

STATE OF WISCONSIN
WAUKESHA COUNTY
VILLAGE OF BUTLER

ORDINANCE 23-05

Ordinance Amending Chapter 54 of the Butler Municipal Code with Regards to Zoning to Remove Barriers to Green Infrastructure

WHEREAS, the Village Board of the Village of Butler seeks to be in compliance with the requirements for the Wisconsin Department of Natural Resources WPDES permit and thus seeks to remove barriers to green infrastructure;

NOW, THEREFORE, the Village Board of the Village of Butler, Waukesha County do ordain as follows:

SECTION I

The following sections of Chapter 54 of the Butler Municipal Code are amended to read as follows:

Sec. 54-7 – Definitions.

Alley means a special public right-of-way affording only secondary access to abutting properties.

Amended soil area means a landscaped portion of a site where decomposed organic material has been incorporated into the soil to improve its performance for infiltration and vegetation growth, enabling the area to function as a vegetated stormwater management measure.

Sec. 54-7 – Definitions.

Basement or cellar means a story partly underground but having at least one-half of its height, or five or more feet, below the mean level of the adjoining ground.

Bioretention are or rain garden means an excavated area back-filed with a prepared or amended soil mixture, covered with a mulch layer and planted with a diversity of woody or herbaceous vegetation, to which stormwater is directed to promote infiltration and evapotranspiration. Also referred to as a “rain garden”.

Sec. 54-7 – Definitions.

Carport. See Garage.

Cistern means a system for collecting rooftop runoff that detains water in above-ground to underground storage tanks, ranging in capacity from approximately one hundred to 10,000 gallons.

Sec. 54-7 – Definitions.

Doublewide manufactured home means a doublewide mobile home is a mobile home consisting of two mobile home sections combined horizontally at the site while still retaining their individual chassis for possible future movement.

Downspout disconnection means the rerouting of rooftop drainage pipes to drain rainwater to rain barrels, cisterns, or permeable areas instead of the storm sewer.

Sec. 54-7 – Definitions.

Gift stores means retail stores where items such as art, antiques, jewelry, books, and notions are sold.

Green infrastructure means a stormwater runoff management system that uses vegetation, soils and natural processes to mimic nature’s ability to soak up and store storm water. Examples of green infrastructure BMPs include but are not limited to downspout disconnection, rainwater harvesting, rain gardens, planter boxes, bioswales, permeable surfacing/pavements, green alleys and streets, green parking, green roofs, stormwater trees, amended soil areas, and land conservation.

Green parking, streets and alleys means integrating green infrastructure elements into the parking, street and/or alley design to store, infiltrate, and evapotranspire stormwater.

Green roof means an engineered roofing system that includes vegetation planted in a growing medium above an underlying waterproof membrane material, designed to reduce the volume of stormwater runoff from building roofs.

Green wall means a supporting structure or wall panel that enables plants to grow vertically along the façade of a building or structure to provide air and water quality functions as well as aesthetic enhancement and screening.

Sec. 54-7 – Definitions.

Minor structures means any small, movable accessory erection or construction, such as birdhouses; tool houses; pet houses; play equipment; arbors; and walls and fences under four feet in height.

MMSD means the Milwaukee Metropolitan Sewerage District.

Sec. 54-7 – Definitions.

Party wall means a wall containing no opening which extends from the elevation of building footings to the elevation of the outer surface of the roof or above, and which separates contiguous buildings but is in joint use for each building.

Permeable surfacing means a material or materials and accompanying subsurface treatments designed and installed specifically to allow stormwater to penetrate into the material, thereby

reducing the volume of stormwater runoff from the surfaced area. Permeable surfacing may include without limitation paver blocks, 'grasscrete' or similar structural support materials, and permeable concrete or asphalt.

Sec. 54-7 – Definitions.

Planned residential development means a tract of land which contains or will contain two or more principal buildings, developed under single ownership or control, the development of which is unique and of a substantially different character than that of surrounding areas.

Planter box means a structure made of a durable material such as stone, brick or concrete designed to capture runoff and settle and filter out sediment and pollutants, to which runoff is piped, channeled, or directed to the surface of the planter box, where it is temporarily stored and then infiltrated or conveyed to another approved disposal point.

