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**LEGISLATIVE/LICENSING COMMITTEE MEETING**

**Monday, May 10, 2021 at 4:00 p.m**  
**Caledonia Village Hall – 5043 Chester Lane**

**THIS WILL BE AN IN-PERSON MEETING – MAX NUMBER OF ATTENDEES 16**

1. Call to Order
2. Approval of Minutes
3. Text Amendment regarding off street parking regulations
4. Consider repeal of oversize garage variances adopted 2018
5. Discussion on Village Policy for Funding of Internal Village Events and Meetings
6. Discussion on Weed Commissioner Policy
7. Adjournment

Dated May 7, 2021

Joslyn Hoeffert  
Village Clerk

Only committee members are expected to attend. However, attendance by all Board members (including non-members of the committee) is permitted. If additional (non-committee) Board members attend, three or more Board members may be in attendance. Section 19.82(2), Wisconsin Statutes, states as follows:

If one-half or more of the members of a governmental body are present, the meeting is rebuttably presumed to be for the purposes of exercising the responsibilities, authority, power or duties delegated to or vested in the body.

To the extent that three or more members of the Caledonia Village Board actually attend, this meeting may be rebuttably presumed to be a “meeting” within the meaning of Wisconsin’s open meeting law. Nevertheless, only the committee’s agenda will be discussed. Only committee members will vote. Board members who attend the committee meeting do so for the purpose of gathering information and possible discussion regarding the agenda. No votes or other action will be taken by the Village Board at this meeting.

**LEGISLATIVE/LICENSING COMMITTEE MEETING**  
**CALEDONIA VILLAGE HALL**  
**5043 CHESTER LANE, RACINE, WI 53402**  
**Monday, May 3, 2021**

**1. Call to Order**

Trustee Wanggaard called the meeting to order at 5:34 p.m. In attendance were:

**Committee Members:** Trustee Wanggaard and Trustee Stillman. Trustee Martin was also present.

**Absent:** None.

**Staff/Others Present:** Public Works Director Tom Lazcano. Attorney Elaine Ekes was also present.

**2. Approval of minutes**

Trustee Stillman motioned to approve the minutes as printed from February 9, 2021. Trustee Wanggaard seconded. Motion carried unanimously.

**3. Approval of New Class B Combination Liquor License/Javeen LLC/Trade Name Arbee's Liquor Mart/4606 Douglas Avenue/ Priyank Patel, Agent**

Patel was present and submitted all the necessary paperwork and has passed the required inspection. The new owner's also own Dandee Liquor's and are familiar with the procedures. They hope to retain the old staff, and explained the training regimen.

Trustee Stillman motioned to approve the New Class B Combination Liquor License/Javeen LLC/Trade Name Arbee's Liquor Mart/4606 Douglas Avenue/ Priyank Patel, Agent and forward to the Village Board. Trustee Wanggaard seconded. Motion carried unanimously.

**4. Ordinance 2021-05 – An Ordinance To Amend Section 15-1-3(B) Of The Code Of Ordinances Of The Village Of Caledonia, Racine County, Wisconsin, Relating To Wisconsin Uniform Dwelling Code**

The UDC delegation ordinance on file is for the Town of Caledonia's delegation in 1990. A current ordinance is needed to adopt SPS 320-325 and 327. Once updated, the UDC delegation will be designated as the Village instead of the Town.

Trustee Stillman motioned to approve Ordinance 2021-05 – An Ordinance To Amend Section 15-1-3(B) Of The Code Of Ordinances Of The Village Of Caledonia, Racine County, Wisconsin, Relating To Wisconsin Uniform Dwelling Code and forward to the Village Board. Trustee Wanggaard seconded. Motion carried unanimously.

**5. Adjournment**

There being no further business, Motion by Trustee Stillman to adjourn the meeting at 5:40 p.m. Trustee Wanggaard seconded. Motion carried unanimously.

