shall open directly upon an aisle or driveway of a width and design in accordance with Village of Hales Corners standards of design. All off-street parking facilities shall be provided with appropriate means of vehicular access to a street or alley.

(c) **Design Standards.** The size of each parking stall shall be not less than one hundred eighty (180) square feet exclusive of the space required for ingress and egress. Minimum width of aisles providing access to stalls for one-way traffic shall be as follows: Eleven (11) feet for thirty degree (30°) parking; and twenty (20) feet for ninety degree (90°) parking. Minimum width of aisles providing access to stalls for two-way traffic shall be twenty-four (24) feet. No parking area of more than two (2) stalls shall be designed as to require any vehicle to back into a public street. Large expanses of unchanneled parking areas shall be avoided by interior landscaping and safety islands.

#### **(d) Location.**

- (1) Location to be on the same lot as the principal use or not over four hundred (400) feet from the principal use.
- (2) Off-street parking is permitted in all yards of all districts except in the front yards of single-family and two-family residence district but shall not be closer than five (5) feet to a nonresidential side lot line, right-of-way, or rear lot line. No parking stall or driveway, except in residential districts, shall be closer than twenty-five (25) feet to a residential district lot line. A reduced setback of no less than ten (10) feet upon nonresidential district property and from a residential district lot line may be permitted by the Plan Commission, if there is a finding that an adequate provision can be made for effective screening, snow storage, preservation of existing vegetation, topography, drainage, vision triangles, vehicular training radii, the effect of street salting, utility location, and exterior lighting. Screening must be

consistent with the character and scale of the properties in the adjacent residential district by incorporating natural vegetative screens, non-metal fences, or combinations thereof.

(3) Off-street parking in the single-family and two-family residence districts is permitted in the front yard driveway, even though closer than five (5) feet to a side lot line.

(e) **Surfacing.** All off-street parking areas, except a single parking stall accessory to a single-family dwelling, shall be surfaced with a compacted macadam base, or equal, not less than four (4) inches thick and surfaced with at least a two (2) inch thick asphaltic concrete or comparable hard-surfaced, all-weather, dustless materials as approved by the Village Engineer. A parking area serving four (4) or more vehicles shall have the aisles and spaces clearly marked. Compacted stone or gravel may be used only with the approval of the Plan Commission. Completion of surfacing is required prior to the issuance of an occupancy permit. However, for required surfacing during the period between November 1st and April 1st, the owner shall enter into an agreement with the Village agreeing to complete all required surfacing by no later than the following June 1st.

(f) **Landscaping.**

(1) General Screening Requirements.

a. The Plan Commission shall determine whether the paved parking and loading areas are to be screened from abutting residential districts by a buffering area of at least ten (10) feet in width and landscaped and maintained in a manner as specified in this Section or screened by a solid fence or masonry wall or acceptable material and design to be maintained in a manner as determined by the Plan Commission.

b. Prior to the issuance of a building permit, the applicant shall submit a landscape plan for planting preparing by a registered landscape architect or a fence design with detailed specifications, whichever is applicable, together with a firm bid for installation of the required improvement buffering the business site from the abutting residence site, and shall post a bond guaranteeing performance of such installation within one (1) year of the issuance of the building permit. Prior to the issuance of an occupancy permit, the parking area improvements must be completed or a surety filed to guarantee to the Village that these improvements will be installed within one (1) year of occupancy.

c. Buffering areas shall be designed to neutralize the transition from a business use site to a residential use site. Planting in this area shall be, among others, for the purpose of shielding of lights of the business area from the residential area and the business operations. Such area shall be landscaped and maintained in an attractive manner and shall be planted with trees, bushes and shrubs forming an effective screen. Plantings shall not be made of seedlings but from stock that is capable of attaining a good growth within a period of five (5) years. Such plantings to be made from varieties that will, at maturity, reach a height of ten (10) to fifteen (15) feet and form a dense growth. Planting shall occur during the first planting season after construction is completed. Where a solidly constructed decorative fence is provided along the interior lot line, the minimum setback for the parking area shall be five (5) feet from said lot line. Said fence shall be located a minimum of one (1) foot from the said lot line. No accessory buildings or vehicular parking shall be permitted therein. After the initial planting, the owner and occupant, jointly and severally, shall be required to maintain such buffer strip by preserving it in the manner contemplated by the Plan Commission and, by way of illustration but not of limitation, maintenance shall include cutting, trimming and fertilizing, if necessary. Replacement shall be required for any subsequent destroyed, eroded or dead plantings in order to preserve the protective shield between properties. In the event such screening is provided by a solid fence or masonry wall, the owner must maintain an attractive buffer.