Pocket or modular wetland means a small (typically under 1,000 SF in area) constructed wetland designed to reduce peak stormwater flows and runoff volumes and to remove pollutants via settling and bio-uptake.

Sec. 54-7 – Definitions.

Railroad right-of-way means a strip of land with tracks and auxiliary facilities for track operation, but not including freight depots or stations, loading platforms, train sheds, warehouses, car or locomotive shops, or car yards.

Rain barrel means a structure for the collection of roof runoff in containers typically ranging from 50 to 100 gallons in size, designed for the subsequent release of water to landscaped areas. A rain barrel shall be securely covered, have an overflow discharge device sized to adequately convey overflow to the point of discharge and have a convenient and functional means of water withdrawal.

Rain garden. Please see "bioretention area."

Rainwater harvesting means the collection and storage of rainfall for later use, typically in a rain barrel or cistern.

Sec. 54-7 – Definitions.

Sign, window, means a sign that is applied or attached to the exterior or interior of a window or located in such manner within the building that it can readily be seen from the exterior of the building through a window.

Stormwater tree means a tree or trees selected and installed (either with or without an engineered box or structure) as an integral component of a site-specific stormwater management plan, sited at a point or location where the tree(s) will have the effect of increasing the coverage of tree canopies to provide stormwater interception and evapotranspiration, stormwater uptake, and increased infiltration.

Sec. 54-7 – Definitions.

Utilities means public and private facilities, such as water wells, water and sewage pumping stations, water storage tanks, electrical power substations, static transformer stations, telephone and telegraph exchanges, microwave radio relays, and gas regulation stations, but not including sewage disposal plants, municipal incinerators, warehouses, shops, storage yards and power plants.

Vegetated stormwater management measure means a bioretention area, rain garden, amended soil area, pocket wetland, vegetated swale, or stormwater tree that is designed and intended to provide stormwater treatment and control, and to promote evapotranspiration and infiltration of stormwater by plant, tree and soil mechanisms.

Vegetated swale means a stormwater conveyance system routing stormwater flows through vegetated areas, natural elongated depressions, or constructed channels. A vegetated infiltration swale differs from a conventional drainage channel or ditch in that it is constructed specifically to promote infiltration. Also referred to as a “bioswale.”

Sec. 54-37 – Site Regulations. Paragraph i

- (i) Open yards. Every part of a required yard shall be open to the sky, unobstructed, except for accessory buildings **or structures to allow for rain barrels and cisterns** in a rear yard, and the ordinary projections of sills, belt courses, cornices and ornamental features projecting not more than 12 inches.

Sec. 54-37 – Site Regulations. Paragraph j

- (j) Buffer yard required. Any business or industrial use commenced after January 1, 1993, that abuts a residential district shall provide a minimum buffer yard of 20 feet between the business use and all single-family and two-family residential districts. Such minimum buffer yard shall be in addition to any setback or any other yard requirement. A minimum buffer yard of 20 feet shall be required between any single- or two-family residential use and a multifamily residential use. Such minimum buffer yard and shall be in addition to any setback or any other yard requirement. The purpose of the buffer yard is to screen the business activity or multifamily residential activity from the single- or two-family residential environment in such a manner that:
 - (1) If a buffer yard is composed entirely of plant materials, it shall be of sufficient depth and height, and contain sufficient plant species as to provide dense visual screening within two years and during all seasons of the year.
 - (2) Where architectural walls, berms, or fences are used, sufficient landscaping shall be used in conjunction with such wall, berm, or fence to create an attractive view from the residential side. When a berm and fence are used in combination, the fence shall be erected on the business/industrial side of the berm. Any wall or fence shall not be less than six or more than eight feet in height and shall comply with the requirements set forth for fences in section 54-65. Berms shall not exceed a slope of three feet horizontal to one foot vertical.

