

**CITY OF MENASHA**  
**Public Hearing**

NOTICE IS HEREBY GIVEN that the City of Menasha is proposing an amendment to Title 13, Article E of the Code of Ordinances relating to the paving of driveways. Persons interested in the proposed change to the zoning code are encouraged to provide oral or written comments for consideration at the public hearings. For more information and/or copies of the proposed ordinance, please contact the Department of Community Development at (920) 967-3650.

Plan Commission - Informal Hearing  
Tuesday, December 7, 2010 at 3:30 pm or shortly thereafter

Common Council – Formal Public Hearing  
Monday, December 20, 2010 at 6:00 pm or shortly thereafter

Both hearings will be held at: Menasha City Hall  
Council Chambers, 3<sup>rd</sup> Floor  
140 Main Street  
Menasha, WI 54952

*Publish: Dec. 5 & 12, 2010*



### Memorandum

TO: Administration Committee/Common Council  
FROM: Greg Keil, CDD *GK*  
DATE: December 13, 2010  
RE: Status of Driveway Ordinance

A Public Hearing has been scheduled for December 20, 2010 on the proposed ordinance relating to driveway paving requested by Ald. Zelinski and Ald. Taylor and referred to the Plan Commission. Although the ordinance is quite straight forward, the details associated with its implementation are not. The Plan Commission has considered the ordinance and the attached draft Driveway Installation Policy, but has yet to forward its recommendation to the Common Council pending the resolution of a procedure for dealing with shared driveways and other issues. Engineering Department staff has conducted an inventory of all driveways in the city, but the results of this inventory are yet to be entered into a database. We are also putting together a month-by-month inventory of property transfers. Both of these efforts are being undertaken to gain a better understanding of staffing resources required for the implementation of the driveway ordinance and to establish a procedure for notifying affected properties.

The driveway ordinance is reappearing on the December 21, 1010 Plan Commission meeting agenda, and I am expecting that the ordinance will be recommended to the Common Council at that, or its next succeeding meeting.

**ORDINANCE O-18-10**  
**AN ORDINANCE RELATING TO PAVING OF DRIVEWAYS**

Introduced by Aldermen Taylor and Zelinski.

The Common Council of the City of Menasha does hereby ordain as follows:

SECTION 1: Amend Title 13, ARTICLE E, SEC.13-1-51(b)(1) and (2) and (e)(3) of the Code of Ordinances of the City of Menasha, Wisconsin as follows:

**Title 13 - Zoning**

**ARTICLE E**

Traffic Visibility, Loading, Parking and Access

**SEC. 13-1-51 OFF-STREET PARKING.**

- (b) **DISTRICT REGULATIONS.** The following regulations shall be applied to each of the described zoning districts:
- (1) R-1, R-1 A, R-2 and R-2 A Districts
  - ...
  - e. All driveways, parking areas, and driveway aprons shall be surfaced with asphalt, concrete, brick, or other durable dust-free material acceptable to the Department of Public Works in compliance with the minimum standards set forth in the City of Menasha Driveway Installation Policy as approved by the Common Council. This requirement shall not apply to parking areas utilized solely for storage of recreational vehicles in compliance with Sec. 13-1-52.
    - 1. For new one and two family residential structures, such surfacing shall be completed within nine (9) months of receiving an occupancy permit. Driveway aprons shall be paved within nine (9) months of installation of the permanent street.
    - 2. For residential properties with existing driveways, parking areas, and driveway aprons that are not surfaced with a durable dust-free material, such surfacing shall be completed prior to the sale of the property or within nine (9) months of sale of the property.
  - f. A Driveway Permit from the Department of Community Development and a Grade Request from the Department of Public Works shall be obtained prior to installation of any driveway, driveway extension, or parking area. Permit applications shall include a site plan drawn to scale showing the location and dimensions of the driveway in relation to all property lines, structures, service walks, sidewalks, and street rights of way along with specifications showing proposed materials and cross sectional dimensions.
  - g. An Excavation Permit from the Department of Public Works shall be required prior to installation of any driveway apron per Sec. 6-2-3.