- (2) **Location.** The location of landscape areas, plant materials and protection afforded the plantings, including curbing and provision for maintenance by the property owner, shall be subject to approval by the Village Engineer.
- (3) **Plans.** All plans for such proposed parking areas, at the discretion of the Village Engineer, shall include a topographic survey or grading plan which shows existing and proposed grades and location of improvements. The preservation of existing trees, shrubs and other natural vegetation in the parking area may be included in the calculation of the required minimum landscape area.
- (4) **Repair and Service.** No motor vehicle repair work or service of any kind shall be permitted in association with parking facilities provided in Residence Districts.
- (5) **Lighting.** Any lighting used to illuminate off-street parking areas shall be directed away from residential properties and public streets in such a way as not to create a nuisance. However, in no case shall such lighting exceed three (3) footcandles measured at the lot line.
- (6) **Street Setback Area.** No parking shall be permitted between the street right-of-way line and the building setback line prevailing in the zone in which the proposed parking area is to be located. The resulting open area shall be planted in grass or otherwise landscaped to create a permanent green area.
- (g) **Curbs.** Curbs or barriers shall be installed a minimum of four (4) feet from a property line so as to prevent the parked vehicles from extending over any lot lines.
- (h) **Number of Stalls.** Number of parking stalls required are shown in the following table:

<u>Use</u>	of public assembly
Dwellings: Single-family and two-family	
Dwellings: Multi-family	2 stalls for each dwelling unit
Housing for the elderly	2 stalls for each dwelling unit
	0.75 stall for each dwelling unit with one-half of these stalls to be built before occupancy and the balance shall be reserved until such time as the Village Board may order them installed
Hotels, Motels	
	1 stall for each guest room plus 1 stall for each 2 employees
Sororities, dormitories, rooming, and boarding houses	
	1 stall for each 2 sleeping units plus 1 stall for each 2 employees
Retirement homes, orphanages, covenants, and monasteries	
	1 stall per 2,000 square feet of principal floor area
Hospitals, sanitariums, institutions, rest and nursing homes	
	1 stall for each 3 beds plus 1 stall for each employee
Medical and dental clinics	
	5 stalls for each doctor or dentist
Theaters, auditoriums, community centers, sports arenas, and other places	

1 stall for each 4 seats or spaces equal to 20% of capacity in persons, whichever is greater

Business, technical, and trade schools

Colleges, secondary, and elementary schools

1 stall for every faculty member and employee, plus 1 stall for every 4 seats in an auditorium, plus 1 stall for every 5 students in high school or college

Restaurants, bars, clubs and lodges, places of entertainment

1 stall for every 4 seats, plus 1 stall for every employee

Office buildings, professional offices, banks, and savings institutions

At least 1 parking stall per 300 square feet of floor area

Drive-in establishments

At least 1 stall for each 15 square feet of floor area in the building

Manufacturing and processing plants (including meat and food processing), laboratories, and warehouses

1.5 stalls for every employee; number of employees shall be construed to mean the maximum number on the premises at one time

Libraries, museums, art galleries, etc.

1 stall for each 3 employees, plus 1 stall for each 4 seats, plus 1 stall for each 500 square feet of floor area not having seats

Washing and cleaning establishments

1 stall for each 2 employees, plus 1 stall for every wash machine or 1 for each 150 square feet of floor area, whichever is greater

Funeral homes, mortuaries, and similar-type uses

1 stall for each 100 square feet of floor area in parlors or assembly rooms

Retail Stores

1 stall per 300 square feet if under 1,000 square feet total area, or 1 stall per 200 square feet if over 1,000 square feet total area, plus 1 stall for every employee

Other business uses

1 stall for each 300 square feet of floor area

Churches and other places of religious assembly

1 stall for each 5 seats or 1 for each 90 lineal inches of pew space

Cartage, express, and parcel delivery, freight terminals

1 stall for each 2 employees (on the largest shift for which the building is

designed) plus 1 stall for each motor vehicle maintained on the premises

1 stall for each 5 students plus 1 stall for each 2 employees

Financial institutions, business, government and professional offices

1 stall for each 300 square feet of floor area and 1 stall for each 2 employees

Motor vehicle sales (new and used)

1 stall for each 500 square feet of floor area used plus 1 stall for each 300 square feet of outdoor display area for each motor vehicle to be displayed (This requirement does not include service garages)