- (3) Where the land adjacent to the buffer yard is a parking lot, the buffer screen shall be sufficiently opaque to prevent the penetration of headlight glare.
- (4) All landscaping shall be maintained by the owner or operator to the satisfaction of the building board.
- (5) No lighting shall be permitted on or in any part of the buffer yard, and no lighting installed elsewhere on the parcel shall direct any rays onto adjacent residential properties.
- (6) No signs shall be permitted on or in any part of the buffer yard.
- (7) **The use of a combination of vegetation, architectural walls and fencing is encouraged to accommodate the siting of vegetated stormwater management measures, which may be located in any required buffer yard. The building board shall give consideration to the grading, siting, and planting needs for vegetated stormwater management measures in approved buffer yard plans under this section.**

Sec. 54-76 – PUD Planned Unit Development Overlay District. Paragraph a

- (a) *Intent.* The PUD Planned Unit Development Overlay District is intended to permit developments that will, over a period of time, be enhanced by coordinated area site planning, diversified location of structures or mixing of compatible uses. Such developments are intended to provide a safe and efficient system for pedestrian and vehicle traffic; to provide attractive recreation and open spaces as integral parts of the developments; to enable economic design in the location of public and private utilities and community facilities; **to provide opportunities to incorporate green infrastructure and water quality measure benefitting the Village of Butler;** and to ensure adequate standards of construction and planning. The PUD Planned Unit Development Overlay District under this article will allow for flexibility of overall development design with benefits from such design flexibility intended to be derived by both the developer and the community, while, at the same time, maintaining insofar as possible, the land use density and other standards or use requirements as set forth in the underlying basic zoning district.

Sec. 54-76 – PUD Planned Unit Development Overlay District. Paragraph e(2)(g)

- g. The existing and proposed location of public sanitary sewer, water supply facilities and stormwater drainage facilities, **including the integration of landscaping and trees with stormwater treatment and vegetated stormwater management measures.**

Sec. 54-76 – PUD Planned Unit Development Overlay District. Paragraph h(3)(a)

- a. The proposed site shall be provided with adequate drainage facilities for surface waters and stormwaters. **The use of vegetated stormwater management measures, stormwater trees, and other green infrastructure BMPs is encouraged.**

Sec. 54-345 – Application for conditional use; review and recommendation. Paragraph b

(b) *Plans.* In order to secure information upon which to base its determination, the plan commission may require the applicant to furnish, in addition to the information required for a building permit, the following information:

- (1) A plan of the area showing contours, soil types, high water mark, ground water conditions, bedrock, slope and vegetation cover;
- (2) Location of buildings, parking areas, traffic access, driveways, walkways, open spaces, landscaping, lighting;
- (3) Plans for buildings, sewage disposal facilities, water supply systems and arrangements of operations;
- (4) Specifications for areas of proposed filling, grading, lagooning or dredging;
- (5) **Provisions for managing areas or activities that have the potential to result in contaminated stormwater runoff, such as outdoor storage yards, animal-related facilities, trash and dumpster areas, or outdoor activities using fertilizers, pesticides or other potentially hazardous materials. Provisions shall include grading, drainage, or other measures to ensure that contaminated runoff does not each storm drains or surface waters.**

~~(5)(6)~~ Other pertinent information necessary to determine if the proposed use meets the requirements of this article.

Sec. 54-351 – Conditions and guarantees. Paragraph (1)a

The following provisions shall apply to all conditional uses:

- (1) *Conditions.* Prior to the granting of any conditional use, the village board may stipulate the conditions and restrictions upon the establishment, location, construction, maintenance and operation of the conditional use as deemed necessary to promote the public health, safety and general welfare of the community, and to secure compliance with the standards and requirements specified in section 54-348. In all cases in which conditional uses are granted, the board shall require the evidence and guarantees as it may deem necessary as proof that the conditions stipulated in connection therewith are being and will be complied with. The conditions may include specifications for, without limitation because of specific enumeration:
 - a. **Landscaping, including screening, tree planting or the installation of vegetated stormwater management measures.**

Sec. 54-351 – Conditions and guarantees. Paragraph (2)

- (2) *Site review.* In making its decision, the village board shall evaluate each application and may request assistance from any source which can provide technical assistance. The village board may review the site, existing and proposed structures, architectural plans, neighboring uses, parking areas, driveway locations, highway access, traffic generation and circulation, drainage stormwater management, sewerage and water systems and the proposed operation/use.