Respectfully submitted,  
Joslyn Hoeffert, Village Clerk

**CHAPTER 12**  
**Off Street Parking**

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<i>Section Number</i>	<i>Title</i>	<i>Ordinance Number</i>	<i>Date of Ordinance</i>
16-12-1	Off Street Parking		

**16-12-1 OFF STREET PARKING**

- (a) **OFF STREET PARKING REQUIRED:** Off-street vehicle parking areas shall be provided for buildings and uses as hereinafter specified. Such parking shall be reasonably adjacent to the use or building served; be intended specifically to serve the residents, patrons, and/or employees of said use or building; and the required number of spaces must be demonstrably usable and accessible for such purpose.
- (b) **APPLICATION TO EXISTING USES:** The provision of parking space shall not be required for legally existing uses as of the date of this ordinance, but shall be required for any expansion for such use by the addition of new primary floor area or other spatial expansion of building or use generating new parking demand.
- (c) **DETERMINATION OF NEED:** The number of parking areas required shall be based upon the anticipated parking demand of individual uses and shall be as follows or as may be designated hereinafter for specific uses or situations as per Plan Commission approval. In any case of structures or uses not mentioned, the provision for a use which is similar shall apply:

Use	Parking Requirements
Single Family Dwelling and Mobile Homes	2 spaces per dwelling unit
Two-Family and Multi-Family Dwellings	2 spaces per dwelling unit
Hotels and Motels	1 space for each guest room plus 1 stall for each 3 employees
Colleges, Secondary, and Elementary Schools	1 stall for each 2 employees plus a reasonable number of stalls for student and other parking
Hospitals, Clubs, Lodges, Sororities, Dormitories, Lodginghouses, and Boardinghouses	1 stall for each 2 beds plus 1 stall for each 3 employees
Rest Homes, Nursing Homes, Sanitariums, and Institutions	1 stall for each 5 beds plus 1 stall for each 3 employees
Medical and Dental Clinics	3 stall for doctor plus 1 stall for each employee
Churches, Theatres, Auditoriums, Community Centers, Vocational and Night Schools, and Other Places of Public Assembly	1 stall for each 5 seats
Restaurants, Bars, Places of Entertainment, Repair Shops, Retail and Service Stores	1 stall for each 150 square feet of floor area
Manufacturing and Processing Plants, Laboratories and Warehouses	1 stall for each 2 employees during any 12-hour period
Financial Institutions, Business, Governmental and Professional Offices	1 stall for each 300 square feet of floor area
Funeral Homes	1 stall for each 4 seats
Bowling Alleys	5 stalls for each alley

(d) ADJUSTMENTS TO REQUIRED PARKING:

The purpose of this section is to allow adjustments to the minimum number of parking spaces required to avoid constructing unneeded and excessive off-street parking facilities. Reducing the amount of excess off-street parking facilities is intended to provide for more cost-efficient site development, to eliminate constructing more impervious surface than necessary, to minimize storm water runoff, to avoid construction of unnecessarily large storm water management facilities, and to provide more landscape areas and open space on commercial and industrial sites. To achieve these purposes, the Plan Commission may reduce the minimum number of required off-street parking spaces in specific cases as described in this section.

(1) Adjustments. In all districts, the minimum number of required parking spaces may be adjusted by the Plan Commission on a case-by-case basis. The petitioner for such an adjustment shall show to the satisfaction of the Plan Commission that adequate parking will be provided for customers, clients, visitors, and employees. The following provisions and factors shall be used as a basis to adjust parking requirements:

(a) Evidence That Actual Parking Demands Will Be Less Than Ordinance Requirements. The petitioner shall submit written documentation and data to the satisfaction of the Plan Commission that the operation will require less parking than the Chapter requires.

(b) Availability of Shared Parking. The petitioner shall submit written documentation to the satisfaction of the Plan Commission that off-site shared parking spaces are available within 400 feet of the lot line and within the same block to satisfy the parking demand. When a reduction of parking spaces attributable to shared parking is requested, the petitioner shall submit written verification that such parking is available and shall include copies of any contracts, joint lease agreements, purchase agreements, and other such documentation to show that such shared parking can be accomplished. Any and all such agreements shall be recorded with the Milwaukee County Register of Deeds, at the applicant's expense, and a copy of the recorded agreement shall be filed with the City Clerk. The off-site shared parking spaces shall be clearly posted for the joint use of employees, and/or tenants, or customers of each respective use sharing those spaces.