## City of Menasha Driveway Installation Policy

1. This Driveway Installation Policy has been adopted by the Common Council as a supplement to Section 13-1-51(b)(1) of the Municipal Code and applies to R-1, R-2, and R-2A zoning districts. It is intended to assist with interpretation and application of the section but may not cover all situations encountered.
2. A Driveway Permit and Zoning Permit from the Building Inspection Office and a Grade Request from the Department of Public Works shall be obtained prior to installation of any driveway, driveway extension, or parking area. Permit applications shall include a site plan drawn to scale showing the location and dimensions of the driveway or parking area in relation to all property lines, structures, service walks, sidewalks, and street rights of way along with specifications showing the proposed materials and cross sectional dimensions.
3. The following standards shall apply:
  - a. All driveways, driveway extensions, parking areas, and driveway aprons shall be surfaced ("paved") with a durable dust-free material acceptable to the Department of Public Works. Alternative materials shall be approved prior to installation by the Director of Public Works as part of the Driveway Permit application. This paving requirement shall not apply to parking areas utilized solely for storage of recreational vehicles in compliance with Sec. 13-1-52.
  - b. Approved paving materials include concrete, asphalt, brick, and similar durable, dust free materials acceptable to the Department of Public Works. Durable, dust free pervious paving materials specifically designed to reduce stormwater runoff are encouraged and may be utilized upon approval by the Director of Public Works.
  - c. The minimum width of any paved driveway or parking area shall be nine (9) feet. If a property does not have a garage, carport, or rear yard parking area, the property owner shall be required to have a minimum area of 320 square feet of paved area per dwelling unit. The minimum paved area shall be adjacent to the driveway apron.
  - d. The following minimum installation standards shall apply:
    - Concrete shall be finished to a minimum thickness of 4" and installed on a minimum 4" base of ¾' crushed aggregate;
    - Asphalt shall be finished to a minimum thickness of 2 ½" and installed on a minimum 6" base of ¾" crushed aggregate;
    - Paving bricks shall be no less than 2 ¼" thick and installed on a minimum 4" base of approved granular material.

- Similar durable, dust-free materials approved by the Department of Public Works shall be installed in a manner that is consistent with professional installation standards.
- e. The following restrictions apply to the front yard area:
- In no case shall a driveway be widened to extend in front of the dwelling unit in the front setback for parking or driving purposes.
  - Paved pedestrian walkways in the front yard that are immediately adjacent to a driveway and lead to an entry or service door may be approved by the Zoning Administrator and/or designee at the time of permit application. Such walkways may not be utilized for parking or driving purposes.
  - Pavers and similar decorative surfaces installed in the front yard as landscaping or aesthetic amenities shall not be used for parking or driving purposes.
4. Any other areas beyond the minimum requirements that are used for parking or driving purposes must either be paved according to the standards above or converted to a grass/lawn surface by completely removing any gravel or non-conforming driveway surface and installing a minimum of 2" of topsoil prior to seeding.
  5. If a driveway is to be completely removed, the driveway apron shall also be completely removed and the area restored to grass/lawn area as stated above and the full curb section reinstalled. Replacing the curb requires an Excavation Permit and must be performed in accordance with City specifications.
  6. Repairs to existing hard surfaced driveways shall be made with materials of the same type as the existing hard surface unless the entire driveway is being replaced.
  7. Extent of Surfacing Requirements:
    - a. All driveway aprons shall be paved in accordance with City specifications.
    - b. When a garage is present, the entire length of driveway from the street right of way to the face of the garage must be paved.
    - c. When a carport is present, the entire length of the driveway from the street right of way along with the base of the carport must be paved.
    - d. When no garage or carport is present, any portion of the driveway or parking area that falls within the front and/or side yards of the property and any portion leading to a rear parking area must be paved.

Maximum rear yard paving?  
 Shared driveways?