Sec. 54-413 – Loading requirements. Paragraph (c)

- (c) Surfacing and marking. All required loading areas shall be paved surfaced with asphalt, concrete or permeable surfacing where approved by the Village Engineer, and maintained in a dust-free condition at all times. The surface shall be marked in a manner which clearly indicates required loading areas.

Sec. 54-414 – Parking requirements. Paragraph (3)

- (3) Parking space dimensions. The minimum dimensions of each parking space shall be nine feet in width and 20-18 feet in width, exclusive of the space required for ingress and egress. Spaces for use by physically disabled persons shall, however, be sized as specified in subsection (11) of this section.

Sec. 54-414 – Parking requirements. Paragraph (5)

- (5) Location. Location of parking spaces is to be on the same lot as the principal use or not more than 400 feet from the principal use. Unless off-site parking is owned and maintained by the village, or a shared parking plan is approved under subsection 54-414(19) below, the facilities shall be in the same ownership as the lot occupied by the principal use to which the parking facility is accessory. A covenant running with the land shall be recorded in the office of the county register of deeds on the lot upon which the accessory off-street parking lot is located, which prohibits any other use on that lot, and a certified copy by the county register of deeds of the recorded covenant shall be deposited with the building inspector. The covenant shall not be released until the time as either one of the following conditions occur:
- a. The structure on the lot containing the principal use is removed and the principal use terminated; or
 - b. Another lot of the required size within the required distance is properly developed and used for the required accessory off-street parking in place of and in lieu of the initial lot used for accessory off-street parking, with the same requirements, covenants, and conditions attaching to the substitute accessory use lot as required for approval of the initial off-street parking.

Sec. 54-414 – Parking requirements. Paragraph (6)(d) & (6)(e)

- d. Special residential requirements. Those parking areas for five or more vehicles if adjoining a residential use shall be screened from the use by a solid wall, fence,

evergreen planting of equivalent visual density, or other effective means, built and maintained at a minimum height of five feet. Where a solidly constructed decorative fence is provided along the interior lot line, the minimum setback for the parking area shall be five feet from the lot line. The fence shall be located a minimum of one foot from the lot line. **A combination of fencing and plantings may be used in order to incorporate vegetated stormwater management measures into landscaped areas.**

- e. 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, **a vegetated stormwater management measure** or otherwise landscaped to create a permanent green area.

Sec. 54-414 – Parking requirements. Paragraph (7)

- (7) *Surfacing.* All off-street parking areas and outside storage areas shall be surfaced with an asphalt or Portland cement pavement, **or permeable surfacing approved by the Village Engineer,** in accordance with village standards and specifications so as to provide a durable and dust free surface, and shall be so graded and drained as to dispose of all surface water without the need to cross neighboring properties. Surfacing shall be completed within 18 months following construction of the principal structure or use. The village board shall require the installation of catch basins in parking areas adjacent to the existing storm sewer system or may require that parking areas be designed to detain stormwater. Any parking area for more than five vehicles shall have the aisles and spaces clearly marked.

Sec. 54-414 – Parking requirements. Paragraph (11)

- (19) The following guide specifies the minimum number of parking spaces required. The reference herein to "the work shift with the largest number of employees" means the maximum number of full-time or part-time employees present at the facility at any one time. For example, the largest work shift may be a particular day of the week, or a lunch or dinner period in the case of a restaurant. The reference herein to "maximum capacity" means the maximum number of persons which may be accommodated by the use as determined by its design or by applicable building code regulations, whichever is greater. In the case of structures or uses not specified herein, the number of spaces specified for a use which is similar shall apply. In developments involving the establishment of two or more uses on one lot or parcel, the number of spaces required for each use shall determine the total number of spaces required.

- a. *Residential uses.*

- a. Single ~~and~~ two- ~~and multiple~~ family dwelling: Two spaces per dwelling unit.