(c) Use of Optional Modes of Transportation. Upon demonstration to the Plan Commission that effective alternative transportation to the automobile will occur within 12 months following the issuance of the certificate of compliance, the Plan Commission may reduce parking requirements. Optional modes of transportation may include, but is not limited to, bus transit, van pool operations, car pool/ride sharing, and bicycles. Parking management plans/operations may also be used as a basis to reduce required parking. Parking management plans may include, but are not limited to, flexible working hours or shifts, preferential parking for car pools/van pools, transit/van pool fare subsidy, imposition of a charge for parking, and establishment of a transportation coordinator to implement car pool, van pool, and transit programs. Proposals for adjustments of parking requirements under this section shall show how the alternative transportation modes will be implemented, the permanency of such modes, extent of the program, the number of vehicles the mode will replace, and other pertinent information.

(d) All businesses that cater to customers who drive vehicles larger than what can be accommodated in a 10' X 20' parking space, shall provide the appropriate number of parking spaces and access aisles to accommodate these vehicles.

(e) STANDARD DIMENSIONS:

(1) Parking stalls shall be no less than nine (9) feet in width and not less than 180 square feet

- in area exclusive of the space required for ingress and egress.
- (2) Drive aisles shall be a minimum of 24 feet in width for two-way traffic and 12-feet in width for one-way traffic on sites. Fire Code requirements may apply above these stated drive aisle requirements in some cases.
- (f) AMERICAN DISABILITIES ACT: Adequate parking stalls shall be made available for disabled persons per federal and state requirements.
- (g) LOCATION: Location of parking areas shall be on the same lot as the principal use.
- (h) SURFACING: Any driveway or off-street parking area (other than that provided for a residence) shall be hard surfaced or maintained in a reasonably dustless condition by dust-proofing applications. The method of surfacing shall be approved by the Plan Commission.
- (i) CURBS: Curbs or barriers shall be installed so as to prevent parked vehicles from extending over any lot lines. The extent of curbing need on a given parking lot shall be approved by the Plan Commission.
- (j) SCREENING: Any off-street parking area, other than that provided for a residence, which abuts or faces a residence district shall provide a planting screen, landscaped fence, or wall, at least four (4) feet in height along the side abutting or fronting on a residence district (Subject to Planning Commission discretion for unique situations). Plans for such screen shall be submitted to the Plan Commission for approval prior to installation.
- (k) PARKING SETBACKS:
- (1) In any residential district no vehicle shall be allowed to park closer nor shall any drive be permitted closer than five (5) feet to the abutting residential lot line and the parking of a vehicle must be on a hard surface of compacted gravel or concrete/asphalt. The following setbacks shall apply for the parking of vehicles in zoning districts in the Village and shall comply with the requirements of this subsection:

**Off-Street Parking Setbacks by District:**

District	Setback from Right-of-Way	Setback from Side & Rear Property Lines
Residential	0 ft	5 ft
Multi Family -Residential	15 ft	15 ft
Commercial	15 ft	0 ft
Manufacturing	15 ft	0 ft
Park/Institutional	15 ft	15 ft

- (2) In any off-street parking area for a commercial use, no vehicle shall be allowed to park closer nor shall any drive be permitted closer than fifteen (15) feet to an abutting residential district (Subject to Planning Commission discretion for unique situations and approved

screening methods).

(l) DRIVEWAY ACCESS:

- (1) Adequate access to a public street shall be provided for each parking area, and driveways shall be at least ten (10) feet wide for one- and two-family dwellings and a minimum of twenty-four (24) feet for all other uses.
- (2) No direct access shall be permitted to the existing or proposed rights-of-way of expressways, freeways or interstate highways, nor to any other road, street or highway, without permission of the authority maintaining the facility.
- (3) Vehicle entrances and exits to drive-in theaters, banks, and restaurants; motels; funeral homes; vehicular sales, service, washing and repair stations; garages; or public parking lots shall be at least two hundred (200) feet from any pedestrian entrance or exit to a school, college, university, church, hospital, park, playground, library, public emergency shelter or place of public assembly.
- (4) Adjacent residential uses may agree to establish a common driveway. In such cases, the driveway midpoint should be the property line between the two (2) parcels; however, the precise location of such driveway will be determined by the jurisdictional authority. The driveway must meet standard specifications and the landowner(s) shall record cross access agreements to ensure continued use, upkeep and maintenance of the combined access points.
- (5) Cross access to and between neighboring properties shall be implemented wherever possible. The goal in this requirement is to remove as much incidental, site-to-site traffic from adjacent roads as practical thus reducing the possibility of traffic conflicts and accidents. Cross access may be achieved by the interconnection of parking lots or the construction of a separate drive. Sharing of access to state and county trunk highways by commercial or industrial land uses may also be permitted. Such shared access shall have the approval of the county highway department or state department of transportation, depending upon jurisdiction. A cross access agreement shall be recorded by all landowners utilizing such shared access. Such shared access must meet standard specifications.
- (6) Access drives to principal structures which traverse wooded, steep, or open fields shall be constructed and maintained to a width and base material depth sufficient to support access by emergency vehicles. All driveways shall have a minimum width of twelve (12) feet with road strength capable of supporting emergency and fire vehicles, in compliance with any Village standards.

(m) RESIDENTIAL & COMMERCIAL PARKING RESTRICTIONS:

- (1) Parking of vehicles accessory to a residential use shall be limited to those actually used by the residents or for temporary parking for guests. Vans or pickup trucks used for private and recreational use, or a motor home (recreational vehicle), or a van or pickup truck used in a business or trade and commercial vehicle used for transportation to and from a place of employment or workplace of the occupant may be parked on a residential property.
- (2) One (1) commercial vehicle of not over one-ton rated capacity may be parked per residential dwelling unit, providing all of the following conditions are met: vehicle is registered and licensed; used by a resident of the premises; gross weight does not exceed ten thousand (10,000) pounds, including any load; height does not exceed nine (9) feet as measured from ground level, excluding antennas, air vents, and roof-mounted air conditioning units, but including any load, bed, or box; and total vehicle length does not exceed twenty-six (26) feet, including attachments thereto (such as plows, trailers, etc.).
- (3) Recreational vehicles must maintain a minimum of a five-foot setback from the rear and side lot lines but are not restricted to a minimum setback to the principal structure. If parked

in the street yard, the recreational vehicle must be parked on the driveway or on an improved surface such as asphalt, concrete, or compacted gravel. For the purpose of this section, recreational vehicles shall include boats and trailers, snowmobiles and their trailers, minibikes or trailbikes and their trailers, and unoccupied tent campers and travel trailers, all-terrain vehicles and personal watercraft and their trailers.

- (4) Vehicles shall be parked either within an enclosed attached garage or detached accessory structure or on an improved surface such as: asphalt; concrete; or compacted gravel.
  - (5) No other vehicular equipment of a commercial or industrial nature, except as stated above, shall be parked or stored for more than two (2) consecutive hours and four (4) accumulated hours during any twenty-four-hour period on any lot in any zoning district except business and industrial districts or as permitted by an approved conditional use in the A-1 district.
  - (6) Outdoor parking of semi-tractors/trailers on commercial property (B-districts), that is not a principal use (e.g., truck sales), an accessory use (e.g., delivery vehicles), or which has not been approved through the conditional use or site plan review process is prohibited.
  - (7) Agricultural equipment (such as farm tractors, plows, farm plows, seeders, combines, cultivators, trucks owned and used by the farmer in the operation of the farm, etc.) used in a farm operation are permitted in all agricultural districts.
- (n) **OCCUPATION OF PARKED VEHICLES PROHIBITED:** No Camping Trailer or Recreational Vehicle shall be used for the purpose of habitation in the Village.
- (o) **USES NOT ENUMERATED:** In any case where there is question as to the parking requirements for a use or where such requirements are not specifically enumerated, such case shall be brought before the Plan Commission, which shall have the authority to determine the appropriate application of the parking requirements to the specific situation.
- (p) **STREET SERVICING PROHIBITED:** No building for commercial or industrial purposes shall hereafter be erected or placed on a lot in a manner requiring servicing directly from the abutting public street.