Repair shops, retail and service stores

1 stall for each 200 square feet of net floor space

Automobile repair garages and service stations

1 stall for each 2 employees plus 3 stalls for each service bay

Recreational uses - business

1 stall for every 3 persons based on maximum capacity, plus 2 stalls for every 2 employees

Bowling alleys

4 stalls for each alley, plus additional stalls for affiliate uses

- (i) **Uses Not Listed.** In the case of structures or uses not mentioned, the provision for a use which is similar shall apply. Floor space or area shall mean the gross floor area inside the exterior walls, where floor space is indicated above as a basis for determining the amount of off-street parking required.
- (j) **Combined Uses.** Combinations of any of the above uses shall provide the total of the number of stalls required for each individual use. Two (2) or more uses may provide required off-street parking stalls in a common parking facility less than the sum of the stalls required for each use individually, provided such uses are not operated during the same hours. The following conditions must be met for any joint use:
  - (1) The proposed joint parking stall is within five hundred (500) feet of the use it will serve.
  - (2) The applicant shall show that there is no substantial conflict in the principal operating hours of the two (2) buildings or uses for which joint use of off-street parking facilities is proposed.
  - (3) A properly drawn legal instrument approved by the Village Board, executed by the parties concerned, for joint use of off-street parking facilities shall be filed with the Village Clerk. Said instrument may be a three (3) party agreement, including the Village and all private parties involved. Such instrument shall first be approved by the Village Attorney.
- (k) **Handicapped Parking Requirements.** In addition to any other requirements relating to parking spaces contained in these Ordinances, the provisions contained in Sections 101.13, 346.503 and 346.56, Wis. Stats., and any Wis. Adm. Code sections adopted pursuant thereto are hereby adopted by reference and made applicable to all parking facilities whenever constructed.
- (l) **Changes in Buildings or Use.** Whenever a building or use is changed, structurally altered or enlarged to create a need for an increase of twenty-five percent (25%) or more in the number of existing parking stalls, such stalls shall be provided on the basis of the enlargement or change. Whenever a building or use is enlarged to the extent of fifty percent (50%) or more in the floor area, said building or use shall then comply with the parking requirements set forth in the district in which it is located.
- (m) **Off-Lot Parking.**
  - (1) Required off-street parking stalls shall be located on the same lot with the principal use, or when this requirement cannot be met, such stalls may be located off-lot provided the stalls are located in the same district and not over five hundred (500) feet from the principal use. In cases where off-street parking facilities are permitted on land other than the same lot as the principal use, such facilities shall be in the same possession as the lot occupied by the use to which the parking facilities are necessary or in the possession of the controller of the principal use to which the parking facilities are accessory. Such possession shall be by deed whereby the owner of the land on which the parking facilities are to be located shall be bound by a covenant filed and recorded in the Office of the Milwaukee County Register of Deeds requiring such owner, his heirs or assigns to maintain the required facilities for the duration of the use served.
  - (2) Off-lot parking stalls for residential uses shall be within two hundred fifty (250) feet of the principal entrance or the entrance for the individual occupants for whom the stalls are reserved while the farthest portions of a parking lot for all other uses shall be within four hundred (400) feet of the entrance of the establishment.
  - (3) Accessory parking may be located in residential districts provided that said lots or property are immediately adjacent to a business or industrial zoning district.
  - (4) All off-street parking lots adjoining lots zoned for residential use shall have a minimum setback of ten (10) feet from any interior lot line, except if the adjoining lot is used for legally conforming parking purposes.
- (n) **Signs.** Signs located in parking areas necessary for orderly operation of traffic movement shall be permitted in addition to others permitted in this Chapter.
- (o) **Lighting.** Lighting used to illuminate off-street parking shall have no direct source of light visible

from a street or adjacent land.

- (p) **Reduction of Parking Areas.** Off-street parking stalls shall not be reduced in number unless said number exceeds the requirements set forth herein.

Reference: Ordinance 03-10

#### **SEC. 8-8-4 HIGHWAY ACCESS.**

- (a) **Highway Access.** No direct private access shall be permitted to the existing or proposed rights-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 rights-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 rights-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.