- a. **Multiple family dwelling: Two spaces per dwelling unit. For buildings with more than 8 units where all spaces are in common (i.e. not reserved) required number of spaces is reduced to 1.2 per dwelling unit plus 1 space per every 4 dwelling units.**

~~3.~~ Housing for the elderly: 0.75 space per dwelling unit.

b. *Retail sales and customer service uses; places of entertainment.* Retail sales and customer service uses, and places of entertainment, except as specifically set forth below: One space per ~~150~~ 200 square feet of gross floor area of customer sales and service, ~~plus one space per 200 square feet of storage or office gross floor area, or if the use has at least 80,000 square feet of gross floor area, one space per 200 square feet of gross floor area.~~ Other retail sales and customer service uses and places of entertainment:

a. Financial institutions: One per ~~150~~ 275 square feet of gross floor area. ~~Financial institutions with drive-through service facilities shall provide sufficient space for four waiting vehicles at each drive-through service lane.~~

a. Financial institutions with drive-through facilities: One per 175 square feet of gross floor area; maximum of 3 drive-through lanes with sufficient waiting space for 2 vehicles at each lane.

~~3.~~ Funeral homes: One space per four patron seats of maximum capacity of 25 spaces per chapel unit, whichever is greater.

~~3.4.~~ Grocery stores or supermarkets: One space per 150 square feet of gross floor area. ~~of customer sales and service plus one space per employee for the work shift with the largest number of employees.~~

~~4.5.~~ Motels and hotels: One space per room or suite, ~~plus one space per employee for the work shift with the largest number of employees,~~ plus one space per three persons of maximum capacity of each public meeting or banquet room.

~~5.6.~~ Lodges and clubs: One space per three persons based on the maximum capacity of the facility.

~~6.7.~~ Repair services: One space per ~~300~~ 500 square feet of gross floor area. ~~plus one space per employee for the work shift with the largest number of employees,~~

~~7.8.~~ Restaurant, standard sit-down: One space per 150 square feet of gross floor area, plus one space per employee for the work shift with the largest number of employees.

~~8.9.~~ Theaters, auditoriums and other places of public assembly: One space per three patrons based on the maximum capacity of the facility.

~~9.10.~~ Barbershops; beauty shops, ~~health clubs;~~ personal services: Whichever is greater of the following; two spaces per treatment station or one space per 250 square feet of gross floor area. One space per 200 square feet of gross

~~floor area, plus one space per employee for the work shift with the largest number of employees.~~

11. Health Clubs: One space per 400 square feet of gross floor area.

~~10.12.~~ Convenience grocery stores: One space per 100-200 square feet of gross floor area.

~~11.13.~~ Restaurants, drive-in: One space per 50-120 square feet of gross floor area, ~~plus one space per employee for the work shift with the largest number of employees.~~ Drive-in restaurants shall have a maximum of one drive-through lane and shall provide sufficient space for six waiting vehicles at each drive-through service lane.

~~12.14.~~ Taverns, dance halls, night clubs and lounges: 0.5 spaces per maximum occupancy. ~~One space per 50 square feet of gross floor area, plus one space per employee for the work shift with the largest number of employees.~~

~~13.15.~~ Motor vehicle sales establishments: One space per 500 square feet of gross floor area. Two customer parking spaces per salesperson for the work shift with the largest number of salespersons, plus one employee parking space per employee (including sales persons) for the work shift with the largest number of employees.

~~14.16.~~ Motor vehicle repair, maintenance and service stations: Two-Three spaces per indoor service bay plus one space per 500 square feet of gross floor area. ~~employee for the work shift with the largest number of employees.~~

~~15.17.~~ Animal hospitals: One space per 400 square feet of gross floor area. ~~Three patron parking spaces per doctor, plus one employee parking space for the work shift with the largest number of employees.~~

~~16.18.~~ Plant nurseries and garden and lawn supply sales establishments: One space per 400 square feet of gross floor area including outdoor retail and display area. ~~200 square feet of gross floor area of inside sales or display, plus one space per 500 square feet of gross outside sales or display area, plus one space per employee for the work shift with the largest number of employees.~~

~~17.19.~~ Shopping centers (gross leasable area of at least 50,000 square feet): 5½ spaces per 1,000 square feet of gross leasable area.

~~18.20.~~ Car washes: One space per 500 square feet gross floor area with a minimum of 2 spaces. ~~One space per employee for the work shift with the largest number of employees.~~ Car washes shall provide sufficient space for four-two waiting vehicles at each washing stall and sufficient space for drying two one vehicles after washing stall.