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**LEGISLATIVE/LICENSING COMMITTEE MEETING AGENDA**  
**Tuesday, September 4, 2018 at 5:30 p.m.**  
**Caledonia Village Hall – 5043 Chester Lane**

1. Approval of Minutes
2. Review and Revise Policy Requirements For Oversized Garage Permits
3. **Ordinance 2018-XX** – An Ordinance To Amend Section 2-4-23(A) Of The Code Of Ordinance For The Village Of Caledonia Pertaining To Residency Requirements
4. Adjournment

Dated this 31<sup>st</sup> day of August, 2018

Karie Torkilsen  
Village Clerk

Only committee members are expected to attend. However, attendance by all Board members (including non-members of the committee) is permitted. If additional (non-committee) Board members attend, three or more Board members may be in attendance. Section 19.82(2), Wisconsin Statutes, states as follows:

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Trustee Wanggaard called the meeting to order at 5:31 p.m. In attendance were:

**Committee Members:** Trustee Kevin Wanggaard, Trustee Dale Prott

**Department Managers:** Administrator Tom Christensen, HR Director Toni Muise, Utility Manager Anthony Bunkelman, Public Work Manager Tom Lazcano, and Attorney Elaine Ekes

**1. Approval of minutes**

Trustee Prott moved to approve the August 15, 2018 minutes as printed, Trustee Wanggaard seconded. Motion carried.

**2. Review and Revise Policy Requirements for Oversized Garage Permits**

Lazcano explained that we have an oversized structure variance policy that anything over 720 square feet for a stick build, or over 1,200 square feet for mason build requires- letters mailed to neighboring properties, a memo from the Public Works Director/Village Engineer recommending approval and then finally Village Board approval. Lazcano stated the policy was created over 20 years ago with the intent to prevent large garages and pole barn structures from going up in residential areas, without allowing neighbors to have an opportunity to object. He would like to update the policy to allow for 3 1/2 car garages which seems to be the new norm. He is also proposing to change the requirement from 720 square feet to 1,050 square feet stick built and to keep the masonry the same. The variance requirements will remain the same, only the square footage is being changed. If the structure is attached, no variance will be required as there is no variance requirement for a new construction if the garage is attached. Pole barns will still need approval, as well as very large garages. If the structure is going to include living quarters, such as a mother-in-law suite, they would have to meet the residential home setback requirements because it would be viewed as an addition to the house. Attorney Ekes mentioned that a plan with a living quarter will need to be reviewed against the zoning code, two living residences on one parcel might be an issue, and should be looked at closer. The goal of this policy change is to reduce the amount of variances that need to be processed by the Engineering Department and sent to the Board by over 50%.

Motion by Trustee Prott to direct staff to revise the policy as presented and discussed. Seconded by Trustee Wanggaard. Motion carried unanimously.

**3. Ordinance 2018-(XX) – An Ordinance To Amend Section 2-4-23(A) Of The Code Of Ordinance For The Village Of Caledonia Pertaining To Residency Requirements**

Toni Muise explained that this was discussed at the last Legislative & Licensing meeting. They discussed options for residency requirements because it came up during the Police Chief interviews.

## **RE: Residential Oversize Garage/Structure variance change**

**Reason for Change:** The current policy was created over 20 years ago and the intent was to prevent large garages and pole barn structures from going up in residential areas, without allowing neighbors to have an opportunity to object. The policy allowed for 2 ½ car garages which were the norm at the time. This change will allow for 3 ½ car garages, which are becoming the new norm in new home construction while still requiring larger garages and pole barns to have to go through the variance process. This change will reduce the amount of variances that need to be processed by the Engineering Department and sent to the Board by over 50%, while still sending very large garages and Pole Barns to the Board.

### **Current requirements:**

For Detached: Variance needed for any structure over 720 SF (Stickbuilt) or 1,200 SF (Masonry) construction.

For Attached: Variance needed for additions to existing attached structures that create a total covered area of over 720 SF.

Letters need to be mailed to neighboring properties.

Memo from Public Work Director/Village Engineer recommending approval.

Board Approval required.

### **Proposed requirements:**

For Detached: Variance needed for any structure over 1,050 SF (Stickbuilt) or 1,200 SF (Masonry) construction.

Letters need to be mailed to neighboring properties.

Memo from Public Work Director/Village Engineer recommending approval.

Board Approval required.

For Attached: No variance will be required as there is no variance requirement for new construction if garage is attached.