#### **SEC. 8-8-5 STORAGE AND PARKING OF RECREATIONAL VEHICLES.**

- (a) **Definitions -- Recreational Vehicles.** For purposes of this Section, the following definitions shall apply:
- (1) **Recreational Vehicle.** Recreational vehicle means any of the following:
- a. **Travel Trailer** means a vehicular, portable structure built on a chassis and on wheels that are between ten (10) and thirty-six (36) feet long, including the hitch, and eight (8) feet or less in width, designated to be used as a temporary dwelling for travel, recreation, vacation or other uses and towed by a car, station wagon or truck. It includes so called fifth-wheel units.
  - b. **Pick-up Coach** means a structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation, vacation or other uses.
  - c. **Motor Home** means a portable, temporary dwelling to be used for travel, recreation, vacation or other uses, constructed as an integral part of a self-propelled vehicle.
  - d. **Camping Trailer** means a canvas or folding structure mounted on wheels and designed for travel, recreation, vacation or other uses.
  - e. **Chassis Mounts, Motor Homes and Mini-Motor Homes** means recreational structures constructed integrally with a truck or motor-van chassis and incapable of being separated therefrom.
  - f. **Converted and Chopped Vans** means recreational structures which are created by altering or changing an existing auto van to make it a recreational vehicle.
  - g. **Boat or Snowmobile Trailer** means a vehicle on which a boat or snowmobile may be transported and is towable by a motor vehicle. When removed from the trailer, a boat or snowmobile, for purposes of this Chapter, is termed an unmounted boat or snowmobile.
- (2) **Boat.** Boat means every description of watercraft used or capable of being used as a means of transportation on water.
- (3) **Yard, Front,** means that part of a lot between the front lot line and the front of the principal building on the lot and extended to both side lot lines.

- (4) Yard, Rear, means that part of a lot between the rear lot line and the back of the principal building on the lot and extended to both side lot lines.
  - (5) Yard, Side, means that part of a lot not surrounded by a building and not in the front or rear yard.
- (b) **Permitted Parking or Storage of Recreational Vehicles.** In all residential and business districts provided for in this Zoning Code, it is permissible to park or store a recreational vehicle or boat and boat trailer on private property in the following manner:
- (1) No recreational vehicle shall be parked or stored on the public right-of-way. Any recreational vehicle, when parked or stored within the front or side setback, must be placed on a properly improved driveway and be at least fifteen (15) feet away from any adjacent dwelling. Recreational vehicles parked in the rear setback area must be at least five (5) feet from any property line.
  - (2) The body of the recreational vehicle or boat must be at least fifteen (15) feet from the face of any curb or pavement edge.
  - (3) No part of the unit may extend over the public sidewalk or public right-of-way.
  - (4) Parking is permitted only for storage purposes. Recreational vehicles or boats shall not be:
    - a. Used for dwelling purposes, except for overnight sleeping for a maximum of fourteen (14) days in any one (1) calendar year. Cooking is not permitted at any time.
    - b. Permanently connected to sewer lines, water lines or electricity. The recreational vehicle may be connected to electricity temporarily for charging batteries and other purposes.
    - c. Used for storage of goods, materials or equipment other than those items considered to be part of the unit or essential for its immediate use.
  - (5) Notwithstanding the above, a unit may be parked anywhere on the premises during active loading or unloading, and the use of electricity or propane fuel is permitted when necessary to prepare a recreational vehicle for use.
  - (6) The recreational vehicle or boat shall be owned by the resident on whose property the unit is parked for storage and shall be kept in good repair.

State Law Reference: Sec. 30.50, Wis. Stats., and HSS 177 and 178, Wis. Adm. Code.

#### **SEC. 8-8-6 STORAGE OF TRUCKS, TRACTORS AND ROAD MACHINERY.**

- (a) **Truck Parking in Residential Areas.** Passenger automobiles and panel, enclosed or pickup trucks for personal use. One (1) panel, enclosed, or pickup truck when used by the occupant in his business or occupation, in operable condition, shall be permitted in any residence district. Trucks shall be limited to those with a wheel base of one hundred thirty-nine (139) inches or less and a gross vehicle weight of ten thousand (10,000) pounds or less. No commercially licensed trailer, including semi-trailers, shall be parked or stored in a residential district, except when loading, unloading or rendering a service [Ref. Sec. 8-2-9(e)(2)].
- (b) **Tractors and Road Machinery.** No person, firm or corporation shall park, keep or maintain, on properties zoned as residential or multiple residential dwellings, the following types of vehicles: tractors, tractor trailers, semi-trailers, dump trucks, auto wreckers and road machinery. Said vehicles may not be kept or parked on said premises whether or not they are in enclosed buildings, except for the purposes of unloading or servicing the premises.