- c. Offices.
 - a. Medical, dental and similar professional health service offices: One space per 250 square feet of gross floor area. Five patron parking spaces per doctor, plus one parking space per employee for the work shift with the largest number of employees.
 - a. Government, professional and business offices: One space per 150-200 square feet of gross floor area. plus one space per employee for the work shift with the largest number of employees.
- d. Commercial/recreational uses. Commercial/recreational uses, except as specifically set for below: One space per four-three patrons based on the maximum capacity of the facility. plus one space per two employees the work shift with the largest number of employees. Other commercial/recreational uses:
 - a. Bowling alleys: Five spaces for each lane. plus one space per employee for the work shift with the largest number of employees.
 - a. Golf courses: 90-5 spaces per nine hole. s, plus one space per employee for the work shift with the largest number of employees.
 - a. Golf driving ranges: One space per tee. plus one space per employee for the work shift with the largest number of employees.
 - a. Indoor tennis, racquetball and handball courts: Three spaces per court, plus one space per employee for the work shift with the largest number of employees.
 - a. Miniature golf courses: $1\frac{1}{2}$ spaces per hole, plus one space per employee for the work shift with the largest number of employees.
 - a. Skating rinks, ice or roller: One space per three patrons based on the maximum capacity of the facility. One space per 200 square feet of gross floor area.
- e. Industrial and related uses.
 - a. Manufacturing, processing, fabrication operations, wholesale business and warehousing: One space per 2,000 square feet.
 - a. Mini-warehouse: One space per ten storage cubicles.
 - a. Extractive and related operations: One space per employee for the work shift with the largest number of employees.
- f. Institutional and related uses.
 - a. Churches: One space per three seats based on the maximum capacity of the

facility.

- a. Libraries: One space per 250 300 square feet of gross floor area, ~~or one space per four seats of maximum capacity, whichever is greater, plus one space per employee for the work shift with the largest number of employees.~~
- a. Museums: One space per 250 300 square feet of gross floor area, ~~plus one space per employee for the work shift with the largest number of employees.~~
- a. Rooming houses and boardinghouses, fraternity and sorority houses, dormitories and rectories: One space per bed. Whichever is greater of the following; One space per room or one space per 400 square feet of gross floor area.
- a. Convents and monasteries: One space per three residents, plus one space per employee for the work shift with the largest number of employees, plus one space per five chapel seats if the public may attend.
- a. Nursing homes: One space per three patient beds, ~~plus one space per employee for the work shift with the largest number of employees.~~
- a. Hospitals: Two spaces per ~~three~~ patient bed, ~~plus one space per staff doctor and each other employee for the work shift with the largest number of employees.~~
- a. Schools.
 - (i) Elementary schools and high schools: One space for each teacher and staff member, plus one space for each ten students 16 years of age and older.
 - (ii) Colleges, universities, and trade schools: One space for each teacher and staff member during the highest class attendance period, plus one space for each two students during the highest attendance period.
 - (iii) Children's nursery schools or day schools: One space per employee for the work shift with the largest number of employees, plus one space per six students at the highest class attendance period.

Sec. 54-414 – Parking requirements. Paragraph (12)

- (12) Uses not listed. In the case of structures or uses not mentioned, the provision for a use which is similar shall apply. An applicant also may submit information specific to the proposed use as provided in subsection (o) below. Floor space or area means 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.

Sec. 54-414 – Parking requirements. Paragraph (18)

- (18) Request for modification of required parking based on information from a comparable use. Any applicant may submit parking survey and traffic study information from a comparable use in a comparable setting, and may request the Plan Commission approve a specific parking ratio based on the information submitted. Such information shall have been prepared or collected no more than three (3) years prior to the time of application. However, in making a determination under this subsection, in no case shall the Plan Commission increase the number of parking spaces by more than five percent (5%) over the number of spaces that would be required under this Title for a comparable use or uses.

