

VILLAGE OF WAUNAKEE

AMENDMENT TO CHAPTER 133 (ZONING  
CODE) OF THE CODE OF ORDINANCES,  
VILLAGE OF WAUNAKEE,

WISCONSIN RECITALS

- A. Pursuant to sections 61.35 and 62.23 of the Wisconsin Statutes, the Village Board of the Village of Waunakee has the authority to amend the Village's Zoning Code found in Chapter 133 of the Code of Ordinances, Village of Waunakee, Wisconsin.
- B. On November 13, 2023, the Village of Waunakee Plan Commission held a public meeting regarding the proposed amendment to Chapter 133 related to parking requirements contained in this ordinance (the "Zoning Amendment"), and recommended approval of the Zoning Amendment to the Village Board.
- C. On January 2, 2024, the Village Board held a public hearing regarding the Zoning Amendment at which citizens were provided an opportunity to comment on the Zoning Amendment. The public hearing was preceded by the publication of a class 2 notice under chapter 985 of the Wisconsin Statutes.
- D. The Village Board has determined that it is in the public interest to adopt the Zoning Amendment.

ORDINANCE

*NOW, THEREFORE, the Village Board of the Village of Waunakee, Dane County, Wisconsin, do ordain as follows:*

1. That Chapter 133, Section. 133-2 of the Code of Ordinances, Village of Waunakee, Wisconsin be hereby amended to add a definition for *Elderly Housing* as follows:

Sec. 133-2. – Definitions.

*Elderly housing* means retirement communities or similar types of housing reserved for households composed of one or more persons 62 years of age or older or an age recognized as elderly by a specific federal housing assistance program.

2. That Chapter 133, Section 133-995 of the Code of Ordinances, Village of Waunakee, Wisconsin is repealed and recreated to read as follows:

## **Sec. 133-995. Parking requirements.**

All new nonresidential parking lots in excess of four stalls and all alterations of existing lots shall be subject to the approval of the plan commission. Requests for such parking lots shall be accompanied with detailed plans on landscaping, parking layout, drainage provision, and driveway locations. In all districts there shall be provided at the time any use or building is erected, enlarged, extended, or increased off-street parking stalls for all vehicles in accordance with the following:

- (1) *Access.* Adequate access to a public street shall be provided for each parking space.
- (2) *Design standards.* The size of each parking space shall be not less than 162 square feet (nine feet by 18 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: 11 feet for 30-degree parking; and 20 feet for 90-degree parking. Minimum width of aisles providing access to stalls for two-way traffic shall be 24 feet. No parking area of more than two spaces shall be designed as to require any vehicle to back into a public street. Any parking area of more than five spaces shall be sufficiently screened in the form of a solid fence or shrubbery to protect adjacent residential uses. Large expanses of unchanneled parking areas shall be avoided by interior landscaping and safety islands. The plan commission may authorize up to 10% of the required number of parking stalls be sized for compact cars and electric vehicles (eight feet by 16 feet).
- (3) *Location.*
  - a. Location shall be on the same lot as the principal use or not over 500 feet from the principal use.
  - b. Off-street parking in non-residential districts is permitted in all yards but shall not be closer than five feet to a side lot line, right-of-way line, or rear lot line, except as part of a shared parking design across more than one parcel if approved by the plan commission. No parking space or driveway in a non-residential district except in residential districts, shall be closer than 25 feet to a residential district lot line.
  - c. Off-street parking in the single-family and two-family residential districts is permitted in the front yard in the driveway, even though closer than five feet to a side lot line or right-of-way line, providing the driveway conforms to the requirements in division 3 of article VII of chapter 58.
- (4) *Surfacing.* All off-street parking areas, except a single parking space accessory to a single-family dwelling, shall be surfaced with a dustless all-weather material capable of carrying a wheel load of 4,000 pounds (normally, a two-inch blacktop on a four-inch base or five inches of Portland cement will meet this requirement). Any parking area for more than five 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 1 and June 1, the owner shall enter into an agreement with the village agreeing to complete all required surfacing by no later than the following June 1.

- (5) *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.
- (6) Reserved.
- (7) *Curbs.* Curbs or barriers shall be required around the edges of all parking and drive areas in all non-residential districts and for any residential development with five or more units. Where required, curbs or barriers shall be installed a minimum of four feet from a property line so as to prevent the parked vehicles from extending over any lot lines.
- (8) *Number of stalls.* The number of parking stalls required is shown in the following table. Where floor space is indicated in the table below as a basis for determining the amount of off-street parking required, it shall mean the gross floor area inside the exterior walls, unless specified otherwise within the standard.

Use	Minimum Parking Required
Dwellings: Single-family, two-family and manufactured homes	2 stalls for each dwelling unit.
Dwellings: Multifamily	Studio – 1 stall per dwelling unit; 1 BR - 1.5 stalls per dwelling unit; 2 BR or greater - 2 stalls per dwelling unit.
Dwellings: Elderly housing	1 stall per dwelling unit*, plus 1 stall for each employee on the largest work shift.  *Less resident parking may be approved based on demonstrated demand for the target resident population, down to a minimum of 0.3 stalls per unit.
Hotels, motels, bed and breakfasts	1 stall per bedroom, plus 1 stall for each employee on the largest work shift.

