



211 Walnut Street
Neenah, WI 54956

AN ORDINANCE: By the Neenah Plan Commission
Re: Amending Neenah Municipal Code Section 26-550(1) of the Zoning Code relating to Residential Driveway Standards.

ORDINANCE NO. 2023-03
Introduced: _____
Committee/Commission Action: _____

AN ORDINANCE

The Common Council of the City of Neenah, Wisconsin, does ordain as follows:

Section 1. That Neenah Municipal Code, Section 26-550(1) of the Zoning Code is hereby amended by deleting the stricken language noted in subsection (1) d, and adding the highlighted language as new subsection (1)l, so as to now read as follows:

Sec. 26-550. District regulations.

The following regulations shall be applied to each of the described zoning districts:

- (1) R-1 and R-2 Districts.
 - a. All automobiles parked outside must be parked on a graveled or paved surface and must be licensed and operable;
 - b. Not more than three vehicles per dwelling unit, shall be parked in the required front yard, one of which may be a recreational vehicle. All vehicles must be on a graveled or paved driveway surface;
 - c. A single large recreational vehicle may be parked in the required front setback area between April 15 and November 15. These vehicles must be parked on a graveled or paved surface;
 - d. No more than than three recreational vehicles may be parked in the side or rear yards, one of which may be a large recreational vehicle. A large recreational vehicle must maintain a minimum three-foot setback from all property lines and must be parked on a graveled or paved surface;
 - e. Portable storage containers may be used for a maximum of 30 days, subject to the following conditions:
 1. Not more than one portable storage container shall be allowed per property, and shall maintain a minimum ten-foot setback from all property lines;

2. No portable storage container shall be placed on public streets or sidewalks without prior approval of the City; and
 3. Portable storage containers shall be kept locked when not in use and shall be no larger than eight feet wide by 16 feet long by eight feet high.
- f. Portable storage containers (dumpsters, PODS, etc.) are permitted during construction to store on-site tools, materials or construction debris. The temporary portable storage containers must be removed immediately upon completion or cessation of construction, subject to the following conditions;
1. Not more than two portable storage containers shall be allowed per property during construction, with a minimum ten-foot setback from all property lines; and
 2. No portable storage container shall be placed on public streets or sidewalks without prior approval of the City.
- g. No commercial vehicle with a weight in excess of 8,000 pounds, over 20 feet in length, or having a height of more than eight feet, shall be parked or stored in a residential district, except when rendering a service; and
- h. No parking of any kind shall be allowed in the vision clearance area or vision clearance triangle.
- i. **Residential Driveway Standards**
1. **New residential driveways and the expansion of driveways constructed after May 1, 2023, shall meet the following requirements:**
 - a. Driveways shall be constructed with a hard surface material such as concrete, asphalt, permeable pavers, or other material approved by the Zoning Administrator.
 - b. **Maximum Driveway Width:**
 1. Front Property line – 30 feet for single-family and 36 feet for two-family with side-by-side garage.
 2. Up to eight feet wider than garage.
 3. 15 feet for properties without a garage.
 4. 15 feet for Looped/Circular driveways.
 - c. Driveways shall be setback a minimum of 2 feet from a side property line.
 - d. Driveways are prohibited from extending in front of a dwelling unit unless a circular/looped driveway has been permitted. Pedestrian walks and other hard surface areas attached to the driveway, but not used for vehicular access or parking purposes, may be constructed in front of a dwelling unit.
 2. **Driveway aprons, the portion of the driveway located within the public right-of-way, shall not exceed the following maximum widths:**
 - a. **Single-Family Dwellings:** 36 feet in width when measured at the curb.
 - b. **Two-Family Dwellings with side-by-side garages:** 42 feet in width when measured at the curb.
 - c. **Single-Family Dwellings:** 30 feet when measured at the right-of-way line.
 - d. **Two-Family Dwellings with side-by-side garages:** 36 feet when measured at the right-of-way line.
 - e. Driveway aprons shall be constructed with a hard surface material at the time a street is finished with curb and gutter.

- f. Prior to construction/reconstruction or modification of a driveway opening, a right-of-way permit is required pursuant to the City Municipal Code of Ordinances.
- 3. Driveways constructed before May 1, 2023, shall meet the following requirements related to expansions and reconstruction:
 - a. No driveway shall be expanded or reconstructed in front of a dwelling unit.
 - b. Expanded or reconstructed driveways can be built up to, but not on a side property line and must not impede storm water drainage.
 - c. Expansion of gravel driveways may not exceed the maximum width requirements for driveways constructed after May 1, 2023. Expansions of existing gravel driveways can be constructed with gravel material.
 - d. Expansion of hard surface driveways may not exceed the maximum width requirements for driveways constructed after May 1, 2023. Expansions of existing hard surface driveways must be constructed with similar hard surface material.
 - e. Driveway aprons may be expanded, but the width of the expansion is limited to the maximum widths outlined in Sec. 26-550 (i)(2) and the driveway apron shall be constructed with a hard surface material.
- 4. A driveway may be extended along the side of a garage by a maximum of eight feet and must maintain a setback of two feet from the side property line. Driveways expanded along the side of a garage may be constructed with a hard surface material or gravel. All areas in front of the garage must be constructed with a hard surface material.

Section 2. Severability. In the event any section, subsection, clause, phrase or portion of this ordinance be for any reason held illegal, invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not otherwise affect the validity of the remainder of this ordinance. It is the legislative intent of the Common Council that this ordinance would have been adopted if such illegal provision had not been included or any illegal application had not been made.

Section 3. Repeal and Effective Date. All ordinances or parts of ordinances and resolutions in conflict herewith are hereby repealed. This ordinance shall take effect from and after its passage and publication.

Published: April 27, 2023

Moved by: Stevenson/Weber

Adopted: April 4, 2023

Approved: 7-0 Borchardt & Steiner Excused

Approved:


Jane B. Lang, Mayor

Attest:


Charlotte Nagel, City Clerk

THIS INSTRUMENT WAS DRAFTED BY:
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