Sec. 54-414 – Parking requirements. Paragraph (19)

- (19) Shared Parking. As a matter of policy the Village of Butler finds that coordination of parking among mixed or combined uses is desirable to reduce the amount of paved surface on a site. Combinations of any of the uses set forth in Sec. 54-414(11) above may provide the total number of off-street parking stalls and/or queuing space required for each individual use, or may submit for Plan Commission approval a Shared Parking Analysis and Plan in accordance with the following:
- a. A Shared Parking Plan shall be submitted with site plan showing a complete and accurate description of the proposed uses, the floor area dedicated to each use, and the distance from each use to the proposed parking area. The principal entryway of each use participating in the shared parking plan must be located within five hundred (500) linear feet of the nearest point of the parking area.
 - b. A Shared Parking Analysis shall be presented showing the parking demand for each individual use by time period, in the form of a matrix. The time periods shall include a weekday morning, weekday lunch time, weekday afternoon, weekday evening, Saturday midday and Saturday evening. If a use or uses experience significant seasonal variation, the analysis should be based on a peak period (i.e. summer, winter, special event). For each use, the matrix shall indicate the individual parking requirement corresponding to Sec. 54-414(11) above, the expected demand for each time period analyzed (expressed as a percent of peak demand), and the resulting number of parking spaces required for that use at a particular time period. The largest number resulting shall be the maximum number of spaces required to be provided in the Shared Parking Plan. For example, in the Table below, the maximum period is the Weekday PM, with 90 spaces required.

Shared Parking Analysis Format

Use	Standard (Units, SF or Patrons	# of Employees @ Largest Shift	Required Parking From Section 13-1-92(k)	Spaces	Weekday AM (9-11 AM)		Weekday Lunch (12-2 PM)		Weekday PM (3-5 PM)		Weekday Eve (7-9 PM)		Saturday Day (12-2 PM)		Saturday Eve (7-9 PM)	
					% Use	Cars	% Use	Cars	% Use	Cars	% Use	Cars	% Use	Cars	% Use	Cars
Apartment	8 Units	n/a	2 per unit	16	.5	8	.5	8	.95	15	1	16	.95	15	.7	11
General Restaurant	1,500 SF	10	1 per 150 SF + 1 per emp. max shift	20	.3	6	.75	15	.5	10	.75	15	.75	15	.75	15
Medical Office	10,000 SF	36	1 per 250 SF	40	1	40	.9	36	1	40	.75	30	.5	20	.2	8
Health Club	10,000 SF	10	1 per 400 SF	25	.2	5	.2	5	1	25	1	25	1	25	.5	13
Total				101		59		64		90		86		75		47

- c. The Shared Parking Plan shall indicate any spaces that would be reserved or signed for a particular use (i.e. residential spaces within structures or garages, pick-up and delivery vehicle spaces for restaurants, etc.). The locations of signed or reserved spaces shall be clearly related and proximate to the associated use, and shall be limited to the minimum number required to support the associated use. Sufficient spaces shall remain unmarked and unreserved to support the function of the Shared Parking Plan.
- d. The Shared Parking Plan and Matrix should be undertaken by a professional planner or engineer, and should be based on published shared parking guidance from the Urban Land Institute, Institute of Transportation Engineers, American Planning Association, or similar professional organization.
- e. Signed acknowledgement of the Shared Parking Plan, on a form prescribed by or sufficient to the Village Attorney, shall be required for each tenant, owner or operator of a use subject to the Plan prior to issuance of a Certificate of Occupancy.
- f. In the event of any change of use, or a change in the area or size of any use, the Shared Parking Plan shall be updated to reflect the change of use or area. If the revised number of parking spaces is equal to or less than the number available, the Building Inspector shall have the authority to approve an amendment to the Shared Parking Plan. If the number of parking spaces must be increased, approval of the Plan Commission is required.

SECTION II

The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

SECTION III

All ordinances or parts of ordinances contravening the terms of this ordinance are hereby to that extent

repealed.

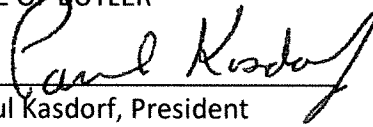
SECTION IV

This ordinance shall take effect and be in full force upon its passage and the day after its publication.

PASSED and **ADOPTED** by the Village Board of the Village of Butler, Waukesha County, Wisconsin, this the 15th day of August, 2023.

VILLAGE OF BUTLER

By:


Paul Kasdorf, President

ATTEST:


Benjamin Hubrich, Village Administrator/Clerk