Use	Minimum Parking Required
Nursing homes and other long-term housing for non-driving residents	1 stall per 6 patient beds, plus 1 stall per employee on the largest work shift.
Hospitals	2 stalls per 3 patient beds, plus 1 stall per staff doctor and each other employee on the largest work shift.
Medical and dental clinics	1 stall per 300 square feet of floor area.
Restaurants, bars, clubs and lodges, places of entertainment	1 stall for each 200 square feet of floor area used for customer seating or 1 stall for every 3 seats available for customers, whichever is greater.
Retail business and commercial services	1 stall per 300 square feet of floor area.
Office buildings and professional offices	1 stall per 300 square feet of floor area.
Industrial Service, manufacturing and production plants (including food processing), laboratories	Minimum of 1 parking stall for each full-time equivalent employee on the largest work shift, plus 1 stall for each vehicle owned by the business and stored at the site.
Indoor storage/warehousing/manufacturing area	1 – 3,000 SF            1 per 300 square feet 3,001 – 5,000 SF    1 per 400 square feet 5,001 – 10,000 SF   1 per 750 square feet 10,001 – 50,000 SF   1 per 1,250 square feet > 50,000 SF            1 per 1,500 square feet
Theaters, auditoriums, community centers, sports arenas, and other places of public assembly	1 stall for each 5 seats or one stall for each patron equal to 20 percent of the building capacity, whichever is greater.
Elementary and Junior High Schools	One space per teacher and staff member, plus one space per two classrooms.

Use	Minimum Parking Required
High School, Vocational School and College	Grades 9-12 - 1 stall for each 5 students age 16 or greater, plus 1 stall for each employee on the largest work shift. Vocational and College – 1 stall for each 2 students during the largest class attendance period, plus 1 stall for each employee on the largest work shift.
Libraries, museums, art galleries, and other public buildings	1 stall per 500 feet of floor area.
Funeral homes, mortuaries and similar-type uses	1 space per 3 patron seats at the maximum capacity, plus 1 space per employee on the largest work shift.
Churches and other places of indoor religious assembly	1 stall per 5 seats at maximum capacity.
Motor vehicle sales (new and used)	1 stall for each 1,000 square feet of floor area used for sales or vehicle display.
Automobile repair garages and stations	1 stall for each 2 employees plus 2 service spaces for each service bay
Bowling lanes	4 stalls for each alley, plus 1 additional stall for each 200 square feet used for retail or restaurant purposes
Day care centers and other similar facilities for children or adults	1 stall per employee on the largest work shift, plus 1 stall per 10 students or persons licensed to attend.
Swimming pools	1 stall per 100 square feet of water surface.

- (9) *Uses not listed.* For structures or uses not mentioned, the provision for a use that is similar shall apply or the plan commission may rely on standards and parking ratios that appear in the most recent edition of the Institute of Traffic Engineers Parking Generation Manual.

- (10) *Combined uses.* Combinations of any of the uses in the table in subsection (8) of this section shall provide a minimum of 80% of the sum of the total of the number of stalls required for each individual use. Two or more uses may provide required off-street parking spaces in a common parking facility less than 80% of the sum of the spaces required for each use individually, provided. The following conditions must be met for any joint use:
- a. The proposed joint parking space is within 500 feet of the use it will serve;
  - b. The applicant shall show that there is no substantial conflict in the principal operating hours of the two buildings or uses for which joint use of off-street parking facilities is proposed;
  - c. 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 zoning administrator. Such instrument may be a three party agreement, including the village and all private parties involved. Such instrument shall first be approved by the village attorney.
- (11) *Physically disabled parking requirements.* In addition to any other requirements relating to parking spaces contained in this Code, the provisions contained in Wis. Stats. §§ 101.13, 346.503 and 346.56, and any Wisconsin Administrative Code sections adopted pursuant thereto are adopted by reference and made applicable to all parking facilities whenever constructed.
- (12) *Changes in buildings or use.* Whenever a building or use is changed, structurally altered, or enlarged to create a need for an increase of 25 percent or more in the number of existing parking spaces, such spaces shall be provided on the basis of the enlargement or change. Whenever a building or use is enlarged to the extent of 50 percent or more in the floor area, such building or use shall then comply with the parking requirements set forth in the district in which it is located.
- (13) *Off-lot parking.*
- a. Required off-street parking spaces shall be located on the same lot with the principal use, or when this requirement cannot be met, such parking spaces may be located off-lot, provided the parking spaces are located in the same district and not over 500 feet from the principal use. When 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 county register of deeds requiring such owner, the owner's heirs or assigns to maintain the required facilities for the duration of the use served;

- b. Off-lot parking spaces for residential uses shall be within 250 feet of the principal entrance or the entrance for the individual occupants for whom the spaces are reserved;
  - c. Off-lot parking may be located in residential districts, provided that such lots or property are immediately adjacent to a commercial, business or industrial zoning district;
  - d. All off-lot parking lots adjoining lots zoned for residential use shall have a minimum setback of ten feet from any interior lot line, except if the adjoining lot is used for legally conforming parking purposes.
- (14) *Reduction of parking areas.* Off-street parking spaces shall not be reduced in number unless such number exceeds the requirement set forth in this section.
- (15) *Exceptions.*
- a. The plan commission may authorize an exception to the parking standards to allow an increase or decrease of up to 10% of required parking stalls when the applicant can demonstrate demand through supporting evidence that includes analysis of similar or comparable uses;
  - b. In granting exceptions to the parking standards, the plan commission may grant conditional exceptions, subject to future review and reconsideration.

*The foregoing ordinance was duly adopted by the Village Board of the Village of Waunakee at a meeting held on January 2, 2024.*

APPROVED:

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Kristin Runge, Village

President

ATTEST:

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Karla Endres, Village Clerk